

**FALKIRK COUNCIL**

**Subject:** USE OF CAR PARK FOR OVERNIGHT PARKING OF BUSES AT  
LITTLE KERSE LEISURE LTD, GRANGE ROAD,  
GRANGEMOUTH FK3 9UY FOR STEPHEN BARR -  
P/10/0774/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 23 February 2011

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Lower Braes  
Councillor Steven Jackson  
Councillor Malcolm Nicol  
Councillor Alan Nimmo

**Community Council:** Polmont

**Case Officer:** Julie Seidel (Planning Officer), Ext. 4880

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 This application relates to the temporary use of a section of car park, for the overnight parking of buses, at Little Kerse Leisure Ltd, Grange Road, Grangemouth. The applicant has requested temporary consent for 5 years.
- 1.2 The application would see approximately 12 buses being parked overnight, during Falkirk school term time. The buses would not be parked at weekends or during daytime.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been called to the Planning Committee at the request of Councillor William F Buchanan.

**3. SITE HISTORY**

- 3.1 F/2004/1070 - recreation facility with synthetic field turf football pitch, fencing, lighting, new additional changing facility and jogging track - granted on 2 March 2005.
- 3.2 F/2005/0294 - use of car park for overnight parking of buses - granted temporary consent until 21 June 2007 on 15 August 2005.
- 3.3 06/0020/FUL - change of use from garage/store to changing accommodation - granted on 8 February 2006.

- 3.4 PRE/2010/0004/PAN – proposal of application notice for multi sport and leisure facilities with associated accommodation and child care - no application submitted to date.
- 3.5 P/10/0421/FUL - installation synthetic field turf football pitch, fencing and lighting - granted on 17 September 2009.
- 3.6 P/10/0798/FUL-Erection of Temporary Changing Facility - pending consideration.

#### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has no objections.
- 4.2 The Health and Safety Executive (HSE) do not advise against the granting of planning permission.

#### **5. COMMUNITY COUNCIL**

- 5.1 The Polmont Community Council did not comment.

#### **6. PUBLIC REPRESENTATION**

- 6.1 During consideration of the application, no letters of objection or representation were received.

#### **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**

##### ***Falkirk Council Structure Plan***

- 7a.1 The proposal raises no strategic issues and was therefore assessed against the Falkirk Council Local Plan alone.

## **Falkirk Council Local Plan**

### 7a.2 Policy EP16 – ‘Leisure And Tourism Development in the Countryside’ states;

*“Leisure and tourism development within the countryside will only be permitted where the use demonstrates a particular need for a countryside location and could not more appropriately be located within the Urban or Village Limits, or where existing buildings are to be utilised. In particular:*

- (1) Proposals for small-scale self-catering chalet developments, caravan and camping sites may be acceptable, subject to appropriate siting and compliance with Policy EP15. Proposals for new hotels, B&Bs, guest houses and pubs/restaurants will generally only be permitted where existing buildings are being utilised or where a specific opportunity is identified in the Local Plan;*
- (2) Proposals for outdoor sport and recreation which require a countryside location may be acceptable, subject to appropriate siting. Associated built development will be limited to that which is directly ancillary to the activity (e.g. clubhouses, changing facilities, parking);*
- (3) Proposals for new visitor attractions, heritage and interpretative centres may be acceptable, subject to appropriate siting and compliance with Policy EP15. The nature and theme of the facility must provide a clear rationale for the countryside location chosen; and*
- (4) Proposals for new roadside facilities will not be permitted unless it is demonstrated that there is a clear need for additional services. Proposals for facilities on motorways and the trunk road network should comply with the guidance in NPPG9.*

*Proposals will be subject to rigorous assessment of their impact on the rural environment, having particular regard to Local Plan policies protecting natural heritage (EQ19-EQ30) and built heritage (EQ12-EQ16), and of the adequacy of access and car parking arrangements must be satisfactory.”*

### 7a.3 The proposal relates to an existing outdoor sport and recreation use within the green belt. The proposal would not undermine aims of policy EP16 or erode the principal use of the site.

### 7a.4 Policy EQ17 – ‘Antonine Wall’ states;

*“The Council will seek to retain, protect, preserve and enhance the Antonine Wall, its associated archaeology, character and setting. Accordingly:*

- (1) There will be a presumption against development which would have an adverse impact on the ‘Frontiers of the Roman Empire (Antonine Wall) World Heritage Site’ as defined on the Proposals Map;*
- (2) There will be a presumption against development within the the ‘Frontiers of the Roman Empire (Antonine Wall) World Heritage Site’ buffer zones, as defined on the Proposals Map, which would have an adverse impact on the Site and its setting, unless mitigating action to the satisfaction of the Council in consultation with Historic Scotland can be taken to redress the adverse impact, and there is no conflict with with other Local Plan policies; and*
- (3) The Council, in association with partner Councils and Historic Scotland, will prepare Supplementary Planning Guidance on the criteria which will be applied in determining planning applications for development along the line, or within the setting, of the Antonine Wall.”*

7a.5 The application site is located within the Antonine Wall World Heritage Site Buffer Zone. Policy EQ17 seeks to retain, protect, preserve and enhance the Antonine Wall and its setting. It is considered that the temporary parking of buses would have no adverse impact on the site and its setting. The application does not offend the terms of policy EQ17.

7a.6 Policy EP18 – ‘Major Hazards’ states;

*“Within the Major Hazard and Pipeline Consultation Zones identified on the Proposals Map, proposals will be judged in relation to the following criteria:*

- (1) The increase in the number of people exposed to risk in the area, taking into account the advice of the Health and Safety Executive, any local information pertaining to the hazard, and the existing permitted use of the site or buildings; and*
- (2) The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means.*
- (3) The potential impact that the proposals may have upon chemical and petrochemical establishments.”*

7a.7 The application site is located within a Major Hazard Consultation Zone. HSE do not advise, on safety grounds, against the granting of planning permission. It is considered that future users of the proposal would not significantly add to the number of people exposed to risk in the area. The application accords with policy EP18.

7a.8 Policy EQ19 - ‘Countryside’ states:

*“(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:*

- it can be demonstrated that they require a countryside location;*
- they constitute appropriate infill development; or*
- they utilise suitable existing buildings.*

*(2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:*

- the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council’s ‘Design Guide for Buildings in the Rural Areas’; and*
- boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.9 Policy EQ20 - 'Green Belt' states:

*“There will be a strong presumption against development in the Green Belt except where it can be demonstrated that:*

- (1) The proposal satisfies Policy EQ19 and any relevant countryside policies as set out in Table 3.3;*
- (2) The proposal will not undermine the role of the Green Belt by*
  - detracting from its existing landscape character;*
  - reducing the visual separation between settlements; or*
  - compromising its existing or potential future use for countryside recreation.*

*Where proposals satisfy these criteria, developer contributions to landscape improvement, access and countryside recreation will be sought in accordance with Policy EQ21.”*

7a.10 The application site is within the green belt and countryside as defined in the adopted Falkirk Council Local Plan. The proposal would cause no serious detrimental impact on the character of the green belt by the temporary parking of buses within an existing car park area. The application accords with policies EQ19 and EQ20.

## **7b Material Considerations**

7b.1 An application ref: F/2005/0294 for the use of the car park for the overnight parking of buses was granted temporary consent on 15 August 2005. This permission lapsed on 21 June 2007. This current application would see buses parked in an area adjacent to the previous approved site.

## **7c Conclusion**

7c.1 The proposal has been assessed as being in accordance with the Development Plan. There are no material considerations that would warrant refusal of the application and as such the proposal is recommended for approval.

## **8. RECOMMENDATION**

**8.1 It is therefore recommended that planning permission be granted subject to the following condition(s):-**

- (1) This permission shall be valid for a limited period until 1 February 2016 and at the end of that time, unless further permission is granted, the site shall not be used for the overnight parking of buses.**

**Reason(s):**

- (1) To ensure that the Planning Authority can control the future use of the site.**

**Informative(s):**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01.

Pp

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**Director of Development Services**

**Date:** 9 February 2011

**LIST OF BACKGROUND PAPERS**

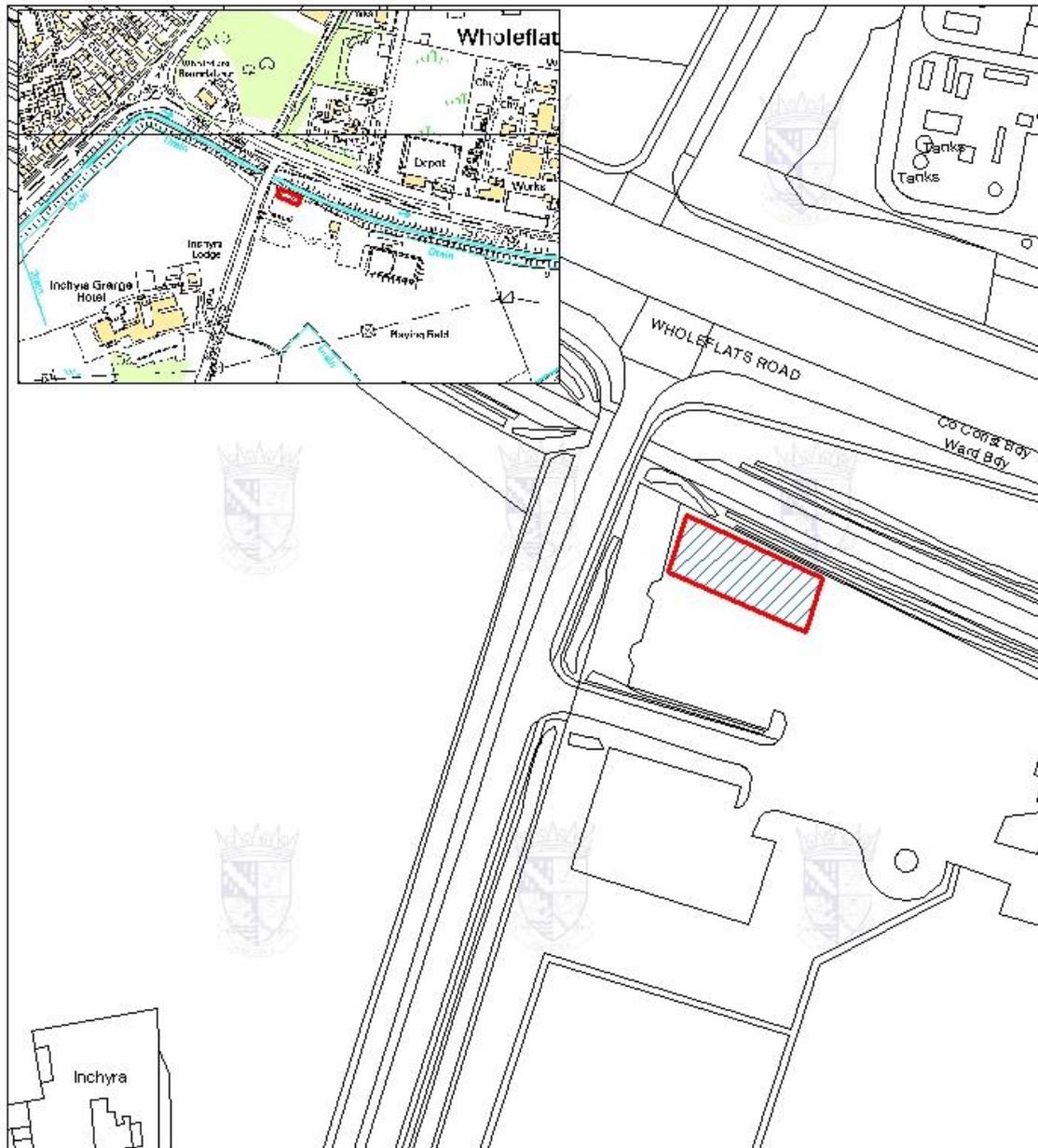
1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

# Planning Committee

## Planning Application Location Plan P/10/0774/FUL

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



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