

**FALKIRK COUNCIL**

**Subject:** ERECTION OF INDUSTRIAL BUILDING (CLASS 5) AT LAND TO THE SOUTH WEST OF 12 CENTRAL PARK AVENUE, CENTRAL PARK AVENUE, LARBERT FOR FALKIRK COUNCIL - P/11/0197/FUL

**Meeting:** PLANNING COMMITTEE  
**Date:** 18 May 2011  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Bonnybridge and Larbert  
Councillor Billy Buchanan  
Councillor Tom Coleman  
Councillor Linda Gow

**Community Council:** Larbert, Stenhousemuir and Torwood

**Case Officer:** Stephen McClure (Planning Officer), ext. 4702

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

- 1.1 The proposal is to erect a single storey building, divided into two units, to form 280 square metres gross floorspace. The proposal constitutes the second phase of development at this location. The surrounding area contains a mix of business and industrial uses. The proposed units are designed in the same style as Phase 1 and the surrounding area is characterised by a variety of office and industrial units. Site access and parking provision have been constructed. The proposed use of the units is for (Class 5) general industrial use.
- 1.2 The site is located within an existing business park to the north of Larbert. The current application forms Phase 2 of one of the remaining allocated plots within the business park. The majority of the site is level, with a line of mature trees on one side, covered by a Tree Preservation Order (TPO). The remaining sides are bounded by Phase 1 of the site and an existing industrial unit.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been submitted by Falkirk Council and, under the Scheme of Delegation, requires to be considered by Committee.

### **3. SITE HISTORY**

- 3.1 Planning permission P/09/0390/FUL granted on 5 November 2009 for Phase 1 of the site, which was for the erection of 5 industrial units and the associated infrastructure. This has been completed.

### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has no objection to the proposal.
- 4.2 Scottish Water has no objection to the proposal.
- 4.3 The Environmental Protection Unit has no objection to the proposal but, given the location and proposed use, would require a Contaminated Land Assessment.
- 4.4 The Transport Planning Unit has no objection to the proposal.

### **5. COMMUNITY COUNCIL**

- 5.1 The Community Council has not commented on this planning application.

### **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**

- 7a.1 The proposed development was assessed against the following policies:-

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

- 7a.2 Policy ECON.1 'Strategic Development Opportunities' states:

*"The Council will promote the following as strategic locations for major economic development:*

- |          |                            |
|----------|----------------------------|
|          | <i>Town Centres</i>        |
| <i>1</i> | <i>Falkirk Town Centre</i> |
| <i>2</i> | <i>Grangemouth Docks</i>   |

*Gateways*

3 Middlefield/Westfield, Falkirk

4 Falkirk Canal Interchange

5 North Larbert / Glenbervie

6 Gilston, Polmont

*Urban/rural Regeneration Areas*

7 Langlees/Bainsford, Falkirk

7a Former Manuel Works, Whitecross

*Specialist Sites*

8 Grangemouth/Kinneil Kerse

*Site boundaries will be defined or confirmed in Local Plans. The range of acceptable uses at each of these strategic sites is indicated in Schedule ECON.1. ”*

- 7a.3 The proposed site is included in the North Larbert Gateway as a strategic location for major economic development. The site is also included in Schedule ECON.1 Strategic Development Opportunities and is designated within this for, amongst other things, Office, Industry and Distribution. Accordingly, the proposal is in accordance with Policy ECON.1.

***Falkirk Council Local Plan***

- 7a.4 Policy EP1 - ‘Strategic Development Opportunities’ states:

*“The Council will give priority to the sites detailed in Table 5.1 as the site-specific parts of the Strategic Development Opportunities identified within Policy ECON.1 and Schedule ECON.1 of the Structure Plan. These should be developed in accordance with the principles set out in Structure Plan Policy ECON.2.”*

- 7a.5 The site is identified in Table 5.1 - Strategic Development Opportunities, which Policy EP1 refers to, and states that these sites should be given priority by the Council in accordance with Structure Plan Policy ECON.1. It is therefore considered that the proposal accords with Policy EP1.

- 7a.6 Policy EP2 -‘Land For Business And Industrial Use’ states:

*“In order to maintain the business and industrial land supply and the employment role of existing business and industrial areas:*

- (1) The sites for new business and industrial development identified on the Proposals Map will be safeguarded for the employment use specified for each site; and*
- (2) The areas for retention in business and industrial use identified on the Proposals Map will be retained and reserved for Class 4, 5 or 6 uses, except for the established business parks of Callendar Park and Gateway Business Park, Grangemouth which will be reserved for Class 4 uses only and the Glasgow Road Camelon Industrial Area which may include a food retail element to meet local needs as part of the mix.*

*Other ancillary employment uses may be permitted within these areas where they are compatible with the principal business/industrial use of the site, will not result in a significant reduction in the availability of business land or property, and are consistent with other Local Plan policies.”*

7a.7 This Policy specifies that the areas which are set out in the Local Plan for new and existing business and industrial use, Central Business Park being one such site, should be used for Class 4, 5 and 6 uses. The proposal therefore accords with Policy EP2.

7a.8 Policy EP4 - 'Business And Industrial Development Within The Urban And Village Limits' states:

- “(1) New business and industrial development, or extensions to such uses, will be supported within the business areas highlighted in Policy EP2 and EP3(1), where it accords with the use specified for the area and is compatible with the established level of amenity in the business area. Office development will also be supported within the Town and District Centres, providing it is also consistent with the specific policies for the relevant centre, particularly with regard to the safeguarding of the centre's retail function.*
- (2) Outwith these areas, proposals within the Urban Limit will only be permitted where the nature and scale of the activity will be compatible with the surrounding area, there will be no adverse impact on neighbouring uses or residential amenity, and the proposal is satisfactory in terms of access, parking and traffic generation.”*

7a.9 The proposed site is within the Urban/Village Limit and is located within a business area which has been highlighted in the Local Plan, and it accords with the use specified for the area. It is therefore considered that the proposal accords with Policy EP4.

7a.10 Policy EQ26 - 'Trees, Woodland And Hedgerows' states:

*“The Council recognises the ecological, landscape, economic and recreational importance of trees, woodland and hedgerows. Accordingly:*

- (1) Felling detrimental to landscape, amenity, nature conservation or recreational interests will be discouraged. In particular ancient, long-established and semi-natural woodlands will be protected as a habitat resource of irreplaceable value;*
- (2) In an area covered by a Tree Preservation Order (TPO) or a Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, stability or appearance of the trees. Where necessary, endangered trees and woodlands will be protected through the designation of further TPOs;*
- (3) Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting appropriate in terms of number, size, species and position;*
- (4) The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a woodland area is integral to a development proposal, developers will normally be required to prepare a plan and make provision for its future management; and*
- (5) There will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to the historic landscape character.”*

7a.11 The site is covered by a Tree Preservation Order (TPO), although no trees would be removed or damaged as a result of the proposal. The protected trees are located on the boundary of the site, and the proposal would not adversely affect the longevity, stability or appearance of the trees. A condition to protect the trees during construction can be included on any grant of planning permission. It is therefore considered that the proposal accords with Policy EQ26.

7a.12 Accordingly, the proposal accords with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are the consultation responses received. As stated in paragraph 4, no objections have been raised by consultees. The Environmental Protection Unit has requested a Contaminated Land Assessment. This can be addressed by planning condition.

## **7c Conclusion**

7c.1 It is considered that the proposal is acceptable development and is in accordance with the Development Plan. There are no other material planning considerations which would justify a refusal of planning permission.

## **8. RECOMMENDATION**

**8.1 It is recommended that the Planning Committee grant planning permission subject to the following conditions:-**

- (1) The development to which this permission relates must be begun within three years of the date of this permission.**
- (2)**
  - (i) Unless otherwise agreed in writing, no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites.**
  - (ii) Where contamination (as defined by Part IIA of the Environment Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.**
  - (iii) Prior to the commencement of development, the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.**
- (3) Development shall not begin until details of the scheme of soft landscaping works have been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-**
  - i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;**
  - ii. location of new trees, shrubs, hedges and grassed areas;**

- iii. schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - iv. programme for completion and subsequent maintenance.
- (4) Before any work is commenced on the site, a notice stating “PRESERVED” shall be placed on the trunk of all trees to be retained, and this notice shall not be removed until all construction work on the site is completed.
- (5) Before any work is commenced on the site, a fence shall be erected in a position to be agreed with the Planning Authority around the tree crown spread of the trees to be retained, and no materials, vehicles, plant or machinery shall be stored or any excavations carried out within the fenced off area.

**Reason(s):-**

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.
- (3) To safeguard the visual amenity of the area.
- (4-5) To ensure that the existing trees are retained and protected during construction work.

**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, 03A and 04.

**Pp**

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**Director of Development Services**

**Date:** 10 May 2011

**LIST OF BACKGROUND PAPERS**

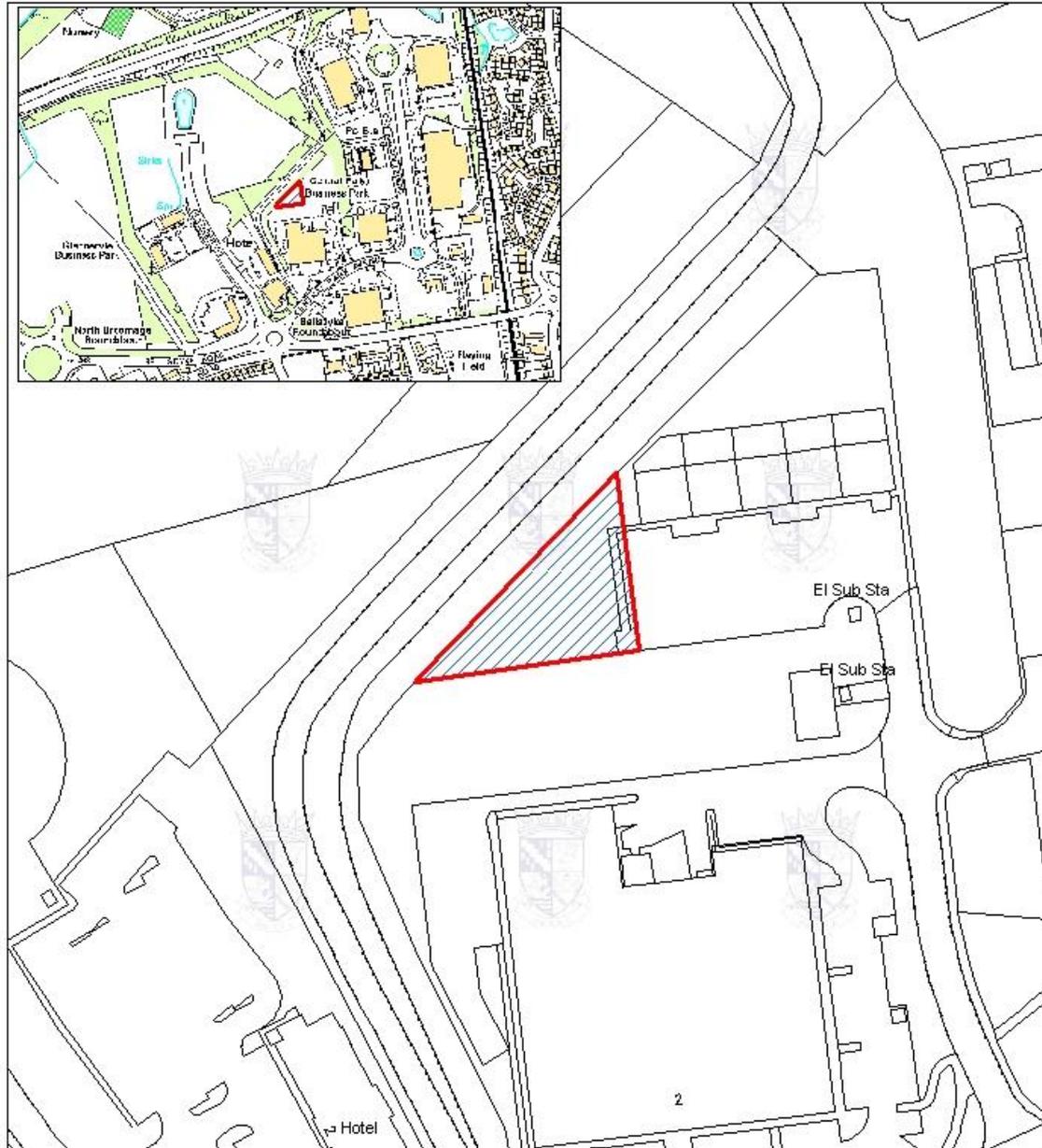
- 1. Falkirk Council Structure Plan.
- 2. Falkirk Council Local Plan.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504702 and ask for Stephen McClure, Planning Officer.

# Planning Committee

## Planning Application Location Plan P/11/0197/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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