

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 March 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

UPDATE REPORT FOLLOWING SITE VISIT

1. Members will recall that this planning application was originally considered at the Planning Committee on 23 February 2011 (copy of previous report appended), when it was agreed to continue the planning application for a site visit. This visit took place on 7 March 2011.
2. The case officer provided a factual summary of the proposal. The applicant spoke, confirming that, following lapse of the previous planning permission (Ref: F/2005/0294), buses were stored on another site. Incidents of vandalism at this site led to the current application. The applicant confirmed that the proposal is intended as a short term solution and would cease on commencement of any other development, associated with the outdoor leisure use, at the wider application site. The applicant wishes to form a partnership with the bus company to keep people within the Falkirk area and to tap into the leisure break and weekend market. Many football clubs are now using the facility at Little Kerse and a recent trip to Newcastle Sports Academy was a success.
3. Members commented that the previous application resulted in complaints from the Inchyra Grange Hotel, because the stored yellow buses were highly visible in the Green Belt area. Members noted that the application site is screened from the surrounding area and the Inchyra Grange Hotel by existing mature trees and shrubbery, even during the current winter season. Members noted that the buses are only proposed to be parked during Falkirk term time, at night and would not be parked at weekends or during daytime, therefore reducing the visual impact of the proposed.

4. Members enquired whether the Inchyra Grange Hotel were neighbour notified in relation to the application. It can be confirmed that there was no requirement to notify the Inchyra Grange Hotel because it is distant from the application site, but the application has been advertised in the Falkirk Herald. Members asked a number of questions relating to site security. The applicant responded by confirming that there was no CCTV at the application site, but he intended to have it installed. The applicant also advised that there are no major issues with security or vandalism and the site benefits from lockable gates and security lighting.
5. Members suggested opportunities for additional tree planting. The applicant has advised that he intends to promote tree planting as part of future development on the wider outdoor leisure site and does not wish any conditions relating to tree planting to be imposed on this application for a temporary use at the site.
6. No issues were raised on site that would amend the recommendation to approve temporary planning permission.

7. RECOMMENDATION

7.1 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.

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Director of Development Services

Date: 15 March 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.

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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.

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Director of Development Services

Date: 9 February 2011

LIST OF BACKGROUND PAPERS

3. Falkirk Council Structure Plan.
4. Falkirk Council Local Plan.

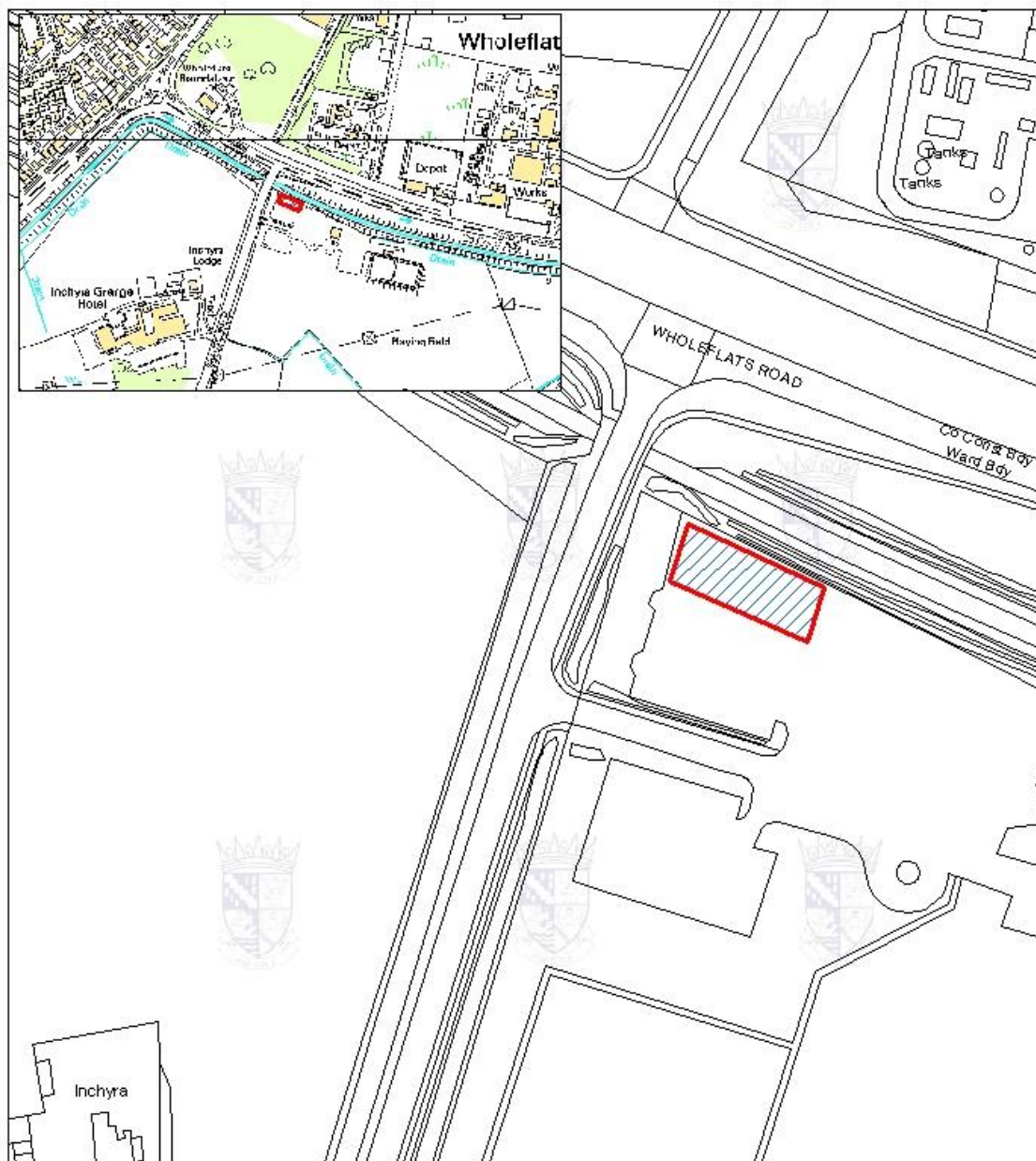
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

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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