

P50. 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 - Continuation

The committee considered an update report by the Director of Place Services on an application for 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.

With reference to Standing Order 33.5, the Convener referred to a deputation request received from, Iain Hynd, agent, and Ian Conway, to be heard in relation to this item.

The committee agreed to hear the deputation.

Following discussion the Development, Building Standards & Climate Manager gave an undertaking to provide updates to the Committee on progress with this application.

Decision

The committee agreed that it was 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 £5038.61 per dwellinghouse and £1732.24 per flat;**
 - (ii) A contribution towards addressing future capacity issues at Graeme High School at the rate of £2673.97 per dwellinghouse and £712.60 per flat;**
 - (iii) A contribution towards addressing future children's nursery capacity issues at the rate of £1794.10 per dwellinghouse and £538.46 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 placemaking.
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).**