

FALKIRK COUNCIL

Subject: CONSTRUCTION OF NEW PATHS AND ENHANCEMENT OF EXISTING PATHS AT LAND TO THE NORTH WEST OF DALDERSE SEWAGE WORKS FALKIRK FOR THE HELIX TRUST - P/11/0688/FUL

Meeting: PLANNING COMMITTEE

Date: 1 February 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk North
Provost Pat Reid
Councillor David Alexander
Councillor Craig R. Martin
Councillor Cecil Meiklejohn

Community Council: Langlees, Bainsford and New Carron

Case Officer: Allan Finlayson (Senior Planning Officer), Ext. 4706

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The proposed development is for the formation of public access footpaths and cycleways for the Helix environmental improvement proposals.
- 1.2 The Helix project is an urban fringe environmental improvement project funded, in part, by BIG Lottery Living Landmarks. Fundamental to the Helix project is the aim to improve connections between existing settlements and facilities and allow for improved access to future Helix initiatives.
- 1.3 This application and the previous agenda item (reference P/11/0687/FUL) comprise the proposed Helix footpath and cycleway improvements for the northern Helix project area.
- 1.4 The proposed paths and associated infrastructure are located in two distinct areas. These are:
 - Proposed pathworks in an area to the north of Farm Street and Lomond Drive to the south of the River Carron (planning application P/11/0687/FUL).
 - Proposed pathworks to the east of Lomond Drive and within the boundary of the Abbotshaugh Community Woodland (planning application P/11/0688/FUL i.e. this application).

- 1.5 Some of the paths, by means of location and specification, require the benefit of planning permission. Other new paths and the enhancement of existing paths are proposed under 'Permitted Development' rights. Paths that do not require planning permission are indicated on proposed plans in order to provide the context of all proposed linkages.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The proposed development involves land in the ownership of Falkirk Council and Falkirk Council is a partner of the Helix Trust who are the applicant.

3. SITE HISTORY

- 3.1 There are no relevant planning applications for the site area. A number of planning applications have previously been submitted for the Helix project within the wider Falkirk Council area.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has advised that all works shall comply with the Design Guidelines and Construction Standards of Falkirk Council and that Minor Roadworks Consent will be required where new paths link with existing roads. This can be provided in the form of informatives to the grant of any permission.
- 4.2 The Environmental Protection Unit has assessed the Contaminated Land Assessment submitted by the applicant and confirmed that adequate risk assessment has been undertaken. Evidence is provided on the need for further Contaminated Land Assessments should further development be proposed and the need for the applicant to discuss ground material importation with SEPA. This advice has been provided to the applicant.

5. COMMUNITY COUNCIL

- 5.1 The Community Council did not make comment. The proposed development has, however, been discussed with the Community Council in addressing the points made in a representation received.

6. PUBLIC REPRESENTATION

- 6.1 One representation has been received from a resident in the locality of the application site. Comments on path connections, lack of parking provision, potential impact on flora and fauna, road safety and concerns of potential anti-social behaviour has been provided. All comments have been provided to the applicant and revisions made to the original plans in order to address the comments made.

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 proposed development raises no strategic issues. The policies of the Falkirk Structure Plan do not therefore apply.

7a.2 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.3 The proposed development is primarily for recreation purposes. A location within the Green Belt is essential in order to link with existing paths. There would be no impact on the character of the Green Belt as a result of the proposed development.

7a.4 Policy EQ21 - 'Falkirk Greenspace' states:

"Through the Falkirk Greenspace Initiative, the Council will work with its partners to improve the landscape, habitat quality and recreational potential of the network of urban fringe and urban open space around and within settlements. Priority will be given to:

- (1) Appropriate woodland creation and management, where landscape quality, access, biodiversity, and connectivity across the Greenspace can be promoted;*
- (2) The creation of an interlinked network of paths within the Greenspace, with particular emphasis on a principal circular route, as a key part of the core path network, complemented by secondary routes where appropriate; and*
- (3) Requiring developers in urban fringe locations to contribute to landscape and/or access improvements in association with new development."*

7a.5 The proposed paths, and the ethos of the Helix project in general, would assist in the aims of the Falkirk Greenspace in terms of improved access, new footpath/cycle routes and tree planting.

7a.6 Policy ST2 - 'Pedestrian Travel And Cycling' states:

"New development will be required to provide an appropriate standard of pedestrian and cycle infrastructure. This will consist of on- and off-site measures that allow pedestrian and cycle movements within and beyond developments, and ensure that those wishing to use pedestrian/cycle networks are not dissuaded from doing so through the absence of suitable infrastructure.

- (1) All pedestrian and cycle routes will comply with the standards set out in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area. Where appropriate, infrastructure supporting the two modes will be combined.*
- (2) Pedestrian and cycle facilities in new developments should offer appropriate links to existing networks in surrounding areas, to other amenities and community facilities and support objectives in agreed Travel Plans where relevant.*
- (3) Pedestrian and cycle movement within developments should be allowed for via direct routes without barriers.*
- (4) Pedestrian and cycle links should be provided that offer connections to public transport connections in the surrounding area. For guidance, in new developments, no pedestrian should have to walk more than 400m to the nearest bus stop.*
- (5) Where practical, no pedestrian route should be obstructed by features that render it unsuitable for the mobility impaired.*
- (6) The surfacing, lighting, design, maintenance and location of pedestrian and cycle routes should promote their safe use. Particular emphasis should be given to the provision of suitable lighting, and the provision of suitably designed and located crossing facilities where routes meet the public road network.*
- (7) Pedestrian and cycle routes for school journeys should be provided in residential development where a need to do so is identified. In all cases, the aim should be to provide an overall walking/cycling distance between home and school of not more than 2 miles wherever practical, or less than 1 mile for pedestrian journeys to primary school.*
- (8) Cycle parking should be provided in accordance with the standards set out in Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area."*

7a.7 The proposed development will improve existing footpath/cycleway provision and will assist in the promotion of paths and access routes for recreation and community use.

7a.8 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be considered are the views expressed in consultation responses and in representation received.

Summary of Consultation Responses

7b.2 The requirements of the Roads Development Unit have been provided to the applicant and are best addressed during the assessment of a required future Minor Roadworks Consent application to Falkirk Council. Conditions would, however, be required to ensure the implementation of measures to ensure the safety of path users egressing onto the Dalderse Sewage works access road (Abbots Road),

- 7b.3 The guidance provided by the Environmental Protection Unit has been provided to the applicant for information.

Response to Representation

- 7b.4 The applicant has submitted amended plans to address comment made in relation to path connections for this and the associated footpath/cycleway application (reference P/11/0687/FUL). Concerns with respect to road safety have been assessed in consultation with the Roads Development Unit of Falkirk Council. Parking is neither proposed or considered to be required for the proposed development. The proposal would improve existing footpath/cycleway provision only and no vehicular access is proposed. Parking for the Helix project is proposed at other locations, for example, the Forth and Clyde Canal basin where the 'Kelpies' sculptures and main focus of the Helix project are to be provided. As noted in paragraph 7b.2 above, planning conditions to ensure the safety of footpath/cycleway users will be required.
- 7b.5 The application site is not designated as a protected wildlife site for either flora or fauna. The proposed development seeks to replace or improve existing footpath/cycleway connections within the site. New footpath construction is to be woodland paths of natural surfacing. No impact on flora or fauna is considered to be likely of occurring.

7c Conclusion

- 7c.1 There is support for the proposed footpath and cycleway development in the Development Plan on the basis that improved countryside access for recreation and community linkage would be achieved. The proposed footpaths and cycleways would also further assist the implementation of Falkirk Council's established Falkirk Greenspace initiative and the wider aims of the Helix project, a major environmental improvement within the Falkirk area.
- 7c.2 The views of consultees have been provided for in the proposed development. The comments made in representations from the public have been considered and incorporated into amended plans submitted by the applicant to the satisfaction of Falkirk Council. Conditions requiring the satisfactory design and implementation of infrastructure works would be required.

8. RECOMMENDATION

- 8.1 It is therefore recommended that Committee grant planning permission subject to the following condition(s);
- (1) The development to which this permission relates must be begun within three years from the date of this permission.
 - (2) Prior to the commencement of development details of pedestrian / cyclist protection measures to be provided at the location where path 'L' adjoins Abbots Road shall be provided for the assessment of Falkirk Council as Planning Authority. Development shall not commence until the written approval of Falkirk Council is provided, including amendment as required.

Reason(s):

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) In the interests of road safety.

Informative(s):

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A, 03, 04A, 05A and 06A.

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Director of Development Services

Date: 24 January 2012

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Falkirk Local Plan
3. Online representation from Mr Keith Nicholl received on 10 November 2011

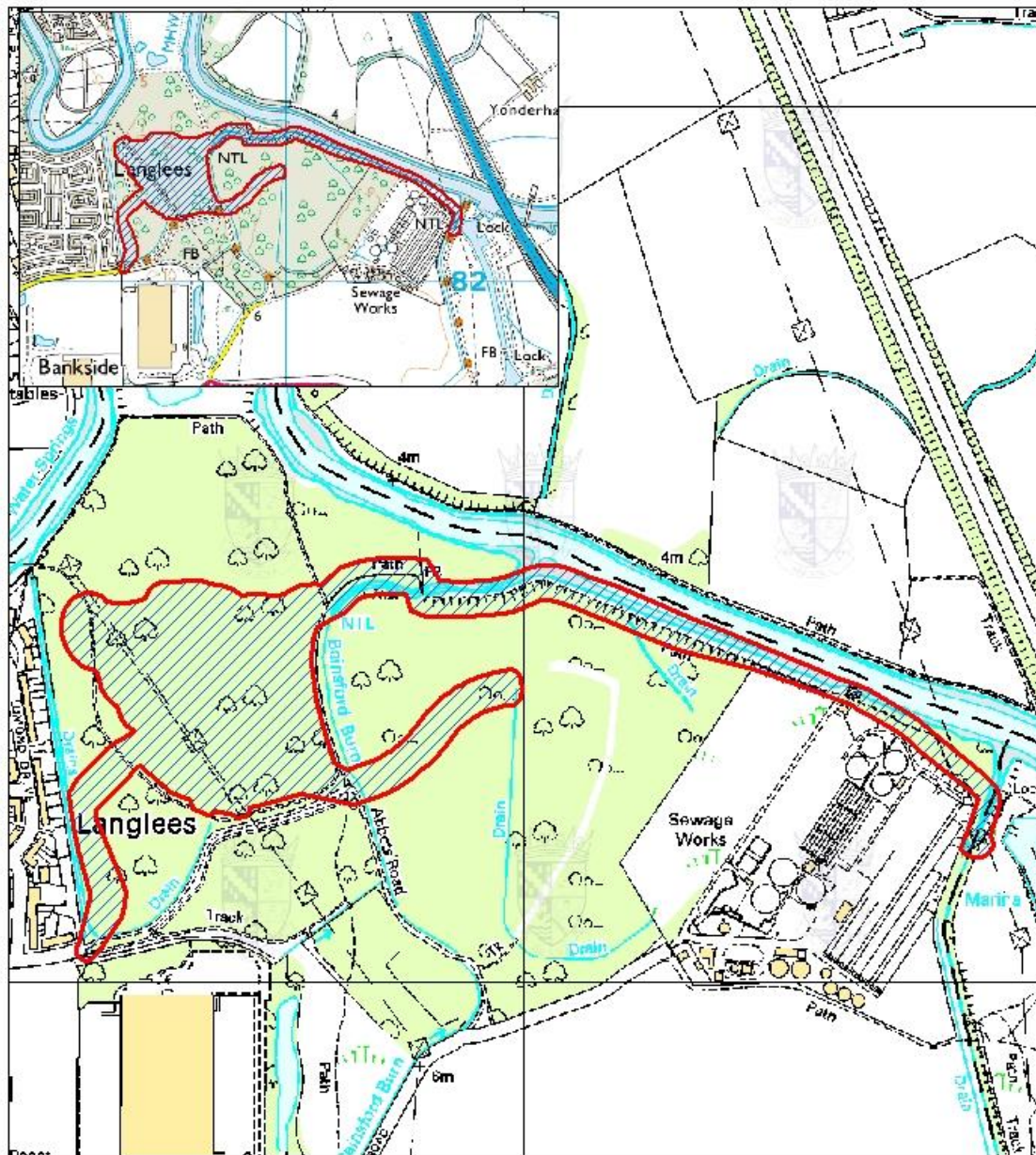
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504706 and ask for Allan Finlayson, Senior Planning Officer.

Planning Committee

Planning Application Location Plan

P/11/0688/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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