



Agenda Item 2

**MIXED USE DEVELOPMENT, INCLUDING
RESIDENTIAL, EMPLOYMENT,
COMMERCIAL AND RETAIL USE, OPEN
SPACE AND LANDSCAPING WITH
ASSOCIATED INFRASTRUCTURE AT
LAND TO THE EAST OF GILSTON FARM,
GILSTON CRESCENT, POLMONT FOR
HANSTEEN LAND LTD - P/20/0493/PPP**

FALKIRK COUNCIL

Subject: MIXED USE DEVELOPMENT, INCLUDING RESIDENTIAL, EMPLOYMENT, COMMERCIAL AND RETAIL USE, OPEN SPACE AND LANDSCAPING WITH ASSOCIATED INFRASTRUCTURE AT LAND TO THE EAST OF GILSTON FARM, GILSTON CRESCENT, POLMONT FOR HANSTEEN LAND LTD - P/20/0493/PPP

Meeting: PLANNING COMMITTEE

Date: 21 September 2022

Author: DIRECTOR OF PLACE SERVICES

Local Members: Ward - Lower Braes

Councillor Gordon Forrest
Councillor Anne Hannah
Councillor James Kerr

Community Council: Polmont

Case Officer: Brent Vivian (Senior Planning Officer), Ext. 4935

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UPDATE REPORT FOLLOWING SITE VISIT

1. Members of the previous Planning Committee will recall that this application was originally considered by the Planning Committee on 16 February 2022 (copy of previous report appended), when it was agreed to continue the application in order to allow the Committee to carry out a site visit to view the physical characteristics of the site. The site visit took place on 28 February 2022.
2. A range of matters were raised by Committee members at the site visit for consideration in further reporting of the application to Committee. These are summarised as follows:-

- The extent of proposed business land provision, amounting to circa 4 hectares
 - The location of the proposed neighbourhood centre
 - The impact of the indicative location of a healthcare centre on business land provision
 - Potential risk of overspill from the floodplain of Gilston Burn and containment of subsequent floodwaters within the open space/wetland area lower down
 - Location of the proposed sports pitch within the functional floodplain
 - Potential odour impacts from Avondale landfill site, even after it stops accepting waste, given the time it takes for a landfill to stop producing gas
 - Timing/ phasing of closure of Avondale landfill site and implications of the current planning application for a new hazardous waste cell on closure of the landfill facility
 - The suitability of any plant species to mitigate odour impacts by the scent they emit
 - The location of the proposed secondary roundabout access on Gilston Crescent
3. Due to ongoing consideration of these matters, it was not possible to report the application to the remaining Planning Committee meetings prior to the local government elections held on 5 May 2022.
4. Since Committee considered the application on 16 February 2022, a further representation, from Brightons Community Council, has been received. The matters raised in this further representation are as follows:-
- This area is a natural flood area for Gardrum burn that passes through this area and should be taken into account in any considerations
 - This burn passes under the Canal, railway and motorway, and has caused flooding and damage recently
 - Not too long-ago, parts of the burn were culverted and have since proved inadequate, so any new plans must allow additional ample capacity for severe weather events on a regular and frequent basis
 - It would be catastrophic if flooding was increased upstream due to new developments
5. The applicant was invited to comment on the matters raised by Committee members at the site visit carried out on 28 February 2022. The applicant's response to those matters is summarised below:-

The Masterplan Approach and the Employment/ Mixed Use Area

- The applicant chose to submit a planning application in principle rather than a detailed planning application in order to provide an updated expression of the development guidance for the Gilston allocation as a result of flood analysis work carried out by the applicant. This illustrated that some of the key development areas indicated in LDP2 were within the functional floodplain and a larger central open space area would need to be provided and engineered to accommodate overflow water from the functional floodplain and ensure the area of employment land would be robust to climate change
- The increased amount of open space and flood attenuation means that there is a reduction in the developable area from that indicated in the LDP2 allocation. Open space (including SUDS and flood plain or attenuation) comprises circa 50% of the overall site area
- The proposed development identifies circa 4 hectares of land as a Mixed-Use area which includes 2.5 hectares of land for business and industrial uses (Classes 4 and 5). The remaining land in this area would be a mixture of retail, commercial (food and drink/ Sui Generis) and potentially community uses. The retail area would be a dedicated Neighbourhood Area. The Mixed-Use area represents circa 14.3% of the overall developable area of the site (circa 28 hectares). All elements of the Mixed-Use area can be considered employment generating since retail, commercial, or food and drink uses would all create job opportunities for the local area. LDP2 does not specify a required amount of employment land for the site
- The Council's Employment Land Audit (ELA) 2021 sets out the Council's latest information on the strategy, supply and availability relating to employment land within the area. The ELA identifies Gilston as providing 2.5 hectares of employment land (Classes 4 and 5), classified as 'marketable but with constraints'. The ELA identifies that the LDP allocates a total of 278 hectares for employment land. It is evident from the Council's assessment of the required supply of employment land that it is not reliant upon any more than 2.5 hectares of employment land being delivered at Gilston. However, the proposal would deliver circa 4 hectares of employment land as the provision of retail and commercial uses would also support employment at Gilston

- The applicant carried out an update of its Business Development Land Review in August 2022 which examined the local market supply and take up since the ELA's publication in June 2021. It assesses that the identified ELA sites still provide 45.1 years of employment land supply (based on average yearly take up figures), not including commercial areas within mixed use allocations. It concludes that 'The inclusion of 2.5 hectares of employment land at Gilston is therefore appropriate given Falkirk's current land supply position, limited but active local demand requirements, Gilston's physical site attributes and ability to parcel up correctly sized development parcels, and the location of the site'
- Following any approval of the application, suitable delivery partners for the commercial land would be identified through market connections, liaison with the Falkirk Chamber of Commerce and other stakeholders, to find potential occupiers. The land offers potential to provide for a start-up business enterprise and accommodation for local businesses. The applicant estimates that the delivery of this new mixed-use neighbourhood over the next 8 to 9 years would see an investment of over £120m, supporting in the region of 150 construction jobs per year, with the final completed neighbourhood supporting in the region of 300 to 400 full-time equivalent jobs (through the land uses included within the Mixed-Use area)
- In terms of assessing the appropriate balance and scale of land uses at the site, it is important to highlight the housing allocation and its role in contributing to the Council's 5-year effective housing land supply. MU06 seeks for an indicative capacity of 500 new homes at Gilston and this is provided for in the application. Overall, the applicant considers that the balance of providing a development with half of its site as high-quality open space with significant areas of linked parkland, 4 hectares of employment generating land, and 500 homes would fully deliver on the vision of the LDP allocation and respond to market demand

- The potential for provision of a healthcare facility within the Mixed-Use area would use land that forms part of the total 4-hectare area for employment generating land. A new healthcare facility would bring benefits to the development, support a significant number of jobs, and would be considered appropriate for the Mixed-Use area. The amount of land required could be taken from the allowance of land for commercial uses or the Neighbourhood Centre if required, retaining specific employment land for Classes 4 and 5 uses if that is what the market requires
- The decision to locate the Neighbourhood Centre in the north-eastern part of the site is a key element of the masterplan and design strategy for the site. Its location has been chosen to ensure that the employment and commercial area has a focus and would attract people from both the new neighbourhood and the existing community. Its location adjacent to the more business and employment focused area would help ensure an active frontage to the Primary Street close to the main site access point, and a transition area between residential and non-residential areas, allowing for a sense of place to be created rather than risk formation of an isolated area. This would ensure the centre is commercially attractive to investors and customers alike. Its location would be accessible to all within the development, as well as for existing residents in Polmont via the pedestrian linkage from Gilston Crescent using the new crossing over the Gilston Burn. Overall, the applicant considers that the selected location of the Neighbourhood Centre is the most likely to ensure the success of the Mixed-Use area and create the best opportunities for high quality design and successful place-making

• Flood Risk

- As highlighted above, one of the key elements of the planning in principle application was to update the suggested approach in LDP2 for the site to reflect the latest technical data on flood risk. As such, the starting point for the design strategy was the central open space area and the lowering of land to ensure that it could accommodate potential flood water runoff from the flood plain to the south in a 1:200 plus climate change event. The applicant confirms that the central open space area (and the SUDS features contained within it) have been designed and engineered to ensure that floodwater is contained within this central area and would not adversely affect the developable areas

- The application is supported by a Flood Risk Assessment and a Drainage Impact Assessment. Both the Council's flooding and drainage consultants and SEPA have reviewed the submitted information and are satisfied with it
- The Indicative Masterplan identifies the sports pitch as being on the edge of the functional flood plain, rather than fully within it. No buildings or structures are being provided within the functional flood plain. Future detailed design would set the exact edges of open spaces and built development and would aim to avoid risk of the pitch being subject to flooding in a 1:200-year event

Potential Odour Impacts

- The potential effects of the nearby Avondale Landfill on the proposed development were carefully considered in the design strategy and the development framework for the proposed development. As highlighted above, the Mixed-Use area has been positioned in the north-eastern corner of the site, closest to the landfill. These uses are less sensitive to potential odour and noise impacts
- In order to determine the specific potential odour impacts, an Odour and Dust Risk Assessment was prepared and submitted with the planning application. This confirmed that the potential for odour effects is likely to be infrequent and temporary, and the significance of predicted odour effects within the proposed development was assessed as 'not significant'. Mitigation measures were identified for consideration at detailed design stage which would minimise the risk of odour exposure to negligible at all proposed future receptors. Those measures to be considered include south facing garden spaces for residential properties at the northern edge of the site, closed windows on north facing facades of commercial receptors in the Mixed-Use area, and potential tree planting along northern or north-eastern edges of the site
- The Council's Environmental Protection Unit confirmed in their consultation response that the submitted Odour and Dust Risk Assessment was satisfactory and raised no concern or objection over potential odour impacts

- It is not considered possible to draw any reliable conclusions from trying to compare what has happened at a different landfill site and quantify how that could affect the Gilston development. Each landfill has different characteristics and weather conditions, and potential odour effects are reliant on the type and mix of waste that is being dealt with, the specific management procedures at each facility, and existing mitigation between the facility and potential receptors. How any odour source could affect an adjacent site or development also relies on the specific distances involved to sensitive receptors, topography and local weather / prevailing wind patterns
- An Executive Summary of the applicant's Odour and Dust Risk Assessment was prepared and distributed to members of the Planning Committee in advance of the Planning Committee's visit to the site on 28 February 2022. The summary emphasised that, due to the management procedures implemented at the Avondale facility, which are monitored by SEPA, the potential for an odour to be detected at the proposed development should only occur in the unlikely event that there is an unplanned or emergency odour release taking place at the Avondale installations at the same time as the prevailing wind pattern is from the north north-east through to the east north-east. In the October 2020 assessment, a review of five years of local meteorological data demonstrated that the frequency of winds from within this sector (30° to 60° from north) occurred on an average of 8% of the time, and therefore the likely combination of a source and a pathway would be infrequent. When historical complaints of odour nuisance associated with Avondale Landfill did arise, they were reported to have occurred in early morning or evening conditions in calm, stable atmospheric conditions with sporadic light winds. The number of recent odour complaints have remained low, even when people have been spending more time at home through Covid lockdown periods
- Further analysis of the local meteorological data has been undertaken by the applicant to determine the average frequency of occurrence of such unfavourable dispersion conditions i.e., a combination of a wind direction in the sector 30° to 60°, and a wind speed of less than 3 m/s (light breeze on the Beaufort Scale) occurring during the period of potential exposure of 0700 to 2300 hours. This combination of conditions was found to occur on average for 2.3% of the time. Therefore, the potential for odour exposure at the proposed development is considered extremely low

- Selecting new trees for planting based on their potential scent is not considered an effective mitigation against potential odour impact. Generally, it is the increase in turbulence to air (and the resulting dispersal and dilution) - be it via vegetation or other buildings - which assists in mitigating source odour strength, rather than masking existing odours. Specific mitigation measures that would be investigated are detailed above
- Ultimately, the applicant considers that the submitted information demonstrates that the proposed development would be able to proceed now without significant, unacceptable effects from odour. However, as the landfill ban on municipal waste progresses it is expected that this would reduce the frequency of biodegradable wastes being present at Avondale and reduce further the likelihood of temporary odour effects
- The planning application for a new hazardous waste cell at Avondale has not yet been approved. The application was accompanied by an Environmental Impact Assessment and a risk-based odour assessment, which highlighted that hazardous waste contains very little biodegradable material (which creates the risk of odour) in comparison to non-hazardous waste and assessed its likely odour impact on identified receptors (which are closer to the site than Gilston) as 'not significant'

Gilston Crescent Access

- The LDP2 allocation for Gilston includes a Key Principle which states that a secondary access should be provided from Gilston Crescent. The proposed development adheres to this. As part of the design process, all potential locations for a secondary access point along Gilston Crescent were considered and discussed in detail with the Roads and Transport Planning Units of the Council

- The chosen location for the secondary access / roundabout on Gilston Crescent was considered the only suitable and deliverable location where it could be provided. Any secondary access at the northern-most part of Gilston Crescent would require relocation of the parkland, play area and Multi Use Games Area which are proposed on this edge to offer high pedestrian accessibility and use by the existing community on the eastern edge of Polmont. These features are positioned here to create a key walking and cycling gateway and to encourage integration between the old and new parts of Polmont. A secondary vehicular access point at this location would also require a heavily engineered bridge crossing over the steepest part of the Gilston Burn valley, which would be technically challenging to deliver and potentially visually intrusive
 - It was not possible to locate the secondary access roundabout at the most central part of Gilston Crescent as this is currently the location of the private driveway for Gilston Farm, which is not within the site allocation, the application site boundary, or the ownership or control of the applicant. Any location of the secondary access further south than shown would be even less central and may affect an existing public right of way
6. Since Committee considered the application on 16 February 2022, the Council has released its Housing Land Audit for 2021-2022 (dated June 2022). The latest audit indicates that the Council has an effective housing land supply of 4.8 years. The Council is required to maintain a 5-year effective housing land supply therefore there is presently a shortfall in the effective supply (equating to 122 units). The factor driving the current shortfall is the effective supply of affordable housing rather than mainstream housing. The Gilston site is anticipated in the latest audit to deliver 70 housing units from year 4 (2024/25) within the 5-year period up until 2025/26, and a further 225 units in the following 5- year period up until 2030/31. Non-delivery of this large-scale allocated housing site or a delay in delivery or reduction in the site capacity therefore has the potential to impact on the effective housing land supply in future years. Effective housing land supply issues increase the prospect of speculative planning applications for housing on non-allocated sites.
7. The affordable housing requirement for the Gilston site is 25% (equating to 125 units). The current application therefore provides a significant opportunity to address the current affordable housing shortfall, particularly if the site is developed timeously and with affordable housing provision included in the early phases.

8. The applicant's initial intention had been to secure planning permission in principle prior to marketing the site with an aim of securing development partners. However, an opportunity has come forward for the applicant to bring CALA Homes (West) Limited ('Cala') on board to deliver Gilston. This would be for both the residential and mixed use/ employment areas. Cala is one of the UK's leading providers of new homes and has a long-standing reputation for creating high quality developments and sustainable communities. The applicant has confirmed that Cala are committed to the principles and guidance within the Development Framework submitted with the planning in principle application. The applicant's approach and ambitious vision for this important site remain the same, but they consider that they now have the added benefit of a highly respected developers being behind the proposals, giving assurance that Gilston can be delivered to the quality sought through the Development Framework.
9. The applicant considers that the involvement of Cala demonstrates the effectiveness of the site and a commitment to the deliverability of the overall development as soon as feasibly possible. Cala have an established workforce and contractor base in place at their site at Larbert where they have been delivering new homes for the past 10 years and are intending to continue investment in the area through Gilston. Where appropriate, Cala would progress detailed designs for the site and seek the relevant approvals for Matters Specified in Conditions. Delivery of housing at the site, at a higher rate than anticipated in the Housing Land Audit, would strengthen the Council's housing land supply.
10. It is not considered that any new matters have been raised that would alter the previous recommendation for a minded to grant decision. The recommendation contained in the Committee report dated 16 February 2022 is therefore reiterated below.

11. RECOMMENDATION

11.1 It is recommended that the Committee indicate that it is Minded to Grant Planning Permission in Principle subject to:-

- (a) **The completion within 6 months of a Planning Obligation in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, in terms satisfactory to the Director of Place Services in respect of:-**

- (i) A contribution towards addressing future capacity issues at St Margaret's Primary School at the rate of £4576.33 per dwellinghouse and £1573.41 per flat;
- (ii) A contribution towards addressing future capacity issues at Graeme High School at the rate of £2428.80 per dwellinghouse and £647.26 per flat;
- (iii) A contribution towards addressing future children's nursery capacity issues at the rate of £1629.61 per dwellinghouse and £489.09 per flat;
- (iv) A proportionate contribution towards the upgrade of M9 Junction 4 (Lathallan Roundabout);
- (v) A contribution to fund diversion of the existing bus service into the proposed development site;
- (vi) A contribution to fund a new bus service to link the site to Polmont Railway Station;
- (vii) A proportionate contribution towards addressing healthcare capacity issues or the provision of land within the site to accommodate a new healthcare facility;
- (viii) The provision of 25% of the residential units at the site as affordable housing; and
- (ix) A contribution towards improving the network of active travel routes in the local area which will be determined by any agreement to the developer carrying out the identified improvement works in lieu of a contribution.

(b) and thereafter, on conclusion of the foregoing matters, remit to the Director of Place Services to grant planning permission in principle subject to the following conditions:-

1. Plans and particulars of the matters specified below shall be submitted for the consideration by the planning authority in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning Scotland Act 1997 (as amended). The development of each respective development phase shall not commence until the written approval of the planning authority has been given in respect of the relevant specified matters (unless otherwise agreed). The development shall be carried out in accordance with each approval. The specified matters are:-

- a) Detailed masterplans for each development phase, as informed by the Development Framework prepared by Barton Willmore, dated December 2021;
- b) The timing/phasing of the development, as informed by the Development Framework prepared by Barton Willmore, dated December 2021;
- c) Existing and proposed site levels;

- d) Proposed finished floor levels;**
- e) The siting of the buildings;**
- f) The design of the buildings;**
- g) The external appearance of the buildings;**
- h) Details of the access arrangements, including the new street layout and design of the new burn crossings;**
- i) Details of soft and hard landscaping and open space provision, including recreational facilities;**
- j) The provision of pedestrian and cycle facilities, including links to the wider area;**
- k) Details of proposed boundary treatments;**
- l) A landscape and visual impact assessment of the detailed proposals for Phase 3B as indicated in the Development Framework;**
- m) The provision of public art;**
- n) Archaeological recording;**
- o) Tree protection measures;**
- p) A construction environmental management plan;**
- q) Updated surveys for protected species surveys as described in the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment prepared by ITP Energised, dated August 2020;**
- r) An invasive species survey;**
- s) Biodiversity enhancement measures, as informed by the Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by ITP Energised, dated August 2020;**
- t) Burn corridor enhancement measures including burn restoration;**
- u) A detailed surface water drainage strategy, including design and calculations, as informed by the Drainage Assessment prepared by Dougall Baillie Associates, dated September 2020;**
- v) Measures to address flood risk, as informed by the Flood Risk Assessment prepared by Kaya Consulting Limited, dated October 2020;**
- w) A contaminated land assessment;**
- x) Measures to mitigate noise impacts, as informed by the outline mitigation set out in the Noise Impact Assessment prepared by ITP Energised, dated October 2020, tailored to the detailed design layout;**
- y) Measures to mitigate odour impacts, as informed by the mitigation set out in the Odour and Dust Risk Assessment prepared by ITP Energised, dated October 2020, tailored to the detailed design layout;**

- z) The provision of a bus route and related bus infrastructure;
- aa) A travel plan and a residential development travel information pack, as informed by the travel plan framework contained in the Transport Assessment prepared by Dougall Baillie Associates, dated October 2021;
- bb) Off-site road improvement works;
- cc) Stage 2 road safety audits;
- dd) The provision of on-site low and zero carbon generating technologies, and potential for heat networks, as informed by the Energy Strategy approved under condition 2(a) of this planning permission;
- ee) Car-parking, including the provision of electric vehicle charging points as part of significant new commercial or community uses;
- ff) Facilities for the collection and storage of waste including recyclable materials; and
- gg) A retail impact assessment (if required under condition 24)

2. The first application for Approval of Matters Specified in Conditions shall be accompanied by the following details for the written approval of this planning authority (unless otherwise agreed):-
 - a) An updated site-wide energy strategy;
 - b) A site-wide public art strategy;
 - c) A burn corridor restoration and enhancement plan for the Gilston Burn; and
 - d) A site-wide phasing strategy for engineering works to reshape the land surface treatment of the land pending built development, including any opportunities for advanced planting.
3. The first application for Approval of Matters Specified in Conditions for each development phase shall be accompanied by a detailed masterplan for that development phase for the written approval of this planning authority.
4. The number of residential units shall not exceed 500 (unless otherwise agreed by this planning authority in consultation with Transport Scotland).
5. The phasing of the housing as indicated in the Development Framework shall proceed sequentially, commencing with phase 1A and ending with phase 3B (unless otherwise agreed or required by a condition of this planning permission).

- 6. The details of the soft landscaping shall include (as appropriate):-**
 - a) An indication of all existing trees, shrubs and hedges proposed to be removed, those to be retained and, in the case of damage, proposals for their restoration;**
 - b) The location of all proposed new trees, shrubs, hedges and grassed areas;**
 - c) A schedule of plants to comprise species, plant sizes, proposed numbers/ densities and nursery stock sizes;**
 - d) Methods of protection (tree shelters/ guards/ staking/ fencing) and including initial maintenance to aid rapid replacement; and**
 - e) A programme for completion and subsequent maintenance.**
- 7. Any tree/shrub planting adjacent to the railway boundary shall be positioned at a minimum distance from the boundary which is greater than the predicated mature height of the planting.**
- 8. A suitable trespass proof fence of at least 1.8 metres in height shall be provided adjacent to the railway boundary, in accordance with details to be submitted for the written approval of this planning authority, including arrangements for future maintenance and renewal.**
- 9. There shall be no Sustainable Urban Drainage Scheme (SUDS) sited within 10 metres of the railway boundary.**
- 10. There shall be no works that affect trees within each development phase until any necessary tree protection fencing for that phase is in place in accordance with the approved tree protection plan, and the planning authority has confirmed in writing that it is satisfied with the fencing as erected.**
- 11. The temporary tree protection fencing shall remain in place until all works within the relevant development phase have been completed (unless otherwise agreed). There shall be no tree removal, excavation, level changes, trenching, material storage or machinery access within the fenced off areas.**
- 12. There shall be no tree, scrub or grassland clearance within the bird nesting season (March to August inclusive) unless a nesting bird check is carried out by a suitably qualified ecologist prior to commencement of the clearance works. The findings of any nesting bird check shall be submitted to and approved by this planning authority prior to the works commencing.**

- 13. Each application for Approval of Matters Specified in Conditions shall be accompanied by an updated protected species survey for the written approval of this planning authority, if more than 12 months has lapsed since the carrying out of the last survey covering the relevant development phase.**
- 14. The details in relation to any new culvert and/ or realignment of Gilston Burn at the proposed new roundabout at Gilston Crescent shall be subject to the written approval of this planning authority in consultation with SEPA as part of the relevant application for Approval of Matters Specified in Conditions. In consideration of approval of the details, it shall be demonstrated that there is no increased flood risk to downstream or nearby receptors and the culvert is able to convey the 1 in 200 year plus climate change flow with an appropriate freeboard.**
- 15. The details of any proposed restoration measures within the southern extent near to the current channelised right hand bend, currently defined as functional floodplain, shall be subject to the written approval of this planning authority in consultation with SEPA as part of the requirement for a burn corridor restoration and enhancement plan under Condition 2(c) of this permission. As part of consideration of approval of the details, it shall be demonstrated that there is no increased flood risk to downstream or nearby receptors and there is no built development within any change to the functional floodplain due to proposed restoration works.**
- 16. No residential unit within Phase 2B, 3A or 3B as indicated in the Development Framework shall be occupied until the new roundabout on Gilston Crescent and the bus route through the site have been fully constructed, unless otherwise agreed in writing by this planning authority. The roundabout shall be constructed in general accordance with Drawing No. 20100-SK-11 Rev A prepared by Dougall Baillie Associates, dated 13 October 2020, subject to approval of the detailed design as informed by the road safety audit process.**
- 17. No residential unit shall be occupied until the A803 Main Street/ Gilston Park junction has been fully upgraded, unless otherwise agreed in writing by this planning authority. The upgrade works shall be carried out in general accordance with Drawing No. 20100-SK-10 prepared by Dougall Baillie Associates, dated 30 September 2020, subject to approval of the detailed design as informed by the road safety audit process.**

- 18. No more than 150 residential units shall be occupied until the A803 Main Street/ Station Road/ Greenpark Drive and the A803 Main Street/ Bo'ness Road (Kirk Entry) junctions have been fully upgraded, unless otherwise agreed in writing by this planning authority. The upgrade works shall be carried out in general accordance with Drawing No. 20100-SK-13 Rev B prepared by Dougall Baillie Associates, dated 25 October 2021, subject to approval of the detailed design as informed by the road safety audit process.**
- 19. The development shall not commence until appropriate mitigation measures have been approved by this Planning Authority in consultation with Transport Scotland to address the impact of the development at M9 Junction 4 (Lathallan Interchange). The nature of the mitigation shall either be physical improvements to these junctions in the form of traffic signals, generally as illustrated in Dougall Baillie Associates' Drawing No. 20100-SK-22, dated 21 December 2021, or a financial contribution in lieu of the said physical works. The precise details of the physical works or the level of financial contribution required shall be approved by this planning authority in consultation with Transport Scotland.**
- 20. A Stage 3 road safety audit for each junction referred to in conditions 15, 16 and 17 of this permission shall be submitted to and approved in writing by this planning authority prior to the works to provide or improve each of these junctions being brought into use.**
- 21. The first application for Approval of Matters Specified in Conditions involving land within Phase 2A as indicated in the Development Framework shall include proposed measures for the future treatment and function of Nicolton Road. The timing/ phasing of implementation of the approved measures shall be subject to the written approval of this planning authority.**
- 22. No development beyond Phase 1A shall be occupied until the approved flood mitigation measures have been fully constructed.**
- 23. Where it is demonstrated to the satisfaction of the planning authority that a local energy centre or heating system is not feasible, each development phase shall be future-proofed for connection to future heat networks, in accordance with details to be approved in writing by this planning authority (unless otherwise agreed).**

- 24. Any application for Approval of Matters Specified in Conditions which includes retail development proposals in excess of 1000 square metres gross floorspace shall be accompanied by a retail impact assessment.**

Reason(s):-

- 1. To ensure that the matters referred to are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006**
- 2. To ensure that the site-wide matters referred to are given full consideration at the start of the detailed planning process.**
- 3. To ensure good place-making and a co-ordinated approach to design.**
- 4. The proposed development and the assessment of its effects on infrastructure are predicated on a maximum number of 500 dwellings.**
- 5. To ensure a logical sequence of development and good place-making.**
- 6. To safeguard the visual amenity of the area.**
- 7. To control the impact of leaf fall on the operational railway.**
- 8. In the interests of public safety and the protection of Network Rail infrastructure.**
- 9. To protect the stability of the adjacent railway lines and the safety of the rail network.**
- 10-11. To safeguard the visual amenity of the area.**
- 12-13. To safeguard the interests of bird species.**
- 14-15. To ensure that the matters referred to are given full consideration, including potential impacts on flood risk.**
- 16-18. To ensure the provision of necessary road infrastructure works linked to the appropriate stage of the development.**

19. To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road.
20. In the interests of road safety.
21. To ensure that the matters referred to in respect of Nicolton Road are given full consideration.
22. To ensure that flood risk to the development is mitigated to an acceptable level.
23. To provide for the opportunity for future connections to a heat network.
24. To consider the impact of significant retail development proposal on town and local centres.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 07B, 09, 10 and 11.
2. Plans and particulars of the matters listed above shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations set out in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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pp Director of Place Services

Date: 9 September 2022

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan 2
2. Falkirk Council SG02 'Neighbourhood Design'
3. Falkirk Council SG05 'Green Infrastructure and New Development'
4. Falkirk Council SG06 'Affordable Housing'
5. Falkirk Council SG07 'Biodiversity and Development'
6. Falkirk Council SG09 'Landscape Character Assessment and Landscape Designations'
7. Falkirk Council SG10 'Trees and Development'
8. Falkirk Council SG13 'Developer Contributions'
9. Falkirk Council SG14 'Renewable and Low Carbon Energy' (draft)
10. Intimation of Support received from Mrs Emily Reid, 2a Marchmont Avenue, Polmont, Falkirk, FK2 0PW on 16 November 2020
11. Intimation of Support received from Mr Alan Waddell, 5 Glengarry Crescent, Falkirk, FK1 5UD on 17 November 2020
12. Objection received from Mrs Marion Cameron, 41 Montrose Road, Polmont, Falkirk, FK2 0YN on 16 November 2020
13. Objection received from Mrs Marion Robertson, Battock Cottage, Gilston Crescent, Polmont, Falkirk, FK2 0YQ on 16 November 2020
14. Objection received from Mr Michael Harrington, 2 Killin Drive, Polmont, Falkirk, FK2 0QQ on 29 October 2020
15. Objection received from Ms Marlyn Yorkston, 3 Forfar Place, Polmont, Falkirk, FK2 0PB on 2 November 2020
16. Objection received from Mrs Lindsay Brown, 54 Rodel Drive, Polmont, Falkirk, FK2 0YU on 17 November 2020
17. Objection received from Mrs Catrina Hamill, 7 Glen Lyon Court, Polmont, Falkirk, FK2 0PQ on 16 November 2020
18. Objection received from Mrs Alison Ashe, 34 Morven Drive, Polmont, Falkirk, FK2 0XD on 16 November 2020
19. Objection received from Mrs Catherine Harris, 59 Rodel Drive, Polmont, Falkirk, FK2 0YU on 16 November 2020
20. Objection received from Mrs Margaret Shepherd, 6 Turret Drive, Gilston Park, Polmont, FK2 0QW on 16 November 2020
21. Objection received from Mr Kevin Ashe, 34 Morven Drive, Polmont, Falkirk, FK2 0XD on 22 November 2020
22. Representation received from Mr Andrew Griffith, Byer Cottage, Polmont, Falkirk, FK2 0YQ on 23 November 2020
23. Objection received from Mr Michael Stuart, 70, Eastcroft Drive, Polmont, Falkirk, FK2 0SU on 10 December 2020
24. Objection received from Mrs Diane Ure, Gilston Farmhouse, Polmont, Falkirk, FK2 0YQ on 2 December 2020
25. Objection received from Mrs Karin Main, 30 Rodel Drive, Polmont, Falkirk, FK2 0YU on 16 November 2020
26. Objection received from Mr Martin Buchanan, 55 Tiree Crescent, Polmont, Falkirk, FK2 0UX on 16 November 2020
27. Objection received from Mr Ian Park, 8 Cricket Place, Brightons, Falkirk, FK2 0HZ on 18 November 2020

28. Objection received from Mrs Jane Brown, 29 Killin Drive, Polmont, Falkirk, FK2 0QQ on 9 November 2020
29. Objection received from Mr Duncan Ross, 2 Miller Park, Polmont, Falkirk, FK2 0UJ on 16 December 2020
30. Objection received from Miss Fiona Learmonth, Rosehall, Main Street, Polmont, Falkirk, FK2 0QY on 16 November 2020
31. Objection received from Mr William Renton, 18 Alyth Drive, Polmont, Falkirk, FK2 0YW on 21 November 2020
32. Objection received from Ms Serena Jones, Parkside, Main Street, Polmont, Falkirk, FK2 0QY on 22 November 2020
33. Intimation of Support received from Miss Heather Leslie, 71a Randolph Creascent, Brightons, Falkirk, FK2 0EZ on 16 November 2020
34. Objection received from Mrs Adele Stevenson, 13 Glenisla Court, Whitburn, Bathgate, EH47 8NX on 16 November 2020
35. Intimation of Support received from Mrs Laura Cameron, 15 Dunvegan Place, Polmont, Falkirk, FK2 0NX on 31 March 2021
36. Intimation of Support received from Mr David Hayden, 3 Breadalbane Place, Polmont, Falkirk, FK2 0RF on 14 April 2021
37. Objection received from Mr Craig Duncan, 22 Woodlands Drive, Brightons, Falkirk, FK2 0TF on 7 February 2021
38. Intimation of Support received from Mr David Hayden, 3, Breadalbane Place, Polmont, Falkirk, FK2 0RF on 14 April 2021
39. Objection received from Mr Peter Queen, 1 Comely Park, North Craigs, Rumford, Falkirk, FK2 0RU on 7 February 2021
40. Representation received from Dr Daniel Forth, 57 Rodel Drive, Polmont, Falkirk, FK2 0YU, on 22 November 2021
41. Representation received from Mr Craig Duncan, 22 Woodlands Drive, Brightons, Falkirk, FK2 0TF on 13 August 2021
42. Representation received from Duncan Ross on 2 September 2021

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

FALKIRK COUNCIL

Subject: MIXED USE DEVELOPMENT, INCLUDING RESIDENTIAL, EMPLOYMENT, COMMERCIAL AND RETAIL USE, OPEN SPACE AND LANDSCAPING WITH ASSOCIATED INFRASTRUCTURE AT LAND TO THE EAST OF GILSTON FARM, GILSTON CRESCENT, POLMONT FOR HANSTEEN LAND LTD - P/20/0493/PPP

Meeting: PLANNING COMMITTEE

Date: 16 February 2022

Author: DIRECTOR OF PLACE SERVICES

Local Members: Ward - Lower Braes

Councillor Malcolm Nicol
Councillor Alan Nimmo
Councillor Adanna McCue

Community Council: Polmont

Case Officer: Brent Vivian (Senior Planning Officer), Ext. 4935

[View this Application on Public Access](#)

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application is a major development and seeks planning permission in principle for a mixed use development, including residential, employment, commercial and retail uses. The principal elements of the proposed development are:-
- Residential land for approximately 500 dwellings, 25% of which would be affordable;
 - A Mixed Use Area at the north-eastern part of the site for employment, retail, commercial and community uses and a new neighbourhood centre. The uses indicated include Class 1 retail (non-food), Class 2 financial, professional and other services, Class 3 restaurant/ café, Class 4 business (office and light industry), Class 5 general industry, a public house, and a drive-through or hot food takeaway uses;
 - A major new area of connected open spaces and a wetland, linked by green corridors and active travel routes;
 - Areas for recreation and sports;

- Transportation related works, including a new roundabout on Gilston Crescent, provision of a bus route through the site, an internal street network, and off-site road improvement works; and
 - Associated SUDS, landscaping and engineering works.
- 1.2 The application site lies to the east of Polmont and extends to approximately 54 hectares. It is bounded by the A801 to the east, Gilston Crescent and Gilston Steadings to the west, the A803 and Junction 4 of the M9 to the north, and the main Edinburgh to Glasgow railway line to the south.
- 1.3 The site is predominantly gently undulating with few distinctive features or landforms, although the land rises more steeply over the southern portion of the site to meet the level of the railway line. The predominant surface feature is open grassland. There are some redundant field boundaries marked by hedges and interspersed with mature trees. There are wooded areas along the eastern edge of the site and at the former Gilston Farm and burn. Nicolton Road passes through the site, running roughly parallel to the wooded embankment of the A801 forming the eastern boundary. The valley of the Gilston Burn flows through the site from south-east to north-west and is deeply incised in the north-west area. The Union Canal lies further to the south.
- 1.4 The supporting information accompanying the application includes:-
- Design and Access Statement;
 - Development Framework;
 - Pre-Application Consultation Report;
 - Planning Statement;
 - Development Land Review;
 - Landscape and Visual Appraisal;
 - Tree Survey and Arboricultural Constraints Report;
 - Preliminary Ecological Appraisal and Preliminary Roost Assessment;
 - Flood Risk Assessment;
 - Drainage Impact Assessment;
 - Transport Assessment;
 - Road Safety Audits;
 - Noise Impact Assessment;
 - Air Quality Assessment;
 - Odour and Dust Risk Assessment;
 - Energy Statement; and
 - Qualitative Assessment of Community Facilities.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 This application has been called in by Provost Buchanan to allow scrutiny by Members of planning issues with reference to representations received and impacts on infrastructure.

3. SITE HISTORY

- 3.1 Planning application F/93/0483 for Development of Land for Class 4 Business Park Use and Formation of High Amenity Site (Class 4) (outline) was withdrawn on 14 August 1998.
- 3.2 Planning application F/96/0373 for Mixed Use Leisure Development (outline) was refused on 9 December 1998 (on appeal).
- 3.3 Planning application F/96/0374 for Infrastructure Works - Road, Landscaping and Servicing (outline) was granted on 27 October 1997.
- 3.4 Planning application F/96/0376 for Factory Outlet Centre (10,200m²) (outline) was refused on 9 December 1998 (on appeal).
- 3.5 Planning application F/96/0377 for Development of Land for Class 4 Business Use (outline) was granted on 27 October 1997.
- 3.6 Planning application F/99/0356 for Development of Land for Business and Industry, Distribution Centre, Hotel and Conference Centre, Car Showrooms, Garden Centre, Leisure Sales / Distribution, Sports and Fitness Centre, Housing, Neighbourhood Retail Centre, Visitor Centre and Associated Infrastructure (outline) was granted on 15 October 2001.
- 3.7 Planning application F/2002/0440 for Erection of Office Accommodation, Distribution Warehouse, Hotel, Restaurants, Petrol Filling Station, Community Retail Centre, Car Showroom Area, Garden Centre and 175 Housing Units (outline) was refused on 24 September 2003.
- 3.8 Planning application F/2004/0021 for Development of Land for Business and Industry, Distribution Centre, Hotel and Conference Centre, Car Showrooms, Garden Centre, Leisure Sales/ Distribution, Sports and Fitness Centre, Housing, Neighbourhood Retail Centre, Visitor Centre and Associated Infrastructure (outline) was withdrawn on 21 October 2004.
- 3.9 Planning application F/2004/0922 for Formation of New Roundabout Access on A803 and Upgrading of Road from New Roundabout to Junction 4 Roundabout to Dual Carriageway (reserved matters) was granted on 4 February 2005.
- 3.10 Planning application 06/0186/FUL for Formation of Drainage Infiltration Basin (SUDs) was granted temporary consent on 23 May 2006.

- 3.11 Planning application 06/0501/FUL for Modification of Condition 16 of Planning Permission F/99/0356 to read as follows: 'No development which affects either the solum of Nicolton Road on the land to the east of Nicolton Road shall be begun until the required length of Nicolton Road has been removed from the 'List of Highways' (stopped up), realigned and connected to the proposed site access roundabout on the A803' was refused on 5 September 2006.
- 3.12 Planning application 06/0647/VRC for Variation of Condition 2 of Outline Planning Permission F/99/0356 to Extend the Period for Submission of Application for the Approval of Reserved Matters to October 2011 was refused on 28 September 2006.
- 3.13 Planning application 06/1040/FUL for Modification of Condition 16 of Planning Permission F/99/0356 to read as follows: 'With the exception of the works required to complete the development authorised by the following permission:
- 1) The Reserved Matters (Ref F/2004/0922) approved by Falkirk Council on 4 February 2005 for the 'Formation of New Roundabout Access on A803 and Upgrading of Road from New Roundabout to Junction 4, M9 Motorway/ Gilston, Gilston, Polmont': and
 - 2) The Detailed Planning Permission (Ref 06/0186/FUL) granted by Falkirk Council on 23 May 2006 for 'Formation of Drainage Infiltration Basin (SUDS) at Land to the East of Gilston Farm' Gilston Crescent' Polmont;

No works shall commence on the construction of any buildings on the site to which this outline planning permission relates until Nicolton Road between its junction with the A803 and the Union Canal has been removed from the 'List of Highways' (stopped up)' was withdrawn on 29 January 2007.

- 3.14 Planning application 06/1073/FUL for Modification of Condition 3 of Planning Permission Ref F/99/0356 to extend the Time Period for Commencement of Development to 3 February 2008 was withdrawn on 29 January 2007.
- 3.15 Planning application P/07/0802/FUL for Formation of Site Access, Roundabout and Upgrading of Adjoining Roadway was granted on 6 March 2009 (on appeal). This permission has been implemented.
- 3.16 Planning application P/07/0803/OUT for Mixed Use Development of Land for Class 4, 5 and 6 Uses, Garden Centre, Car Showrooms, Hotels, Restaurants and Neighbourhood Centre was granted on 6 March 2009 (on appeal).
- 3.17 Planning application P/12/0095/MS for Approval of Matters Specified in Condition 5 of Planning Permission P/07/0803/OUT (Submission of Masterplan) was approved on 16 October 2012.

- 3.18 Planning application P/13/0315/MSD for Approval of Matters Specified in Conditions 6, 7 and 9 of Planning Permission P/07/0803/OUT for Phase 1 of the Development was approved on 6 September 2013.
- 3.19 Planning application P/17/0332/PPP for Development of Land for Residential/ Mixed Use and Commercial (of Classes 1, 3, 4, 7 & 10) with Associated Landscaping, Services, Access and Car Parking was refused on 13 June 2019.
- 3.20 Proposal of Application Notice PRE/2020/0006/PAN for Proposed Mixed Use Development, Including Residential, Employment, Commercial and Retail Use with Associated Infrastructure was received on 11 May 2020. The notice set out the proposals for community consultation and a Pre-Application Consultation Report has been submitted with the planning application.
- 3.21 Environmental Impact Assessment (EIA) Screening Request PRE/2020/0011/SCREEN was received on 24 August 2020. The screening opinion of the Council's Development Management Unit was that an Environmental Impact Assessment is not required, and the potential impacts of the proposed development could be the subject of targeted assessments as required.
- 3.22 The Gilston site was considered through the LDP2 process. In the Proposed Plan, published in September 2018, the Council considered that the site should remain allocated exclusively for economic development purposes. This was subject to subsequent representation from Hansteen Land Ltd to the effect that the site should be allocated instead as a mixed use proposal, including provision for 500 houses which would form a Strategic Growth Area. The issue was considered at the LDP Examination held between October 2019 and March 2020. Hansteen's representation was supported by the Examination Reporters who recommended that the site be allocated for mixed use, in the context of wider findings that insufficient housing land had been allocated in the Proposed Plan. The Examination Report was considered at the meeting of Falkirk Council on 30 June 2020. The Reporters' recommendation was accepted and the appropriate modification was made to the plan prior to adoption.

4. CONSULTATIONS

- 4.1 The Council's Roads Development Unit have advised that the whole development will be expected to comply with 'Designing Streets', the 'National Roads Development Guide' and, where appropriate, the 'Design Manual for Roads and Bridges'. The proposed new roundabout on Gilston Crescent is acceptable in principle. The proposed bus/ primary route through the site will require careful design consideration to encourage its use as the preferred route while maintaining overall connectivity. A local consultation process would be required prior to any changes to Nicolton Road, as well as a stopping up order if any section of the road was to be removed from the list of public adopted roads. Closure of Nicolton Road at the A803 and at a suitable location near the southern boundary of the site would be supported in principle, with the section in between these two points becoming a rural lane for pedestrians/ cyclists/ horse riders, and access to and from the remaining section of Nicolton Road being provided via the new street network for the development. The submitted drainage impact assessment and flood risk assessment are considered to be satisfactory for the purposes of planning permission in principle
- 4.2 The Council's Environmental Protection Unit have advised that a further noise impact assessment would be required at detailed planning stage to assess road traffic and railway noise and suitable mitigation measures. A further noise impact assessment would also be required to assess noise from any proposed commercial buildings/operations. A contaminated land assessment would be required due to the presence of made ground, a sand pit, a former sand and gravel quarry, and other potential sources of contaminated land within 250 metres of the site. The submitted air quality assessment and odour and dust risk assessment appear to be satisfactory.
- 4.3 The Council's Transport Planning Unit have reviewed the transport assessment and are satisfied with the proposed trip rates and trip distributions for the various proposed uses. The committed developments included in the traffic modelling, the junctions to be modelled, and a design year of 2029 have all been agreed. The modelling indicates that most of the junctions will operate within capacity, which is accepted. However, capacity issues have been identified at the A803 Main Street/ Gilston Park junction, the A803 Main Street/ Station Road/ Greenpark Drive junction, the A803 Main Street/ Bo'ness Road (Kirk Entry) junction and M9 Junction 4 (Lathallan Interchange Roundabout). Mitigation measures to increase capacity at these junctions have been identified and agreed, as supported by road safety audits and subject to detailed design. Suitable shared cycle/ footway should be provided to link the development to the surrounding area, including NCR754 (Union Canal). The travel plan framework included in the transport assessment is acceptable. The applicant would be required to fund improvements to the existing bus services, including improved access to the railway station by public transport.

- 4.4. Scottish Water have no objection to the application. There is currently sufficient capacity at the Balmore Water Treatment Works and the Kinneil Kerse Waste-Water Treatments Works (for a foul only connection) to service the proposed development. Further investigations may be required once formal connection applications are submitted. The availability of capacity can only be confirmed at the time of formal application. According to their records the development proposals impact on existing Scottish Water assets. Any conflict with identified assets may be subject to restrictions on proximity of construction.
- 4.5 SEPA have removed their objection to the application on flood risk grounds subject to conditions to demonstrate that there would be no increased flood risk associated with any proposals for culverting or restoration/ realignment of Gilston Burn. They are satisfied that the flood related points they raised have now been satisfactorily addressed. This includes the resurveying work and updated hydraulic modelling carried out following stabilisation works to the channel of the burn. The provision of an overall development framework to set the scene and co-ordinate the various applications for Approval of Matters Specified in Condition (AMSC) is supported. The importance of securing appropriate flood risk management, river restoration and low carbon heating measures on a site wide basis is highlighted. The stated intention to create a robust network of blue-green infrastructure linking to the wider area is welcomed. The burn is fundamental to the blue-green infrastructure strategy which includes a central park and wetland area. Any scheme of burn restoration/realignment must be considered as a fundamental piece of site infrastructure, to be delivered prior to individual AMSC applications and secured by a planning condition or other legal mechanism. The intended use of above ground SUDS is welcomed. The preference is for detention ponds rather than detention basins, as ponds provide greater biodiversity than dry basins, unless such areas are also proposed for recreational use. Naturalised pond inlets/outlets and the use of native hedging barriers, not fencing, are encouraged. Further information on planning for biodiversity would be welcomed. This should include an indication of the opportunities to retain mature trees and what can be improved on (including variety of interconnected habitats).
- 4.6 SEPA's preferred approach to district heating is for an energy statement covering the whole site to be submitted as part of the first phase application for AMSC. They have reviewed the submitted air quality impact assessment and have no concerns that the air quality objectives would be breached as a result of construction or additional vehicle movements.

- 4.7 SEPA have also advised that there may be potential for nuisance due to the proximity of the site to Avondale Landfill Site. Landfill gas is the source of the majority of off-site odours, however, there is also potential nuisance from the presence of insects, birds and vermin. It could take a considerable amount of time for the landfill to stop producing gas. This means that odours could continue to be a risk long after the site stops accepting waste. The Council is advised to consider whether locating a proposed new mixed use development (including housing) is compatible with the existing SEPA regulated waste management site at Avondale, which may have detectable residual odour. Such residual odour may not necessarily represent non-compliance with the site licence conditions and the Council may wish to consider if adequate separation distances have been incorporated within the development. Retention of the mature belt of trees on the site might help to provide a partial barrier to potential odours emanating from the landfill.
- 4.8 Falkirk Community Trust, Museum Services, have advised that Bronze Age cist burials were found in this area and to the east at Lathallan during gravel extraction in the 1970's. The main road from Linlithgow to Falkirk in the medieval period traversed the southern boundary of the site. It crossed the River Avon at a ford near Manuel Nunnery and then on to Almond Castle and Nicolton. The presence of a doocot at Nicolton shows that it was of high status. Any groundwork in the area of the farm buildings should be subject to archaeological recording.
- 4.9 Falkirk Council Children's Services have advised that the proposed development would give rise to capacity issues at St Margaret's Primary School and in respect of local statutory nursery provision. In addition, Graeme High School is expected to face capacity issues within the next five years. Pro rata contributions are requested at the rates of £4576.63 per dwellinghouse (St Margaret's Primary School), £1629.61 per dwellinghouse (nursery provision) and £2428.80 per dwellinghouse (Graeme High School), in accordance with Falkirk Council Supplementary Guidance SG13 'Developer Contributions' as amended by the current indexed rates 2021 to 2022. No capacity issues are anticipated at St Andrew's RC Primary School or St Mungo's RC High School as a result of the proposed development. These comments assume a development consisting of 500 dwellinghouses and lesser rates would apply to any flats included within the development.

- 4.10 NHS Forth Valley have advised that the proposed development is located within the catchment of Meadowbank Health Centre in Polmont. This centre comprises the Polmont Park Medical Practice, Braesview Medical Practice and Parkhill Medical Practice. The area of the proposed development is specifically served by the Polmont Park Medical Practice and Parkhill Medical Practice. At October 2021, these three practices were operating at capacity with a patient list classification of 'open but full'. This classification is used as an alert that a practice is at capacity and there may be issues in terms of services, capacity for clinicians, car-parking for patients, extended waiting times for appointments etc. There is significant housing growth planned for the Braes urban area and Rural South area. As all three practices are at capacity and there is no physical space within the health centre to expand to cater for the additional staff to serve the cumulative total of new residents from the housing sites, a healthcare contribution is sought. Applying the methodology set out within SG13 'Developer Contributions' and a cumulative approach, the contribution is calculated at £1135 per unit. However, it is noted that the proposed development includes a potential area for a health centre or similar facility and NHS Forth Valley would be willing to discuss this option further. The comments from NHS Forth Valley were received on 3 February 2022 and were under review at the time of writing this report.
- 4.11 Transport Scotland have advised that conditions should be attached to any grant of planning permission to restrict the scale of the proposed housing to 500 units (unless otherwise agreed) and ensure that appropriate mitigation measures are secured to address the impact of the development on M9 Junction 4 (Lathallan Interchange).
- 4.12 Network Rail have no issues with the principle of the proposed development. However they would object to the proposal unless suitably worded conditions are attached to any grant of planning permission to secure the provision of a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary, the siting of SUDS infrastructure no closer than 10 metres of the railway boundary, and the provision of suitable species of trees and shrubs where planting is proposed adjacent to the railway boundary.
- 4.13 Scottish Rights of Way and Access Society (Scotsway) have advised that rights of way CF34 and CF180 are affected by the proposed development. It is requested that these rights of way remain open and free from obstruction during and after any proposed works. The proposed network of footpaths and cycle routes, improving access across the site, is noted. There needs to be further consideration of the existing routes as the application documentation does not accurately detail the extent of public access across the site.

5. COMMUNITY COUNCIL

5.1 Polmont Community Council have not made any representations to the application.

5.2 Brightons Community Council have objected to the application on the following grounds:-

- The site is liable to flooding from various watercourses as it is a floodplain;
- The development will create congestion at Lathallan Roundabout and into Polmont area;
- The site is potentially heavily undermined and records are unreliable;
- The site would lead to a loss of valued agricultural land;
- Loss of Nicolton Road as a tributary for traffic will exacerbate traffic congestion;
- The proposals give no details of how the existing Nicolton Road will be either preserved or enhanced to provide a sustainable, robust and safe surface as an active travel route;
- Local infrastructure - roads, education, health services, transport - will all be adversely affected;
- Adverse effect on the residential amenity of neighbours by reason of (among other factors) noise and disturbance;
- Unacceptably high density/ overdevelopment of an open countryside/ agricultural aspect;
- Visual impact; and
- Loss of existing views from neighbouring properties would adversely affect residential amenity.

6. PUBLIC REPRESENTATION

6.1 A total of 32 representations have been received in relation to the application. These comprise of 22 objections, 4 neutral representations and 6 representations in support. The matters raised in the objections and neutral representations can be summarised as follows:-

Local Development Plan/ Supplementary Guidance

- The proposal should be considered as inappropriate development out with the urban/ village limits;
- There are no reasons to support this application regardless of the Reporter's decision to change LDP2 to include housing on this site; and
- The proposal does not comply with the Council's supplementary guidance for education and new development due to school capacity issues.

Land Use/ Scale of Development

- Number of houses/ density is excessive and disproportionate to current Polmont community;
- Large number of houses detrimental to small village environment;
- The overall location is better suited to industrial/ business/ retail use; and
- Falkirk Council already has an adequate supply of retail/ business/ commercial/ leisure/ tourism/ employment land.

Infrastructure

- Current local infrastructure would not be able to cope;
- Local healthcare centre/ doctor's surgery at capacity;
- No consideration given to impact on healthcare/ GP surgery/ schools;
- Local schools/ nurseries at capacity;
- Extra school buildings would reduce outside play/ learning area;
- No commitment to the cost required to increase school capacity;
- No proposals for new facilities; and
- A new medical centre and primary school should be provided.

Traffic/Road Safety

- Lathallan Roundabout is congested at peak times;
- Traffic lights at Lathallan Roundabout would be required;
- More traffic on the A801 which has a known multiple fatality accident history;
- Gilston Crescent is a busy road;
- Increase in traffic entering and exiting Gilston Crescent and associated roads;
- Access/new roundabout on Gilston Crescent would be detrimental;
- Traffic lights would be necessary at the Gilston Crescent junction;
- Drivers exceed the speed limit on Gilston Crescent;
- Traffic calming on Gilston Crescent should be considered;
- School bus pick up/ drop off on Gilston Crescent and children crossing this road will be at considerably greater risk;
- Polmont Main Street is congested;
- Increase in traffic going through the village;
- Congestion onto Station Road;
- Traffic at the Colonsay Avenue junction and obstruction to visibility at school drop off and pick up times will worsen;
- Major road upgrades and possibly a few new roundabouts, namely Salmon Inn Road, will be needed;
- Nicolton Road should not be closed to cars as it is an important and historical route;
- Closing Nicolton Road would drive more traffic into Maddiston, Rumford, Brightons and Polmont; and
- Has the Council made a decision to close Nicolton Road to enable the development?

Sustainable Transport/Public Transport

- Existing parking problems/insufficient parking provision at Polmont Station, which leads to many vehicles parking in the surrounding streets and health centre carpark;
- The proposed development will exacerbate this problem;
- The train station is more than a 30-minute walk from this site;
- Public transport at the frequency needed would have to be subsidised to make it viable;
- The applicant is not proposing any significant mitigation to address the existing parking problems at the station;
- Now is the time to consider mitigation e.g. speed restrictions along Gilston Crescent and yellow lining areas just off the main road;
- There needs to be a planning condition preventing on-street parking along Gilston Crescent and all postcode areas off this road; and
- Existing schools are not within walking distance.

Amenity

- Loss of visual amenity to properties on Gilston Crescent and surrounding properties;
- Insufficient landscaping/ screening being provided;
- Lack of privacy and safety from public walkways and buildings within close proximity;
- Offensive smells from Avondale Landfill site;
- Swarms of flies mean that doors and windows have to be kept closed;
- Increase in litter and noise; and
- Disturbance from out of hours deliveries to industrial units.

Flooding/Drainage

- Serious concerns with flooding following recent weather events;
- The breach of the canal in August 2020 caused the burn to overtop and run onto fields proposed for the new housing;
- Housing at this site would be highly vulnerable to flooding;
- Increase flooding at bottom of the hill;
- Flash flooding events and surface water run-off are causing damage to the banks of Gardrum Burn within Gilston Farm and the access bridge to the farm;
- Any further additional water runoff to the burn from new development would increase damage to bankings, the bridge and adjacent land within the farm boundary; and
- Well documented problems with drainage capacity/ infrastructure issues in certain areas of Polmont.

Others

- The development will need to take into account a right of access to a property using coal road beside Nicolton Farm; and
- The applicant does not control all ownership to fulfil planning requirements e.g. Nicolton Road alterations.

6.2 The representations in support can be summarised as follows:-

- Insufficient housing in this area for young families;
- Lack of new build housing around the Gilston area is holding the area back;
- Will create housing for the ever-growing community;
- A new development in this area, including a petrol station, good size supermarket, with good links to the motorway would be welcomed;
- A shop, restaurant/ pub within walking distance of Gilston Park would be welcomed
- Great addition to the community and surrounding areas of Falkirk;
- Will bring many jobs to the area; and
- Great use of the space.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

[The Falkirk Local Development Plan \(LDP2\)](#) was adopted on 7 August 2020. The proposed development was assessed against the following policy or policies:

- 7a.1 The application site lies within the urban/ village limits under LDP2, and is identified as Mixed Use Opportunity MU06 and a Major Area of Change (Gilston Strategic Growth Area/ Eastern Gateway Strategic Business Location). Green Network Opportunity GN14 (Braes Open Space Corridors) runs through the north-west corner of the site.
- 7a.2 Development guidance for this Major Area of Change is set out in LDP2 and includes an outline of the vision, land uses, key principles, and other requirements. The guidance indicates that an overall development framework is required for the whole site, which will include a phasing plan for the delivery of infrastructure. Detailed masterplans for each of the phases will follow.
- 7a.3 The guidance identifies the land uses as:-
- Business (Classes 4/5/6, leisure and tourism);
 - Housing (indicative capacity 500) to include 25% affordable housing;
 - Neighbourhood Centre (convenience retail/ local services); and
 - Greenspace

7a.4 The key principles are:-

- Primary vehicular access from the A803;
- Secondary access will be to Gilston Crescent with a suitably designed burn crossing;
- A clear hierarchy of streets and street typologies;
- Business uses will generally be directed to the eastern part of the site, with housing to the west and south;
- Robust structure planting required to segregate residential and business uses where necessary;
- The part of the site closest to M9 Junction 4 provides an opportunity for Class 6 (storage and distribution);
- A neighbourhood centre including a convenience store and other shops and services should be provided at the heart of the site;
- Central open space (including sports area) will be established in conjunction with early phases of the development;
- The site will accommodate a range of play equipment, and play provision may be required as part of each individual phase;
- Burn corridor to be enhanced as a major linear space through the site, incorporating burn restoration, planting and habitat improvement and new paths;
- The layout should successfully address the interface between burn corridor and housing;
- Reinforcement of existing woodland will be required to the boundary with the A801;
- Robust structure planting required along southern boundary;
- Development phases should be separated by greenspace corridors and path connections which relate, where possible, to existing natural features (hedgerows, paths, ditches);
- Comprehensive path network to provide connections within and outwith the site, utilising greenspace corridors and integrating existing core paths and rights of way on the periphery of the site;
- SUDS provision to be sensitively incorporated across the site to create features which have a natural rather than an engineered appearance and enhance the landscape framework for the site.

An indicative map is included in the guidance to illustrate the key land uses and design principles.

7a.5 The other requirements are:-

- Mitigation measures in relation to transportation will be required including contributions to upgrading of M9 Junction 4, and sustainable travel;
- Travel plan will be essential which includes measures to connect the development to Polmont railway station, where there are parking limitations;
- Contributions to education provision will be in accordance with the relevant Supplementary Guidance, with focus likely to be on provision of a permanent extension to 3 stream at St Margaret's Primary School and future capacity enhancement at Graeme High School;
- Impact on other community infrastructure, including healthcare facilities, will also require to be assessed. This may include the provision of a new site for a health centre, potentially as part of the neighbourhood centre; and
- Current surface water flooding across the site will have to be dealt with, as well as addressing potential impact on Gilston Burn. A flood risk assessment will be required.

7a.6 The application is accompanied by a development framework as required by LDP2 for this Major Area of Change. The development framework largely embraces the key principles of the LDP2 guidance set out above, while some of these principles would be considered further at detailed planning stage. The flooding constraint on the site, as informed by an updated flood risk assessment, has meant that the extent of open space is greater than shown on the indicative map within the Major Area of Change guidance. In retaining provision for 500 dwellinghouses, the flooding constraint has also resulted in less business land than shown on the indicative map within the guidance. The implications of the new flooding information on the general provision and layout of the land uses is accepted.

7a.7 Consideration of the business land has also been informed by the Development Land Review report accompanying the application. The report identified that there is little prospect of the delivery of large scale industrial or office premises at the site based on market evidence, current occupational demand levels and competition from other available business locations. The application therefore provides for a broader range of employment generating uses including land for smaller business spaces alongside an opportunity for a start-up business enterprise complex. It is appreciated that a degree of flexibility is required due to a range of factors. The exact type and mix of employment generating uses would be informed by a new comprehensive marketing process following any grant of planning permission in principle. This in turn would inform the detailed master-planning for the Mixed Use Area.

PE01 Placemaking

- 7a.8 The submitted development framework is intended to guide the future development of the site through the detailed design process. The framework sets out the strategies and design principles that the further planning applications would be expected to adhere to which, at their very heart, are intended to promote the six qualities of successful place-making. These qualities, to create a distinctive, welcoming and sustainable place that is easy to move around, are embedded in the framework through the identification of six development character areas and eight landscape character areas, and landscape, movement and flooding and drainage strategies. The framework includes an indicative masterplan and more detailed master-planning would follow where required to ensure a co-ordinated approach to design. The framework also includes an indicative phasing plan, aligned to a large degree to the character areas, indicating the infrastructure that would be delivered within each phase, including open space/landscape areas, active travel routes, play spaces and new burn crossings.

PE02 Placemaking Tools

- 7a.9 The applicant has engaged with the local community through the community consultation process which is a requirement for all major developments. The consultation took the form of a digital consultation process due to the Coronavirus pandemic and included a dedicated website, a live chat service, feedback forms and an interactive Place Changers tool (a map based consultation tool that can record comments from the public on specific elements of the concept masterplan). The consultation process has assisted the applicant in preparing the development framework which will inform the detailed design process and the carrying out of more detailed master-planning as required.

PE06 Archaeological Sites

- 7a.10 The Union Canal lies to the south of the site, beyond the main Edinburgh to Glasgow to railway line, and is a scheduled monument at this location. The submitted landscape and visual appraisal recognises that the visual impact of the proposed development during construction and upon completion could potentially be relatively high on users of the canal and its towpath. The proposal for substantial new tree planting along the southern edge of the site would help to retain an appropriate setting within the foreground of this scheduled monument as the new planting matures. The mitigation measures would be considered further at detailed planning stage as the detailed design is progressed and the height of the development platforms, particularly in the more elevated south-west area of the site, are established. Falkirk Community Trust, Museum Services, have advised that there is the possibility of archaeological resources within the site. The main road from Linlithgow to Falkirk in the medieval period traversed the southern boundary of the site. It crossed the River Avon at a ford near Manuel Nunnery and then went on to Almond Castle and Nicolton. The presence of a doocot at Nicolton shows that it was of a high status. Any groundwork within the area of the farm buildings there should therefore be subject to archaeological recording.

PE13 Green and Blue Network

- 7a.11 The application site is identified as a contributing site to the Central Scotland Green Network and the proposed development provides a significant opportunity to promote the key priorities of biodiversity, outdoor access and place-making. These opportunities are embedded in the development framework which will guide the detailed design proposals and further master-planning.

PE17 Open Space and New Development

- 7a.12 The development framework includes an open space strategy which promotes the provision of a full range of open spaces within the site in accordance with the typologies set out in the Council's Supplementary Guidance SG05 'Green Infrastructure and New Development'. These open spaces comprise equipped play spaces, parks/informal play/recreation spaces, a sport pitch and natural greenspace/green corridors. At the heart of the strategy is a major central park and wetland area, linked to a network of other parks and spaces. A local open space audit has been carried out which confirms that the applicant's proposed strategy is appropriate given the location, scale, natural features and constraints of the site. The strategy is integral to promoting place-making, physical activity, active travel and biodiversity.

PE18 Landscape

- 7a.13 The submitted landscape and visual appraisal indicates that the site comprises agricultural land within a strong landscape framework that offers a limited visual envelope and which is under considerable influence from existing built form in the surrounding landscape. The magnitude of change is recognised as high as the character of the site would fundamentally change from an open, principally agricultural landscape, to a residential and mixed use settlement. However, the appraisal concludes that the proposed development can be successfully assimilated into its immediate and wider context, following landscape-led principles. This conclusion is accepted in principle. It is anticipated that there would be a need for further landscape and visual assessment to inform the mitigation for the more elevated southern area of the site as part of the detailed design process.

PE19 Biodiversity and Geodiversity

- 7a.14 The submitted preliminary ecological appraisal and preliminary roost assessment records that the site is predominantly made up of semi-improved grassland. Other habitats present are water bodies, the Gilston Burn, native species hedgerows and scattered broadleaved trees. There is the potential for the site to support protected or other notable species, including otter and bats. Otter use Gilston Burn in this location as a commuting route. The surveys for water vole, badger, great crested newt and other amphibians found no evidence of their presence, but badgers are known to be present in the wider area. The proposed development is unlikely to significantly affect any statutory or non-statutory nature conservation designation. The appraisal sets out a range of recommendations including enhancement of the burn corridor, compensatory new areas of marshy grassland and water bodies that would benefit amphibians and invertebrates, the carrying out of further protected species surveys, biodiversity enhancements, and measures to protect existing habitats. The findings of the preliminary ecological appraisal and roost assessment are accepted, and the recommendations are generally supported. It is evident that the development framework responds to the ecology recommendations by seeking to protect key habitats such as the Gilston Burn corridor and providing significant opportunities for ecological enhancement.

PE20 Trees, Woodland and Hedgerows

- 7a.15 The submitted tree survey and arboricultural constraints report concludes that the overall impact of the proposed development on existing trees, woodlands and hedgerows is minimal, particularly when the impact of disease is considered. The site comprises mainly open pasture, with some limited woodland and scrub to the east of Nicolton Road and along the Gilston Burn in the north-west part of the site. The burn corridor contains numerous ash and elm trees, with significant areas of grey and goat willow, growing on the steeply sided gully. A line of field boundary trees, comprised mainly of ash and in poor condition, runs east-west through the centre of the site. Most of these trees are expected to die within 5 to 10 years. Boundary hedgerows extend along both verges of Nicolton Road, with emergent oak, ash, sycamore and elm trees. There is a wide hedgerow along the field edge adjacent to Gilston Crescent, and the south-east corner of the site has a small copse, dominated by ash. The proposed open space areas and green corridors provide considerable scope for the creation of an extensive green network. A strong landscape buffer can be retained and enhanced between Nicolton Road and the A801, and along the Gilston Burn corridor. The findings of the tree survey and arboricultural constraints report are accepted.

PE22 The Water Environment

- 7a.16 A key natural feature of the site is the Gilston Burn, which flows in a south-east to north-west direction through the site. The development framework indicates a green riparian corridor along the burn and the precise details of the width of the corridor, necessary engineering works, landscaping, biodiversity enhancements and active travel routes would be considered further at detailed design stage. The necessary engineering works include new crossings of the burn, as well as the likelihood of a diversion of a section of the burn to accommodate the new entrance roundabout on Gilston Crescent. The proposed development also provides an opportunity to remove redundant installations and restore the natural course of the burn where possible. These matters would be considered in the preparation of a burn restoration and enhancement plan. The provision of a suitable landscaped riparian corridor would help to avoid potential impacts on the integrity and water quality of the burn environment. Proposed works within or in proximity to the burn would have to comply with the Water Environment (Controlled Activities) (Scotland) Regulations administered by SEPA.

PE24 Flood Management

- 7a.17 The submitted flood risk assessment indicates that the site is at risk of flooding from the Gilston Burn and surface water accumulations on the site. The flood risk assessment recommends that no development take place within the functional floodplain (the area of the site at risk from the estimated 200 year flow). The topography of the site is recognised as unusual and, as a result, flows in excess of the 200 year return period are predicted to spill into the lower northern section of the site and flood a large part of the site. Although this area is not considered as functional floodplain, it provides significant attenuation of flows in excess of the 200 year return period. Therefore, it is recommended that water spilling into the lower part of the site be managed within a specific area and designed to increase biodiversity and amenity value, including the potential for a water feature. The provision of this area, a centrally located park and wetland, is reflected in the development framework. A landscaped channel would take water from the storage management area to the burn in extreme events and would be dry almost all of the time. The finished floor levels of the new properties would be set at least 600mm above the predicted peak water level of the nearest water feature. The surface water accumulations are generated within the site and would be managed as part of the drainage strategy.
- 7a.18 A significant rainfall event occurred between 11 and 12 August 2020 which caused the Union Canal to overtop and increase the Gilston burn levels above the 200 year level. This resulted in damage to the burn. A section of the channel bank was undermined and collapsed. This event has not been modelled as it was seen as a one off event. SEPA have stated that this is acceptable. The applicant carried out works in September/ October 2021 to repair the damaged banks. The channel has subsequently been resurveyed and the model re-run using the new sections. The modelled results showed that there is no significant change and inundation is no larger than the pre-August 2020 flood case.

- 7a.19 The findings and recommendations of the flood risk assessment are accepted. This includes consideration of increased rainfall as a result of climate change and flood risk in the event of blockage of culverted sections of the burn in the area. Any proposals for realignment of the burn would need to be satisfactory in flood risk terms as demonstrated through the submission of further information.

PE25 Soils and Agricultural Land

- 7a.20 The application site contains Class 3.1 prime quality agricultural land. The loss of prime quality agricultural land as a result of the proposed development is acceptable within the terms of the policy as the site is specifically allocated for development in the local development plan.

PE26 Air Quality

- 7a.21 The submitted air quality assessment considered the effects of the proposed development on local air quality in terms of nitrogen dioxide and particulate matter. The assessment predicts that there would be no exceedances of the relevant Air Quality Standards for nitrogen dioxide and particulate matter at any of the sensitive receptors within the study area as a result of the proposed development. The site does not lie within an Air Quality Management Area (AGMA). In addition, the magnitude of change in air quality with the proposed development, compared to without the proposed development, was assessed as negligible. The significance of effect on local air quality was therefore assessed as 'not significant'. Proposed mitigation for construction dust management would be contained within the Construction Environmental Management Plan (CEMP) prepared for the site. The Environmental Protection Unit is satisfied with the air quality assessment.

HC01 Housing Land

- 7a.22 The site is identified in LDP2 as a Strategic Growth Area and Major Area of Change. As such it is one of the larger sites identified to contribute towards meeting the Council's housing supply target for the period 2017 to 2030. The Council's Housing Land Audit (HLA) 2020/ 21 identifies the site as contributing towards the 5 year effective housing land supply (25 units in year 5). Thereafter the HLA factors in an allowance of 50 units per year for the next 5 years (year 2025/ 26 to year 2029/ 30).

HC03 Affordable Housing

- 7a.23 The proposed development is required to provide 25% of the housing units as affordable housing. For such a large development it is anticipated that the affordable housing would be spread across several phases and may include a range of affordable housing types other than solely social rented housing. The precise detail, including the location, type, tenure and timing/ phasing of delivery would be considered as part of further discussions and more detailed master-planning, having regard to the Council's Supplementary Guidance SG06 'Affordable Housing'.

HC04 Housing Density and Site Capacity

- 7a.24 The application indicates a capacity of 500 dwellings, which reflects the site capacity indicated in LDP2 for this Major Area of Change. The proposed number of dwellings has been informed by a master-planning process which considers place-making principles including existing natural features, landscape impacts, green infrastructure requirements and flooding and surface water management. Considerations in relation to residential amenity such as privacy, daylighting and provision of garden ground would be assessed when the detailed design proposals are brought forward.

JE01 Business and Tourism

- 7a.25 The site is part of the Eastern Gateway (a Strategic Business Location) and is safeguarded for Class 4/5/6, leisure and tourism uses as part of the mixed use allocation. The north-east portion of the site (Mixed Use Area) is set aside for a range of potential uses including business and employment uses, in keeping with the business aspiration for the site. While the intended scale of business land provision has reduced for the reasons detailed in this report, the site retains an opportunity for meaningful provision as part of the Eastern Gateway, while recognising that the precise nature of the business and employment uses, and the timing of provision, would be market-led. The range of potential uses also provides an opportunity to support tourism by providing gateway services. LDP2 identifies Gilston as a tourism node for that purpose.

JE09 Town Centre First

- 7a.26 A neighbourhood centre would form part of the Mixed Use Area and include provision for Class 1 retail and Class 2 office uses. Retail provision exceeding 1000 square metres gross floor space is the threshold at which the sequential town centre first approach is applied. At this stage the precise scale and nature of provision is not known. A retail impact assessment would be required for any retail development proposal exceeding the 1000 square metre threshold, in order to consider potential impacts on the vitality and viability of town and local centres. It is recognised that the location of the site in relation to existing shops and services would warrant neighbourhood retail provision of a sufficient size to serve the needs of the new community.

JE10 Food and Drink

- 7a.27 The indicative uses for the Mixed Use Area include a restaurant/ café, public house and a drive-through or hot food takeaway uses. These uses would be located in association with other neighbourhood shops and services, and at an identified tourism node in LDP2. The proposals would need to demonstrate at detailed planning stage that there would be no adverse impact on the amenity of adjacent residential properties or the surrounding area generally. This would include noise impact assessments where appropriate.

IR02 Developer Contributions

- 7a.28 The developer would be required to contribute to the provision and upgrade of infrastructure to address the impacts of the proposed development. In some cases, the means of delivery is payment by the developer of financial contributions. In this case financial contributions would be required towards or potentially towards increasing the future capacity of St Margaret's Primary School, Graeme High School and local nursery provision, upgrade of M9 Junction 4 (Lathallan Roundabout), diversion of the existing bus service into the site, provision of a new service to link the site to Polmont Railway Station, and improvements to the network of active travel routes in the local area. A contribution towards upgrade of Meadowbank Health Centre may also be required, or alternatively the provision of land within the site for a new healthcare facility. The developer contributions would be secured through a Section 75 planning obligation following any minded to grant decision on the application. The details in relation to the obligations would be informed by relevant Falkirk Council supplementary guidance and the principles contained in Circular 3/2021 'Planning Obligations and Good Neighbour Agreements'.

IR03 Education and New Housing Development

- 7a.29 As stated above, the proposed development results in, or contributes to, capacity issues at St Margaret's Primary School, Graeme High School and the nursery at St Margaret's Primary School. In this instance the impacts can be mitigated by the payment by the developer of financial contributions. The contribution rates for education are set out in Falkirk Council Supplementary Guidance SG13 'Developer Contributions'.

IR04 Community Facilities

- 7a.30 The Mixed Use Area provides an opportunity for new community facilities at an accessible location. This may include a healthcare facility or a similar community focused facility. However, it is recognised that delivery of such a facility would be dependent on decisions by specific service providers. The applicant's Qualitative Assessment of Community Facilities highlights that there are community centres and facilities within walking or cycling distance of the site that offer a wide range of services and facilities to the local community. The assessment concludes that they would be able to support any additional interest in the classes or services offered at these facilities following delivery of the proposed development. This is accepted.

IR05 Travel Hierarchy and Transport Assessment

- 7a.31 The application is supported by a transport assessment, in recognition of the impact of the scale of the proposed development on the transport network. The transport assessment is considered to have been appropriately scoped, with the network impacts properly identified and suitable mitigation measures identified. The traffic modelling identified capacity issues at the A803 Main Street/ Gilston Park junction, the A803 Main Street/ Station Road/ Greenpark Drive junction, the A803 Main Street/ Bo'ness Road (Kirk Entry) junction, and M9 Junction 4 (Lathallan Interchange Roundabout). Suitable mitigation measures have been identified, which have been subject to Stage 1 road safety audits. In addition, the development requires a secondary access, which is to be provided at Gilston Crescent in the form of a roundabout. This new junction would have the benefit of calming traffic speed along Gilston Crescent, and has also been subject to a Stage 1 road safety audit. The proposed development is considered to support a hierarchy of travel which seeks to prioritise walking, cycling, public transport, and the use of private car in that order. This is reflected in the development framework which includes a movement strategy showing an indicative street network and a path network connecting the new residential and mixed use areas, and linking to the wider area. The hierarchy of travel is supported by a travel plan framework, which would inform the preparation of travel plans at the detailed planning stage.

IR06 Active Travel

- 7a.32 The proposed development provides a significant opportunity to improve and extend the network of active travel routes. The development framework provides an indication of the intended active travel routes within the site, integral to the extensive open space network, and connections to the wider area, including to the core path network. The proposals include the option of a section of Nicolton Road becoming an active travel route if the Council were to close that section of the road to vehicular traffic. The design of the active travel routes and the provision of additional infrastructure such as cycle parking, seating and signage would be considered at detailed planning stage. If the section of Nicolton Road between the site and the Union Canal were to remain open to vehicles, then consideration would be given to altering the road layout to provide a 'quiet lane'. There is also an opportunity to contribute to improvements to the wider network, which would see increased usage because of the proposed development. Potential works include provision of an improved link from Nicolton Road to the canal towpath and upgrade of the existing route from the canal towpath to Ercall Road, Brightons.

IR07 Bus Travel

- 7a.33 A key aspect of the development is to support the hierarchy of travel by good access to bus services. The development framework indicates the intended bus route through the site from Gilston Crescent to the A803. The central location of the route ensures good accessibility from all parts of the site. Financial contributions would be required from the developer to support an extension of the existing bus service to serve the site and provide a new service to link the site to Polmont Railway Station. The latter is seen as important to help encourage new residents to access the railway station by bus rather than private car where parking provision is constrained. The design of the bus route and associated infrastructure would be considered at detailed planning stage. It is understood that the applicant has already paid £75,000 towards public transport contributions in connection with a previous planning permission for the site. This amount would be deducted from the new total public transport contribution figure.

IR09 Parking

- 7a.34 Compliance with the parking standards in the National Roads Development Guide would be required at detailed planning stage. In addition, electric vehicle charging points would be required as part of any significant commercial or community uses, in accordance with SG14 'Renewable and Low Carbon Energy'.

IR10 Drainage Infrastructure

- 7a.35 The submitted drainage strategy indicates three separate surface water networks, each serving different parts of the site and connecting to a separate end of line detention pond. Discharge from the ponds would be to the Gilston Burn at a controlled rate. A variety of different SUDS measures would be used, potentially including swales, porous paving, filter trenches and bio-retention areas, as well as the ponds. The SUDS would form an integral part of the parkland areas of the site. The detailed surface water design would be required at detailed planning stage. The foul water infrastructure for the development would connect to the public sewer.

IR13 Low and Zero Carbon Development

- 7a.36 The submitted energy statement concludes that there are a number of feasible options for incorporating on-site low and zero carbon generating (LZCGT) technologies into the new buildings. These include heat pumps, solar photovoltaic panels and biomass boilers. The precise details would be considered at detailed planning stage.

IR14 Heat Networks

- 7a.37 The energy statement has considered the feasibility of decentralised energy generation and district heating systems. The statement indicates that it is difficult to assess the feasibility of a district heating system at this early stage when house types, the details of non-domestic buildings and length of network are all unknown. It is recommended that further assessment is undertaken when more detailed design information is available. This is accepted. The study found that a biomass boiler, a combined heat and power system, and a ground source heat pump would all be viable heat generators for a district heating system. The approved Energy from Waste facility at Avondale Landfill was identified as a potential heat generator, but it was considered unlikely to be feasible due to practical difficulties in connecting the proposed development to this facility. Furthermore, there is no indication at present as to whether the facility will be constructed. This option could be considered further as part of a future assessment. If a heat network is not installed, pipework routes and land should be safeguarded so that the opportunity to connect to future heat networks is not foreclosed.

IR17 Waste Management Facilities

- 7a.38 Avondale Landfill Site lies on the north side of Junction 4 of the M9 (Lathallan Roundabout). The submitted odour and dust risk assessment assessed the predicted potential odour effects associated with the Avondale installations as negligible at the closest medium sensitivity commercial receptors and slightly adverse at the closest high sensitivity receptors (residential use). Overall, the significance of predicted odour effects at all receptors within the proposed development was assessed as 'not significant'. In addition, the predicted potential effect of dust emitted from the Avondale installations upon future receptors at the proposed development was assessed as 'not significant'. The conclusions of the assessment were informed by measures in the Operations, Monitoring and Control Plan for Avondale which is updated by the operator regularly to respond to actions identified by SEPA. The plan includes only carrying out activities with the potential to emit odour when the prevailing wind is from a direction away from sensitive receptors within 250 metres. This means that the potential for odour to be detected at the proposed development should be limited to an unplanned or emergency odour release when the wind is from the north through to the east (which according to local meteorological data is infrequent). The assessment sets out a number of mitigation measures to minimise the risk to 'negligible' at all future receptors of the proposed development. These measures include orientating the garden spaces and habitable rooms of the proposed residential dwellings closest to the Avondale installations so they are south facing, and maintaining existing trees and augmenting tree planting along the northern and eastern boundaries of the proposed development. The Council's Environmental Protection Unit are satisfied with the odour and dust assessment.

7a.39 SEPA have advised the Council to consider whether the proposed new mixed use development (including housing) is compatible with the existing SEPA regulated waste management site at Avondale, which may have detectable residual odour from production of gas long after the site stops accepting waste. SEPA indicate that such residual odour may not necessarily represent non-compliance with the site licence conditions and the Council may wish to consider if adequate separation distances have been incorporated within the development. In response to this, it is important to highlight that the application site is allocated for mixed use development under LDP2 so that the general principle of a mixed use development, including housing, is established. The development framework reflects the key principle of the guidance for this Major Area of Change of directing the business uses to the eastern part of the site, with the more sensitive use (housing) to the west and south. Compliance with this key principle, coupled with the mitigation measures set out in the assessment, should adequately mitigate the risk while ensuring that the proposed development would not adversely impact on the existing waste management operations.

IR18 Waste Management in New Development

7a.40 The layout and design of the proposed development would need to provide for appropriate collection and storage facilities for waste and recyclable materials. This would be considered further at detailed planning stage.

7a.41 Overall, the application is considered to accord with LDP2.

7b Material Considerations

7b.1 The material considerations to be assessed are Falkirk Council Supplementary Guidance, the consultation responses and the representations received.

Falkirk Council Supplementary Guidance

7b.2 Supplementary Guidance in association with LDP2 is at various stages of preparation. Largely consisting of the updating and consolidation of Supplementary Guidance prepared alongside LDP1, a number of Supplementary Guidance notes have been adopted, while the others are being finalised or consulted on prior to adoption.

7b.3 The following supplementary guidance has been taken into account in the planning assessment in this report:-

- SG02 'Neighbourhood Design', adopted November 2020;
- SG05 'Green Infrastructure and New Development' adopted June 2021;
- SG06 'Affordable Housing', adopted May 2021;
- SG07 'Biodiversity and Development', adopted May 2021;
- SG09 'Landscape Character Assessment and Landscape Designations', adopted April 2021;
- SG10 'Trees and Development', adopted November 2020;

- SG13 'Developer Contributions', adopted July 2021; and
- SG14 'Renewable and Low Carbon Energy', draft August 2021.

Consultation Responses

7b.4 The consultation responses are summarised in Section 4 of this report. There are no outstanding objections from consultees. The responses received identify a range of matters which have been considered in the planning assessment in this report and which cover matters that could be the subject of a Section 75 Planning Obligation or planning conditions as appropriate, if planning permission is granted.

Assessment of Public Representations

7b.5 The representations received are summarised in Sections 5 and 6 of this report. The following comments are made in response to the matters raised in these representations:-

- The matters raised are, to a large degree, considered in the assessment in this report and the consultation responses;
- The site lies within the urban limits as defined in LDP2 and is identified as a mixed use opportunity for housing, business, a neighbourhood centre and greenspace. As a large scale allocation, it is identified as a Strategic Growth Area and Major Area of Change. The principle of development of this large site for the identified mix of uses is therefore established;
- The scale of houses indicated in the application reflects the housing capacity of 500 units indicated in LDP2;
- The proposed new entrance roundabout on Gilston Crescent would in itself act as a traffic calming feature along this road;
- Mitigation measures at other junctions in the local area have been identified and agreed between the applicant and the Council's Transport Planning Unit subject to detailed design as detailed in this report;
- The Council has not made a decision to close Nicolton Road. There are a range of options for this road, including making a section of it an active travel route. The stopping up order procedures would have to be followed if any section of the road was to be removed from the list of public adopted roads. A decision on this road is not required to enable a decision to be made on this planning application in principle and the options would be able to be accommodated within the masterplan without impacting on the development proposals;
- The guidance in LDP2 for the allocated site and Major Area of Change highlights that there are parking limitations at Polmont Railway Station. In line with all allocated sites in the area the focus is on promoting measures to encourage people to access the station by alternative means to the private car. As detailed in this report, the developer would be liable for a financial contribution to fund a new bus service to link the site to the railway station. This service would also benefit existing residents;

- A planning condition to prevent on-street parking along Gilston Crescent and other areas off this road would not meet the tests set out in Scottish Government Circular 4/1998: 'The Use of Conditions in Planning Permissions'. Under this circular, planning conditions should only be imposed where they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects;
- Potential amenity impacts such as loss of privacy would be considered at detailed planning stage when the detailed design proposals are being considered; and
- The comments in support of the application are noted;

7c Conclusion

- 7c.1 The application is considered to accord with LDP2, for the reasons detailed in this report. It is therefore recommended for approval subject to the satisfactory conclusion of a Section 75 planning obligation and appropriate planning conditions. The site has a Mixed Use allocation and is a Major Area of Change under LDP2 and the proposed development provides a significant opportunity for housing, business and greenspace uses, while promoting successful place-making through a masterplan approach, addressing road, education and healthcare impacts associated with a development of this scale, and providing good access to bus services including the provision of a new bus service to link to Polmont Railway Station. There are not considered to be any material planning considerations to otherwise justify refusal of the application.

8. HUMAN RIGHTS AND EQUALITY ASSESSMENT

- 8.1 Officers have considered the Human Rights Act 1998 in making this recommendation. It is considered that the proposed recommendation would not adversely impact on any protected characteristic groups as identified within the Equality Act 2010.

9. RECOMMENDATION

9.1 It is recommended that the Committee indicate that it is minded to Grant Planning Permission in Principle subject to:-

- (a) The completion within 6 months of a Planning Obligation in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, in terms satisfactory to the Director of Place Services in respect of:-**
 - (x) A contribution towards addressing future capacity issues at St Margaret's Primary School at the rate of £4576.33 per dwellinghouse and £1573.41 per flat;**
 - (xi) A contribution towards addressing future capacity issues at Graeme High School at the rate of £2428.80 per dwellinghouse and £647.26 per flat;**
 - (xii) A contribution towards addressing future children's nursery capacity issues at the rate of £1629.61 per dwellinghouse and £489.09 per flat;**
 - (xiii) A proportionate contribution towards the upgrade of M9 Junction 4 (Lathallan Roundabout);**
 - (xiv) A contribution to fund diversion of the existing bus service into the proposed development site;**
 - (xv) A contribution to fund a new bus service to link the site to Polmont Railway Station;**
 - (xvi) A proportionate contribution towards addressing healthcare capacity issues or the provision of land within the site to accommodate a new healthcare facility;**
 - (xvii) The provision of 25% of the residential units at the site as affordable housing; and**
 - (xviii) A contribution towards improving the network of active travel routes in the local area which will be determined by any agreement to the developer carrying out the identified improvement works in lieu of a contribution.**
 - (b) and thereafter, on conclusion of the foregoing matters, remit to the Director of Place Services to grant planning permission in principle subject to the following conditions:-**
- 2. Plans and particulars of the matters specified below shall be submitted for the consideration by the planning authority in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning Scotland Act 1997 (as amended). The development of each respective development phase shall not commence until the written approval of the planning authority has been given in respect of the relevant specified matters (unless otherwise agreed). The development shall be carried out in accordance with each approval. The specified matters are:-**

- a) Detailed masterplans for each development phase, as informed by the Development Framework prepared by Barton Willmore, dated December 2021;
- b) The timing/ phasing of the development, as informed by the Development Framework prepared by Barton Willmore, dated December 2021;
- c) Existing and proposed site levels;
- d) Proposed finished floor levels;
- e) The siting of the buildings;
- f) The design of the buildings;
- g) The external appearance of the buildings;
- h) Details of the access arrangements, including the new street layout and design of the new burn crossings;
- i) Details of soft and hard landscaping and open space provision, including recreational facilities;
- j) The provision of pedestrian and cycle facilities, including links to the wider area;
- k) Details of proposed boundary treatments;
- l) A landscape and visual impact assessment of the detailed proposals for Phase 3B as indicated in the Development Framework;
- m) The provision of public art;
- n) Archaeological recording;
- o) Tree protection measures;
- p) A construction environmental management plan;
- q) Updated surveys for protected species surveys as described in the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment prepared by ITP Energised, dated August 2020;
- r) An invasive species survey;
- s) Biodiversity enhancement measures, as informed by the Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by ITP Energised, dated August 2020;
- t) Burn corridor enhancement measures including burn restoration;
- u) A detailed surface water drainage strategy, including design and calculations, as informed by the Drainage Assessment prepared by Dougall Baillie Associates, dated September 2020;
- v) Measures to address flood risk, as informed by the Flood Risk Assessment prepared by Kaya Consulting Limited, dated October 2020;
- w) A contaminated land assessment;

- x) Measures to mitigate noise impacts, as informed by the outline mitigation set out in the Noise Impact Assessment prepared by ITP Energised, dated October 2020, tailored to the detailed design layout;
- y) Measures to mitigate odour impacts, as informed by the mitigation set out in the Odour and Dust Risk Assessment prepared by ITP Energised, dated October 2020, tailored to the detailed design layout;
- z) The provision of a bus route and related bus infrastructure;
- aa) A travel plan and a residential development travel information pack, as informed by the travel plan framework contained in the Transport Assessment prepared by Dougall Baillie Associates, dated October 2021;
- bb) Off-site road improvement works;
- cc) Stage 2 road safety audits;
- dd) The provision of on-site low and zero carbon generating technologies, and potential for heat networks, as informed by the Energy Strategy approved under condition 2(a) of this planning permission;
- ee) Car-parking, including the provision of electric vehicle charging points as part of significant new commercial or community uses;
- ff) Facilities for the collection and storage of waste including recyclable materials; and
- gg) A retail impact assessment (if required under condition 24)

2. The first application for Approval of Matters Specified in Conditions shall be accompanied by the following details for the written approval of this planning authority (unless otherwise agreed):-

- e) An updated site-wide energy strategy;
- f) A site-wide public art strategy;
- g) A burn corridor restoration and enhancement plan for the Gilston Burn; and
- h) A site-wide phasing strategy for engineering works to reshape the land surface treatment of the land pending built development, including any opportunities for advanced planting.

3. The first application for Approval of Matters Specified in Conditions for each development phase shall be accompanied by a detailed masterplan for that development phase for the written approval of this planning authority.

- 4. The number of residential units shall not exceed 500 (unless otherwise agreed by this planning authority in consultation with Transport Scotland).**
- 5. The phasing of the housing as indicated in the Development Framework shall proceed sequentially, commencing with phase 1A and ending with phase 3B (unless otherwise agreed or required by a condition of this planning permission).**
- 6. The details of the soft landscaping shall include (as appropriate):-**
 - f) An indication of all existing trees, shrubs and hedges proposed to be removed, those to be retained and, in the case of damage, proposals for their restoration;**
 - g) The location of all proposed new trees, shrubs, hedges and grassed areas;**
 - h) A schedule of plants to comprise species, plant sizes, proposed numbers/ densities and nursery stock sizes;**
 - i) Methods of protection (tree shelters/ guards/ staking/ fencing) and including initial maintenance to aid rapid replacement; and**
 - j) A programme for completion and subsequent maintenance.**
- 7. Any tree/ shrub planting adjacent to the railway boundary shall be positioned at a minimum distance from the boundary which is greater than the predicated mature height of the planting.**
- 8. A suitable trespass proof fence of at least 1.8 metres in height shall be provided adjacent to the railway boundary, in accordance with details to be submitted for the written approval of this planning authority, including arrangements for future maintenance and renewal.**
- 9. There shall be no Sustainable Urban Drainage Scheme (SUDS) sited within 10 metres of the railway boundary.**
- 10. There shall be no works that affect trees within each development phase until any necessary tree protection fencing for that phase is in place in accordance with the approved tree protection plan, and the planning authority has confirmed in writing that it is satisfied with the fencing as erected.**
- 11. The temporary tree protection fencing shall remain in place until all works within the relevant development phase have been completed (unless otherwise agreed). There shall be no tree removal, excavation, level changes, trenching, material storage or machinery access within the fenced off areas.**

- 12. There shall be no tree, scrub or grassland clearance within the bird nesting season (March to August inclusive) unless a nesting bird check is carried out by a suitably qualified ecologist prior to commencement of the clearance works. The findings of any nesting bird check shall be submitted to and approved by this planning authority prior to the works commencing.**
- 13. Each application for Approval of Matters Specified in Conditions shall be accompanied by an updated protected species survey for the written approval of this planning authority, if more than 12 months has lapsed since the carrying out of the last survey covering the relevant development phase.**
- 14. The details in relation to any new culvert and/ or realignment of Gilston Burn at the proposed new roundabout at Gilston Crescent shall be subject to the written approval of this planning authority in consultation with SEPA as part of the relevant application for Approval of Matters Specified in Conditions. In consideration of approval of the details, it shall be demonstrated that there is no increased flood risk to downstream or nearby receptors and the culvert is able to convey the 1 in 200 year plus climate change flow with an appropriate freeboard.**
- 15. The details of any proposed restoration measures within the southern extent near to the current channelised right hand bend, currently defined as functional floodplain, shall be subject to the written approval of this planning authority in consultation with SEPA as part of the requirement for a burn corridor restoration and enhancement plan under Condition 2(c) of this permission. As part of consideration of approval of the details, it shall be demonstrated that there is no increased flood risk to downstream or nearby receptors and there is no built development within any change to the functional floodplain due to proposed restoration works.**
- 16. No residential unit within Phase 2B, 3A or 3B as indicated in the Development Framework shall be occupied until the new roundabout on Gilston Crescent and the bus route through the site have been fully constructed, unless otherwise agreed in writing by this planning authority. The roundabout shall be constructed in general accordance with Drawing No. 20100-SK-11 Rev A prepared by Dougall Baillie Associates, dated 13 October 2020, subject to approval of the detailed design as informed by the road safety audit process.**

- 17. No residential unit shall be occupied until the A803 Main Street/ Gilston Park junction has been fully upgraded, unless otherwise agreed in writing by this planning authority. The upgrade works shall be carried out in general accordance with Drawing No. 20100-SK-10 prepared by Dougall Baillie Associates, dated 30 September 2020, subject to approval of the detailed design as informed by the road safety audit process.**
- 18. No more than 150 residential units shall be occupied until the A803 Main Street/ Station Road/ Greenpark Drive and the A803 Main Street/ Bo'ness Road (Kirk Entry) junctions have been fully upgraded, unless otherwise agreed in writing by this planning authority. The upgrade works shall be carried out in general accordance with Drawing No. 20100-SK-13 Rev B prepared by Dougall Baillie Associates, dated 25 October 2021, subject to approval of the detailed design as informed by the road safety audit process.**
- 19. The development shall not commence until appropriate mitigation measures have been approved by this Planning Authority in consultation with Transport Scotland to address the impact of the development at M9 Junction 4 (Lathallan Interchange). The nature of the mitigation shall either be physical improvements to these junctions in the form of traffic signals, generally as illustrated in Dougall Baillie Associates' Drawing No. 20100-SK-22, dated 21 December 2021, or a financial contribution in lieu of the said physical works. The precise details of the physical works or the level of financial contribution required shall be approved by this planning authority in consultation with Transport Scotland.**
- 20. A Stage 3 road safety audit for each junction referred to in conditions 15, 16 and 17 of this permission shall be submitted to and approved in writing by this planning authority prior to the works to provide or improve each of these junctions being brought into use.**
- 21. The first application for Approval of Matters Specified in Conditions involving land within Phase 2A as indicated in the Development Framework shall include proposed measures for the future treatment and function of Nicolton Road. The timing/ phasing of implementation of the approved measures shall be subject to the written approval of this planning authority.**
- 22. No development beyond Phase 1A shall be occupied until the approved flood mitigation measures have been fully constructed.**

- 23. Where it is demonstrated to the satisfaction of the planning authority that a local energy centre or heating system is not feasible, each development phase shall be future-proofed for connection to future heat networks, in accordance with details to be approved in writing by this planning authority (unless otherwise agreed).**
- 24. Any application for Approval of Matters Specified in Conditions which includes retail development proposals in excess of 1000 square metres gross floorspace shall be accompanied by a retail impact assessment.**

Reason(s)-:

- 1. To ensure that the matters referred to are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006**
- 2. To ensure that the site-wide matters referred to are given full consideration at the start of the detailed planning process.**
- 3. To ensure good place-making and a co-ordinated approach to design.**
- 4. The proposed development and the assessment of its effects on infrastructure are predicated on a maximum number of 500 dwellings.**
- 5. To ensure a logical sequence of development and good place-making.**
- 6. To safeguard the visual amenity of the area.**
- 7. To control the impact of leaf fall on the operational railway.**
- 8. In the interests of public safety and the protection of Network Rail infrastructure.**
- 9. To protect the stability of the adjacent railway lines and the safety of the rail network.**
- 10,11. To safeguard the visual amenity of the area.**
- 12, 13 To safeguard the interests of bird species.**

14. To ensure that the matters referred to are given full consideration, including potential impacts on flood risk.
15. To ensure that the matters referred to are given full consideration, including potential impacts on flood risk.
16. To ensure the provision of necessary road infrastructure works linked to the appropriate stage of the development.
17. To ensure the provision of necessary road infrastructure works linked to the appropriate stage of the development.
18. To ensure the provision of necessary road infrastructure works linked to the appropriate stage of the development.
19. To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road.
20. In the interests of road safety.
21. To ensure that the matters referred to in respect of Nicolson Road are given full consideration.
22. To ensure that flood risk to the development is mitigated to an acceptable level.
23. To provide for the opportunity for future connections to a heat network.
24. To consider the impact of significant retail development proposal on town and local centres.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 07B, 09, 10 and 11.

2. **Plans and particulars of the matters listed above shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations set out in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).**

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pp Director of Place Services

Date: 4 February 2022

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan 2
2. Falkirk Council SG02 'Neighbourhood Design'
3. Falkirk Council SG05 'Green Infrastructure and New Development'
4. Falkirk Council SG06 'Affordable Housing'
5. Falkirk Council SG07 'Biodiversity and Development'
6. Falkirk Council SG09 'Landscape Character Assessment and Landscape Designations'
7. Falkirk Council SG10 'Trees and Development'
8. Falkirk Council SG13 'Developer Contributions'
9. Falkirk Council SG14 'Renewable and Low Carbon Energy' (draft)
10. Intimation of Support received from Mrs Emily Reid, 2a Marchmont Avenue, Polmont, Falkirk, FK2 0PW on 16 November 2020
11. Intimation of Support received from Mr Alan Waddell, 5 Glengarry Crescent, Falkirk, FK1 5UD on 17 November 2020
12. Objection received from Mrs Marion Cameron, 41 Montrose Road, Polmont, Falkirk, FK2 0YN on 16 November 2020
13. Objection received from Mrs Marion Robertson, Battock Cottage, Gilston Crescent, Polmont, Falkirk, FK2 0YQ, on 16 November 2020
14. Objection received from Mr Michael Harrington, 2 Killin Drive, Polmont, FK2 0QQ on 29 October 2020
15. Objection received from Ms Marlyn Yorkston, 3 Forfar Place, Polmont, Falkirk, FK2 0PB on 2 November 2020
16. Objection received from Mrs Lindsay Brown, 54 Rodel Drive, Falkirk, FK2 0YU on 17 November 2020

17. Objection received from Mrs Catrina Hamill, 7 Glen Lyon Court, Polmont, FK2 0PQ on 16 November 2020
18. Objection received from Mrs Alison Ashe, 34 Morven Drive, Polmont, Falkirk, FK2 0XD on 16 November 2020
19. Objection received from Mrs Catherine Harris, 59 Rodel Drive, Polmont, FK2 0YU on 16 November 2020
20. Objection received from Mrs Margaret Shepherd, 6 Turret Drive, Gilston Park, Polmont, FK2 0QW on 16 November 2020
21. Objection received from Mr Kevin Ashe, 34 morven drive, Polmont, Falkirk, FK2 0XD on 22 November 2020
22. Representation received from Mr Andrew Griffith, Byer Cottage, Polmont, FK2 0YQ on 23 November 2020
23. Objection received from Mr Michael Stuart, 70, Eastcroft Drive, Polmont, FK2 0SU on 10 December 2020
24. Objection received from Mrs Diane Ure, Gilston Farmhouse, Polmont, Falkirk, FK2 0YQ on 2 December 2020
25. Objection received from Mrs Karin Main, 30 rodel drive Polmont, Polmont, FK2 0YU on 16 November 2020
26. Objection received from Mr Martin Buchanan, 55 Tiree Crescent, Polmont, Falkirk, FK2 0UX on 16 November 2020
27. Objection received from Mr Ian Park, 8 Cricket Place, Brightons, Falkirk, FK2 0HZ on 18 November 2020
28. Objection received from Mrs Jane Brown, 29 Killin Drive, Polmont, Falkirk, FK2 0QQ on 9 November 2020
29. Objection received from Mr Duncan Ross, 2 Miller Park, Polmont, Falkirk, FK2 0UJ on 16 December 2020
30. Objection received from Miss Fiona Learmonth, Rosehall, Main Street, Polmont, Falkirk, FK2 0QY on 16 November 2020
31. Objection received from Mr William Renton, 18 Alyth Drive, Polmont, Falkirk, FK2 0YW on 21 November 2020
32. Objection received from Ms Serena Jones, Parkside, Main Street, Polmont, FALKIRK, FK2 0QY on 22 November 2020
33. Intimation of Support received from Miss Heather Leslie, 71a Randolph Creascent, Brightons, Falkirk, FK2 0EZ on 16 November 2020
34. Objection received from Mrs Adele Stevenson, 13 Glenisla Court, Whitburn, Bathgate, EH47 8NX on 16 November 2020
35. Intimation of Support received from Mrs Laura Cameron, 15 Dunvegan Place, Polmont, Falkirk, FK2 0NX on 31 March 2021
36. Intimation of Support received from Mr David Hayden, 3 Breadalbane Place, Polmont, Falkirk, FK2 0RF on 14 April 2021
37. Objection received from Mr Craig Duncan, 22 Woodlands Drive, Brightons, Falkirk, FK2 0TF on 7 February 2021
38. Intimation of Support received from Mr David Hayden, 3, Breadalbane Place, Polmont, Falkirk, FK2 0RF on 14 April 2021
39. Objection received from Mr Peter Queen, 1 Comely Park, North Craigs Rumford, Falkirk, FK2 0RU on 7 February 2021
40. Representation received from Dr Daniel Forth, 57 Rodel Drive, Polmont, Falkirk, FK2 0YU, FK2 0YU on 22 November 2021

41. Representation received from Mr Craig Duncan, 22 Woodlands Drive, Brightons, Falkirk, FK2 0TF, on 13 August 2021
42. Representation received from Duncan Ross, on 2 September 2021

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

Policy Schedule

PE01 Placemaking

Development proposals should promote the six qualities of successful places as defined in Scottish Planning Policy by addressing the following principles:

1. Distinctive

- Existing natural and historic environment features should be identified, conserved, enhanced and integrated sensitively into development. Further guidance is set out in Policies PE05-PE27, and accompanying Supplementary Guidance SG07- SG12;
- The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create a coherent structure of buildings, streets and public spaces that are attractive, distinctive and create a sense of identity within the development. Further guidance is set out in SG02 'Neighbourhood Design';
- Development should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, manages surface water sustainably, and contributes, where appropriate, to the wider green network. Further guidance is set out in SG05 'Green Infrastructure and New Development';
- Developments of a significant scale should contribute to public art either through a contribution to an existing local project, or through provision of public art within the development, guided by a strategy prepared by the developer in consultation with the Council and Falkirk Community Trust. Further guidance is set out within SG13 'Developer Contributions' and the public art procurement guide produced by Falkirk Community Trust.

2. Safe and pleasant

- Development should create a safe and secure environment for all users through the provision of high levels of natural surveillance for access routes and public spaces and provision of safe access for all. Further guidance is set out in SG02 'Neighbourhood Design';
- Development should not exacerbate existing air quality issues or introduce new sources of pollution which impact on local air quality without appropriate mitigation.

3. Easy to move around and beyond

- Development should be designed to encourage the use of active travel and sustainable, integrated transport. Further guidance is set out in Policies IR05-IR07;

- Development should build on the existing network of paths, edges, nodes, districts and landmarks to create places that people can navigate easily around.

4. Welcoming

- Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality hard or soft landscape treatment. Further guidance is set out in SG02 'Neighbourhood Design'.

5. Adaptable

- Development should be designed to consider how people use places differently, for example depending on age or degree of personal mobility;
- Where appropriate, development should provide a mix of building densities, tenures and typologies where a variety of diverse but compatible uses can be integrated.

6. Resource efficient

- In support of climate change mitigation, development should promote the efficient use of natural resources and the minimisation of greenhouse gas emissions through: energy efficient design; choice and sourcing of materials; reduction of waste; recycling of materials and incorporating space to separate materials at source; incorporation of low and zero carbon generating technologies and integration into neighbourhood and district heating networks. Further guidance is set out in Policies IR12-IR14;
- In support of climate change adaptation, infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise;
- Provision should be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.

PE06 Archaeological Sites

1. Scheduled Monuments and other identified nationally important archaeological resources will be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting will not be permitted unless there are exceptional circumstances;

2. All other archaeological resources will be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other economic, social and environmental merits of the development proposals in the determination of planning applications; and
3. Developers may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development.

PE13 Green and Blue Network

1. The Council will support the delivery of the Central Scotland Green Network in the Falkirk area, and Falkirk Greenspace: A Strategy for Our Green Network, through the development and enhancement of a multi-functional network of green and blue components and corridors as set out in the Spatial Strategy;
2. Within the green and blue network the key priorities of biodiversity, outdoor access, landscape character enhancement, climate change, placemaking and serving disadvantaged communities will be promoted, with particular reference to the opportunities detailed in the Proposals and Opportunities Schedule; and
3. New development should contribute to the green and blue network, where appropriate, through the integration of green infrastructure into masterplans or through enabling opportunities for green and blue network improvement on adjacent land, in accordance with SG05 'Green Infrastructure and New Development'.
4. The seven community growing sites identified at Appendix 1 (Proposal GN24) shall be safeguarded from development unless proposals can demonstrate, on a case-by-case basis, that there is no longer a proven demand for allotment space.

PE17 Open Space and New Development

New development should contribute positively to the provision of open space in the area and support the objectives of the Open Space Strategy. Accordingly:

1. Where appropriate, proposals for new development should include public open space to create a sense of place, integrate the site with the wider green network, promote physical activity, sport and active travel, enhance biodiversity, and manage water within the site; and

2. Where the quantity, quality or accessibility of recreational and sport open space and play facilities in the locality is insufficient to meet the recreational needs of proposed new residential development, as informed by the standards in the Open Space Strategy, the proposal should address the identified deficiencies through either the provision of new on-site recreational and sport open space, or contributions to the improvement of off-site open space.

The detailed planning and design of new open space within new developments, including the methodology for determining and addressing recreational open space deficiencies, should accord with SG05 'Green Infrastructure and New Development'.

PE18 Landscape

1. The Council will seek to protect and enhance landscape character and enhance landscape quality throughout the Council area in accordance with Supplementary Guidance SG09 'Landscape Character Assessment and Landscape Designations';
2. Development within Local Landscape Areas should be designed to minimise any adverse effects on the landscape character and scenic interest for which the area is designated ; and
3. Development proposals which are likely to have significant landscape and visual effects must be accompanied by a landscape and visual assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit will be achieved.

PE19 Biodiversity and Geodiversity

The Council will protect and enhance habitats and species of importance, and will promote biodiversity and geodiversity through the planning process. Accordingly:

1. Development likely to have a significant effect on Natura 2000 sites (including Special Protection Areas, Special Areas of Conservation, and Ramsar Sites) will be subject to an appropriate assessment. Qualifying interests of a Natura 2000 site may not be confined to the boundary of a designated site. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions, there are imperative reasons of overriding public interest, including of a social or economic nature and compensatory measures are provided to ensure that the overall coherence of the Natura network is protected. Where the site has been designated for a European priority habitat or species, consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or for other reasons subject to the opinion of the European Commission (via Scottish Ministers);

2. Development affecting Sites of Special Scientific Interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any significant adverse effects are clearly outweighed by social, environmental or economic benefits of national importance;
3. Development likely to have an adverse effect on European protected species; a species listed in Schedules 5, 5A, and 8 of the Wildlife and Countryside Act 1981 (as amended); or badgers as per section 10 of the Protection of Badgers Act 1992, will only be permitted where the applicant can demonstrate that a species licence is likely to be granted;
4. Development affecting Local Nature Reserves, Wildlife Sites, Sites of Importance for Nature Conservation and Geodiversity Sites (as identified on the Proposals Map and in Supplementary Guidance SG08 'Local Nature Conservation and Geodiversity Sites'), and national and local priority habitats and species (as identified in the Falkirk Local Biodiversity Action Plan) will not be permitted unless it can be demonstrated that the overall integrity of the site, local habitat or local species population will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance;
5. Where development is to be approved which could adversely affect any site, habitat or species of significant local nature conservation value, the Council will require appropriate mitigating measures to conserve and secure future management of the relevant natural heritage interest. Where habitat loss or fragmentation is unavoidable, the creation of replacement habitat to compensate for any negative impacts will be required, along with provision for its future management. Where adverse impacts on locally important species are unavoidable, measures to protect and enhance the wider local population of that species will be required; and
6. All development proposals should conform to Supplementary Guidance SG07 'Biodiversity and Development'.

PE20 Trees, Woodland and Hedgerows

1. There will be a presumption against the removal of safe and healthy trees, non-commercial woodlands or hedgerows, where such removal would be detrimental to landscape, local amenity, nature conservation, recreation or historic environment interests, or erosion and natural flood management. Criteria in the Scottish Government's policy on Control of Woodland Removal will be used to determine the acceptability of woodland removal;
2. Ancient, long-established and semi-natural woodland, including sites identified in the Scottish Ancient Woodland Inventory, will be protected as a resource of irreplaceable value;

3. In areas covered by a Tree Preservation Order (TPO) or Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, health or stability of trees, or their landscape, biodiversity or historic value. Where appropriate, other endangered trees or woodlands which have amenity, cultural or historic importance will be protected through the designation of further TPOs;
4. Development which is likely to affect trees should comply with Supplementary Guidance SG06 'Trees and Development'. A Tree Survey and Tree Constraints Plan will be required to inform the design, together with a Tree Protection Plan. Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting on site comprising similar species and numbers to the trees and hedgerows removed;
5. The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a tree group or woodland area is integral to a development proposal, developers will be required to prepare and implement an appropriate Management Plan;
6. The provision of new trees and woodland in association with new development will be encouraged in accordance with Supplementary Guidance SG05 'Green Infrastructure and New Development'; and
7. There will be a preference for the use of locally native species in new and replacement planting schemes, or other species where these are integral to an historic landscape.

PE22 The Water Environment

The Council recognises the importance of the water environment within the Council area in terms of its landscape, ecological, recreational and land drainage functions. Accordingly:

1. The Council will support the development of measures identified within the Forth Area River Basin Management Plan designed to improve the ecological status of the water environment;
2. Opportunities to improve the water environment by: opening out previously culverted watercourses; removing redundant water engineering installations; and restoring the natural course of watercourses should be exploited where possible;

3. There will be a general presumption against development which would have a detrimental effect on the integrity and water quality of aquatic and riparian ecosystems, or the recreational amenity of the water environment, or which would lead to deterioration of the ecological status of any element of the water environment. Development proposals adjacent to a waterbody should provide for an appropriate undeveloped and suitably landscaped riparian corridor to avoid such impacts;
4. There will be a general presumption against any unnecessary engineering works in the water environment including new culverts, bridges, watercourse diversions, bank modifications or dams; and
5. The water environment will be promoted as a recreational resource, (subject to the requirements of Policy PE19 (1) for Natura 2000 Sites), with existing riparian access safeguarded and additional opportunities for ecological enhancement, access and recreation encouraged where compatible with nature conservation objectives.

PE24 Flood Management

1. The Council will support the delivery of the objectives and actions set out in the Local Flood Risk Management Strategies and Local Flood Risk Management Plans covering the area. There will be a presumption against development which would prejudice the implementation of the relevant actions.
2. Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy, with development being avoided in locations at medium to high flood risk, unless it accords with the criteria set out in the Framework. There will be a presumption against new development which would:
 - Be likely to be at risk of flooding;
 - Increase the level of risk of flooding for existing development;
 - Result in a use more vulnerable to flooding or with a larger footprint than any previous development on site; or
 - Lead to an increase in the probability of flooding elsewhere.
3. Development proposals on land identified as being at medium to high risk from any source of flooding, and low to medium risk areas as identified by the Flood Risk Framework, or where other available information suggests there may be a risk, including proposals to restore the natural course of watercourses, will be required to provide a flood risk assessment in accordance with SEPA's Technical Flood Risk Guidance for Stakeholders that demonstrates that:

- Any flood risks can be adequately managed both within and outwith the site;
 - An adequate allowance for climate change and freeboard has been built into the flood risk assessment;
 - Access and egress can be provided to the site which is free of flood risk; and
 - Water resistant materials and forms of construction will be utilised where appropriate (including any development permitted in medium to high risk areas (that accords with the exceptions in the Food Risk Framework) or is located in adjacent low to medium risk areas).
4. Development proposals on previously developed land which is at risk of flooding will be limited to uses which are of equal or less vulnerability as defined by SEPA's Land Use Vulnerability Guidance.
 5. Where suitably robust evidence suggests that land contributes or has the potential to contribute towards sustainable flood management measures development will only be permitted where the land's sustainable flood management function can be safeguarded.

PE25 Soils and Agricultural Land

1. Any proposal for development that would involve the loss of prime quality agricultural land (Classes 1, 2 and 3.1), will not be permitted unless it is essential because it would be:
 - On a site specifically allocated for development in the LDP; or
 - For development that would meet an overriding local or national need and where no other suitable site is available; or
 - For small-scale development directly linked to a rural business; or
 - For the generation of energy from a renewable source, or for the extraction of minerals, where this would accord with other policy objectives and secure provision could be made for restoration to return the land to its former status.
2. Proposals for development that would be likely to disturb or cause significant irreversible damage to areas of carbon rich soils (basin peat, blanket bog, peat alluvium complex, peaty podzols, peaty gleys and salt marshes) or rare soils (podzols, humus iron podzols and saltings) will be required to submit a soil or peat management plan which demonstrates that:
 - The areas of highest quality soil or deepest peat have been avoided;

- Any disturbance, degradation or erosion has been minimised through mitigation; and
 - Any likely release of greenhouse gas emissions caused by disturbance is offset.
3. Development should ensure the sustainable use of soils during construction and operation and commit to minimise soil sealing, erosion and compaction.

PE26 Air Quality

Development should not exacerbate existing air quality issues or introduce new sources of pollution which impact on local air quality without appropriate mitigation. Impacts on air quality will be taken into account in assessing development proposals, particularly within Air Quality Management Areas (AQMA). An Air Quality Assessment may be required for developments that are within an AQMA or where the proposed development may cause or significantly contribute towards a breach of National Air Quality Standards. Development proposals that result in either a breach of National Air Quality Standards or a significant increase in concentrations within an existing AQMA will not be permitted unless there are overriding issues of national or local importance.

HC01 Housing Land

1. The housing supply target is 6,894 homes for the period 2017–2030. To meet this target, the Council will support residential development as indicated generally in the Spatial Strategy and as detailed in the Proposals and Opportunities Schedule and Settlement Statements, and on suitable windfall sites which satisfy Policy HC02.
2. The Council will maintain at least 5 years' supply of effective housing land to ensure that the Housing Supply Target is met in full over the development plan period. The Housing Land Audit is the primary source of evidence for monitoring the availability of effective housing land. If, during the period of the plan, a shortfall in the 5 year supply of effective land emerges, additional sites for housing will be supported where the proposal would constitute sustainable development, having regard to the relevant criteria in Scottish Planning Policy and other LDP policies. In such circumstances, the scale of the proposed development relative to the scale of the shortfall will be a material consideration. The Council may also impose specific time limits on any planning permissions granted, to ensure that housing is delivered to a timescale that will address the identified shortfall.

HC03 Affordable Housing

Housing developments of 20 units and over will provide affordable housing as set out below. The approach to provision should comply with Supplementary Guidance SG06 'Affordable Housing'.

Settlement Areas of Larbert/Stenhousemuir; Rural North; Braes; and Rural South - affordable housing on site – **25%**

Settlement Areas of Bo'ness; Bonnybridge and Banknock; Denny; Falkirk; and Grangemouth – **15%**

HC04 Housing Density and Site Capacity

1. The density and overall capacity of housing sites should be determined by a site planning process, based on the placemaking principles set out in Policy PE01, and in particular prior consideration of:
 - The context of the site and the character of the surrounding area;
 - Existing natural and built features which require to be retained within an appropriate setting;
 - Open space, flooding and surface water management, and other green infrastructure requirements;
 - Landscape impacts and associated mitigation requirements;
 - Other site constraints; and
 - Residential amenity, with particular regard to privacy, daylighting and suitable provision of private garden ground.
2. Where housing capacity figures set out in the Proposals and Opportunities Schedule have yet to be informed by an approved detailed masterplan, they will be regarded as indicative, pending the preparation of such a masterplan. However, where a proposed site capacity exceeds that set out in the Schedule, this will need to be fully justified through a design statement, which addresses Policy PE01 and the factors listed in sub section (1) above.

JE01 Business and Tourism

1. The Council will promote the following Strategic Business Locations as outlined in the Spatial Strategy:
 - Falkirk Investment Zone
 - Grangemouth Investment Zone
 - Larbert Gateway
 - Eastern Gateway

Strategic sites which form part of the Strategic Business Locations, and other local business sites within communities, (as identified in the Proposals and Opportunities Schedule) will be safeguarded for the uses specified.

2. The Council will support tourism development which supports the tourism networks, themes and nodes identified in the Spatial Strategy, is of a quality which enhances the image and tourism infrastructure of the area, and complies with other LDP policies.

JE09 Town Centre First

1. Retail development proposals in excess of 1,000 sq.m. gross floorspace, significant commercial leisure development, offices, and other significant cultural, civic and community uses should be located within town and local centres. Where such proposals are located outwith town and local centres, they will only be supported where it can be demonstrated that:
 - They accord with the sequential town centre first approach in which locations are considered in the following order of preference:
 - Town and local centres;
 - Edge of centre;
 - Commercial centres;
 - Out of centre locations that are, or can be made accessible by a choice of transport modes;
 - There is no adverse impact on the vitality and viability of town and local centres; and
 - In the case of out of centre locations, there is a need for the development.
2. Retail development proposals of less than 1,000 sq.m gross floorspace and serving a demonstrated neighbourhood need, will be permitted more generally within the urban area, subject to other LDP policies.
3. Motor vehicle showrooms will be permitted generally within allocated business and industrial sites, or other existing business areas, providing that access, servicing and any associated activities can be accommodated without detriment to residential amenity, the functioning of the road network, or the operation of adjacent businesses.

JE10 Food and Drink

1. Proposals for Class 3 uses, hot food takeaways and public houses will be encouraged to locate within town, local and commercial centres, in association with other neighbourhood shops or services, or at tourism nodes.
2. Proposals must demonstrate that there will be no adverse impact on the amenity of adjacent residential properties, or the surrounding area generally, by virtue of noise or odours, and that parking and access requirement are satisfied.
3. Temporary consent for mobile snack bar vans may be granted where a specific need is demonstrated, and there is no adverse impact on local amenity or the visual quality of the locality.

IR02 Developer Contributions

Developers will be required to contribute to the provision, upgrading and, where appropriate, the maintenance of infrastructure where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The types of infrastructure where contributions may be required are set out in Table 4.1. The nature, scale and phasing of developer contributions will be determined by:

1. Guidance and contribution rates set out in SG13 'Developer Contributions';
2. Site specific requirements set out in the LDP or relevant development brief; and
3. The principles contained in Circular 3/2012 'Planning Obligations and Good Neighbour Agreements'.

In assessing applications where developer contributions are required, the economic viability of proposals will be taken into account as a material consideration where supported by a Development Viability Statement. Developer contributions for education and open space will be waived for flatted residential development, or conversions of buildings for residential use, of up to 50 units within town centre boundaries.

IR03 Education and New Housing Development

Where there will be insufficient capacity within catchment schools to accommodate children from proposed new housing development, or where Council nursery provision will be adversely affected, developer contributions will be sought in line with Policy IR02 to mitigate these impacts. In the rare circumstances where such mitigation cannot be achieved in a manner which is consistent with the Council's education policies, the proposed development will not be supported.

IR04 Community Facilities

1. Proposals involving the loss of existing community facilities will only be supported where it can be demonstrated that:
 - There is no longer a need for the facility;
 - The facility is no longer financially viable; or
 - The services offered by the facility will be delivered satisfactorily in alternative ways.
2. Proposals for new community facilities will be supported where:
 - In the case of proposals generating significant footfall, the sequential town centre first approach is met;

- In other cases, there is good access by public transport, walking and cycling;
 - The proposal is compatible with the surrounding area in terms of scale, character and design; and
 - The proposal complies with other LDP policies.
3. Proposals for major new public buildings, major community facilities or major commercial developments which are publically accessible, should incorporate a Changing Places toilet.

IR05 Travel Hierarchy and Transport Assessment

1. Development proposals should support a hierarchy of travel which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars.
2. Transport assessments will be required for development proposals where the impact of the development on the transport network is likely to result in an increase in the number of trips, such that there will be significant impact on the operation of the transport network, requiring mitigation. Assessments will focus on the hierarchy of travel and should include, where appropriate:
 - Travel plans;
 - Safety audits of proposed mitigation measures; and
 - Air quality impact assessments.
3. The Council will only support development proposals where the transport assessment and travel plan have been appropriately scoped, the network impacts properly defined, and suitable mitigation measures identified.

IR06 Active Travel

1. The Council will safeguard, improve and extend the network of active travel routes, with particular emphasis on the core path network. Development proposals should contribute to active travel infrastructure, either through direct provision or developer contributions, and should address the following requirements, as appropriate:
 - Support objectives set out in Travel Plans;
 - Support the Falkirk Greenspace Strategy by improving the extent and connectivity of routes within the green network;

- Safeguard and improve existing active travel routes affected by the development, including the provision of temporary alternative routes where routes are disrupted by construction;
 - Provide linkages to the existing active travel network in the vicinity of the site and to schools, community facilities, local amenities and public transport; and
 - Provide appropriate additional infrastructure such as cycle parking, seating and signage.
2. The design of routes, including line, construction, surfacing, and, where appropriate, lighting should be specified within proposals and should:
- Be appropriate to the location and intended use of the routes;
 - Facilitate, where appropriate, access to a wide range of users including pedestrians, cyclists and the mobility impaired;
 - Promote ease of maintenance; and
 - Meet relevant standards where routes are to be adopted by the Council.

IR07 Bus Travel

Development should benefit from good access to bus services, taking account of the 400 metre maximum walking distance required by Scottish Planning Policy.

Measures to secure this should be assessed and agreed through Travel Plans and may include:

1. Links to existing bus stops, or the provision of new bus stops
2. In the case of larger developments, inclusion of routes suitable for provision of bus services through the development; and
3. Provision of financial contributions to support the delivery of bus services serving the development.

IR09 Parking

1. The parking standards in the National Roads Development Guide will be applied to new development, subject to the local variations approved by the Council.

2. Parking in town and local centres will be managed to support the role of the centres whilst promoting sustainable travel. Proposed changes to parking provision in centres will be assessed against the effect on their vitality and viability.
3. New car parking provided as part of significant new commercial or community uses should incorporate electric vehicle charging points.

IR10 Drainage Infrastructure

1. Necessary sewerage infrastructure associated with new development should either be adopted by Scottish Water or have alternative maintenance arrangements which are acceptable to SEPA. Connection to the public sewer is the most sustainable option and will ensure that any pollution risk to the environment is minimised.
2. Surface water management for new development should comply with current best practice on Sustainable Urban Drainage Systems (SUDS), where appropriate forming an integral part of the development's landscape structure as set out within Supplementary Guidance SG05 'Green Infrastructure and New Development'. SUDS will be required to meet the specifications as detailed in the most recent version of Sewers for Scotland should the developer wish the surface water system to vest in Scottish Water.
3. For developments that involve a change of use and/or redevelopment, wherever possible, opportunities should be taken to retrofit SUDS.
4. A drainage strategy, as set out in PAN61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment. The strategy should follow the latest version of the SUDS Manual.

IR13 Low and Zero Carbon Development

1. All new buildings should incorporate on-site low and zero carbon-generating technologies (LZCGT) to meet a proportion of the overall energy requirements. Applicants must demonstrate that 12% of the overall reduction in CO2 emissions as required by Building Standards has been achieved via on-site LZCGT. This proportion will be increased as part of subsequent reviews of the LDP. All proposals must be accompanied by an Energy Statement which demonstrates compliance with this policy. Should proposals not include LZCGT, the Energy Statement must set out the technical or practical constraints which limit the application of LZCGT. Further guidance is contained in Supplementary Guidance SG14 Renewable and Low Carbon Energy. Exclusions from the requirements of this policy are:
 - Proposals for change of use or conversion of buildings;
 - Alterations and extensions to buildings;

- Stand-alone buildings that are ancillary and have an area less than 50 square metres;
 - Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection;
 - Temporary buildings with consent for 2 years or less; and
 - Where implementation of the requirement would have an adverse impact on the historic environment as detailed in the Energy Statement or accompanying Design Statement.
2. The design and layout of development should, as far as possible, seek to minimise energy requirements through the other sustainability aspects of the current Sections 6 and 7 of the current Building Standards Technical Handbook.

IR14 Heat Networks

1. Decentralised energy generation with heat recovery, and district heating systems, will be encouraged in major new developments, subject to the satisfactory location and design of associated plant. Energy Statements for major developments should include an assessment of the viability for such schemes. Scotland's Heat Map and applicable local Council strategies should inform this assessment.
2. Where the provision of a local energy centre or district heating system is not feasible, developers should futureproof their sites where possible for connection to future heat networks. The installation of pipework to the curtilage of development and safeguarding of piperuns within developments to allow future connection will be required unless the submitted Energy Statement, informed by Scotland's Heat Map and local Council strategies, demonstrates that there are financial or technical barriers to installation. SG14 'Renewable and Low-Carbon Energy', sets out guidance on heat networks and the matters Energy Statements are expected to address.

IR18 Waste Management in New Development

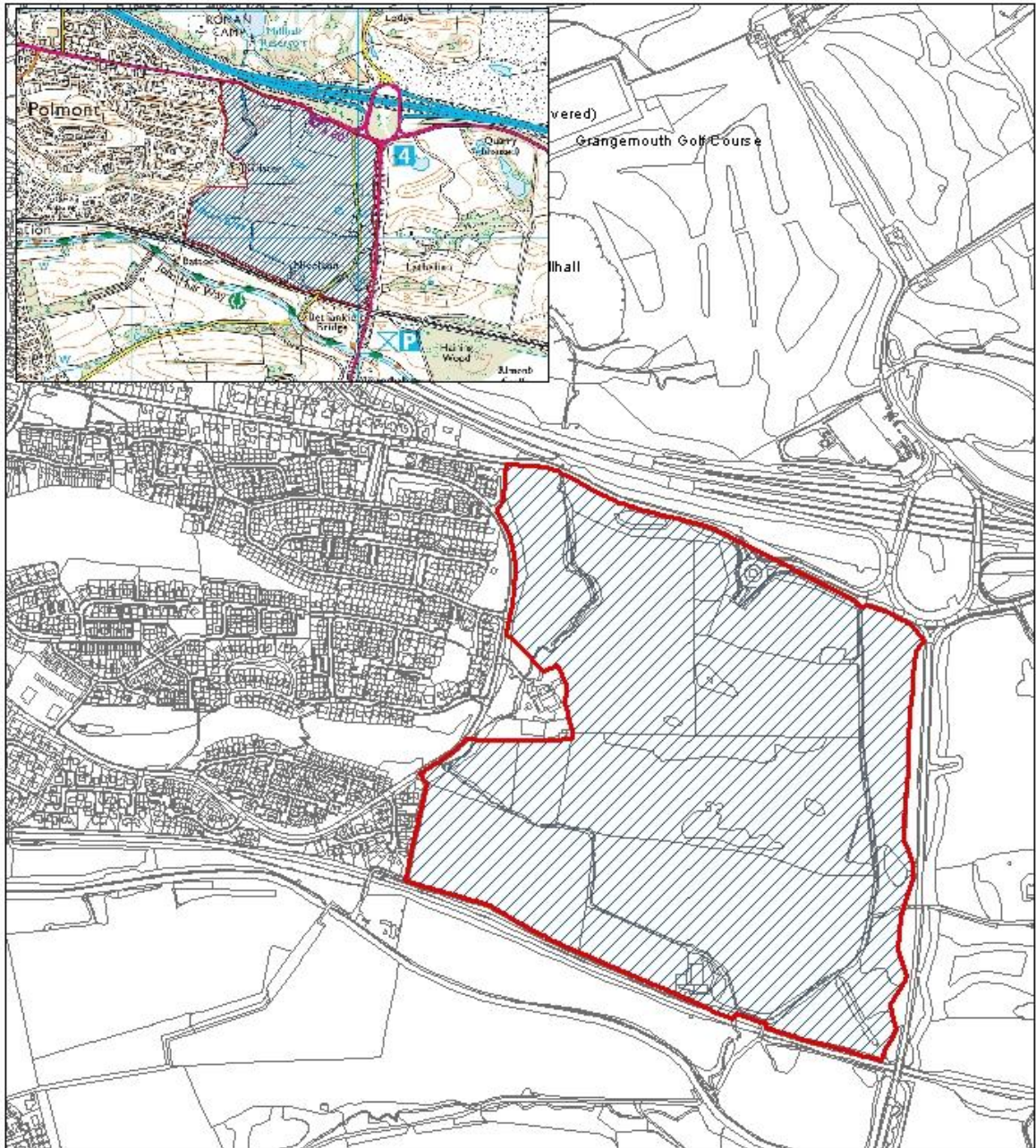
All development should minimise waste during construction and operation, particularly through site waste management. The layout and design of development should provide for the collection and storage of waste and recyclable materials, including composting facilities and the vehicular collection of waste.

Planning Committee

Planning Application Location Plan

P/20/0493/PPP

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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