

FALKIRK COUNCIL

Subject: PROPOSAL FOR APPROVAL OF MATTERS SPECIFIED IN
CONDITION 5 OF PLANNING PERMISSION REFERENCE
P/07/0803/OUT (SUBMISSION OF MASTERPLAN) AT LAND
TO THE EAST OF GILSTON FARM, GILSTON CRESCENT,
POLMONT FOR HANSTEEN LAND LTD - P/12/0095/MSD

Meeting: PLANNING COMMITTEE

Date: 19 September 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

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

Community Council: Polmont

Case Officer: Kevin Brown (Planning Officer), Ext. 4701

UPDATE REPORT

1. Following consideration of this application by the Planning Committee on 22 August (copy of previous report appended), it was agreed to continue the planning application to allow Members further time to consider the submitted masterplan and associated documents. A Members' briefing note has been prepared and circulated to all Members of the Planning Committee, along with hard copies of the masterplan, in advance of today's meeting.
2. **RECOMMENDATION**
 - 2.1 It is therefore recommended that planning permission be granted for the matters specified in condition 5 of planning permission P/07/0803/OUT.

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Director of Development Services

Date: 12 September 2012

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Planning Advice Note 83 - Masterplanning.
4. Letter of objection received from Mr Danny Callaghan, (on behalf of Reddingmuirhead Community Council) 2 Nobel View, Reddingmuirhead, Falkirk, FK2 0EF on 7 March 2012.
5. Letter of representation received from Mr Robert Matthews, Main Street, Brightons, Falkirk, FK2 0JS on 14 March 2012.
6. Letter of objection received from Mr Kenneth M. Hearn, Forfar Place, Polmont, Falkirk, FK2 0PB on 19 March 2012.
7. Letter of objection received from Mr & Mrs Thomas & Pamela Anderson, Forfar Place, Polmont, Falkirk, FK2 0PB on 14 March 2012.
8. Letter of objection received from Mr Sandy Simpson, 44 Erskine Hill, Polmont, Falkirk, FK2 0UQ on 13 March 2012.
9. Letter of objection received from Miss Angela Agnew, 21 Forfar Place, Polmont, Falkirk, FK2 0PB on 8 March 2012.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

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Meeting: PLANNING COMMITTEE

Date: 22 August 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

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

Community Council: Polmont

Case Officer: Kevin Brown (Planning Officer), Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application proposes the approval of matters specified in conditions from previous planning consent P/07/0803/OUT. The current application deals with matters specified in condition 5 of consent P/07/0803/OUT which required the submission of a Masterplan for the whole site.
- 1.2 The application site is located to the east of Polmont adjacent to Junction 4 of the M9. The site is currently used for grazing purposes and is bounded by the A801 to the east and Gilston Crescent to the West.
- 1.3 The masterplan includes the construction of a new 4 arm roundabout in the centre of the site, serving as the main vehicular access to the different parts of the site. In addition to the general industrial, office and storage & distribution uses, individual components of the site include a Hotel and Conference Centre, Restaurants, Community/Neighbourhood Centre, Car Showrooms and a Community Woodland. The masterplan document sets out general locations for each use in 10 separate plots. Each plot has been given an indicative finished pad height level to aid in preparation of the general roads and drainage strategy. The masterplan also includes general details relating to habitat management, design strategy, travel plan and ecology.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called to Committee by Councillor Nicol.

3. SITE HISTORY

- 3.1 This site has been the subject of numerous applications in the last 10-15 years for a mixture of business uses. The most recent and relevant applications for the site are P/07/0802/FUL for the formation of a site access, roundabout and upgrading of adjoining roadway and application P/07/0803/OUT for a mixed use development of land for classes 4, 5 and 6, car showrooms, hotel, restaurants and neighbourhood centre. Both of these applications were the subject of appeals to the Directorate for Planning and Environmental Appeals. Both appeals were allowed thus granting planning permission in principle for the proposed mixed use development on the site and detailed planning permission for the access to the site. The current Masterplan application follows on from these appeal decisions.

4. CONSULTATIONS

- 4.1 The Roads Development Unit requested a number of amendments to the proposed roads layout and general drainage arrangements. The Masterplan has since been amended to address these requests.
- 4.2 The Transport Planning Unit requested a number of amendments to the proposed roads layout and general drainage arrangements. The Masterplan has since been amended to address these requests.
- 4.3 Scottish Natural Heritage (SNH) has no objection to the proposed Masterplan.
- 4.4 Transport Scotland has no objection to the proposed Masterplan.
- 4.5 Scottish Environment Protection Agency (SEPA) has no objections to the proposed Masterplan.
- 4.6 Historic Scotland has no objection to the proposed Masterplan.
- 4.7 Scottish Water has no objection to the proposed Masterplan.

5. COMMUNITY COUNCIL

- 5.1 Polmont Community Council has not commented on the proposal. However, Reddingmuirhead Community Council has objected to the proposed access to the site being from a new roundabout instead of being taken from the existing Lathallan roundabout.

6. PUBLIC REPRESENTATION

- 6.1 In addition to the Reddingmuirhead Community Council comments outlined above 5 further contributors submitted letters to the Council. The salient issues are summarised as follows:
- The proposal is a Bad Neighbour Development;
 - Increase in noise;
 - Impact on roads infrastructure;
 - Impacts on emergency services infrastructure;

- Potential for development to attract travelling persons;
- No need for a new garden centre;
- Loss of Nicolton Road for cycle traffic;
- Economic impact on local shops and businesses including nearby garden centre.

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

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,

Falkirk Council Structure Plan

7a.1 Policy ECON.1 ‘Strategic Development Opportunities’ states:

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

- | | |
|----|--|
| | <i>Town Centres</i> |
| 1 | <i>Falkirk Town Centre</i> |
| 2 | <i>Grangemouth Docks</i> |
| | <i>Gateways</i> |
| 3 | <i>Middlefield/Westfield, Falkirk</i> |
| 4 | <i>Falkirk Canal Interchange</i> |
| 5 | <i>North Larbert / Glenbervie</i> |
| 6 | <i>Gilston, Polmont</i> |
| | <i>Urban/rural Regeneration Areas</i> |
| 7 | <i>Langlea/Bainsford, Falkirk</i> |
| 7a | <i>Former Manuel Works, Whitecross</i> |
| | <i>Specialist Sites</i> |
| 8 | <i>Grangemouth/Kinneil Kerse</i> |

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.2 The Gilston site is identified as a strategic development opportunity. Outline planning permission (P/07/0803/OUT) has been granted for the development of the site. It is a condition of this permission that a masterplan, establishing a development framework for the consideration of the future detailed applications, shall be approved. The proposal accords with Policy ECON1 and the outline planning permission.

Falkirk Council Local Plan

7a.3 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.4 The Gilston site is identified as a strategic development opportunity of the nature proposed. The proposal accords with policy EP1.

7a.5 Policy EQ1 'Sustainable Design Principles' states:

"New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:

- (1) Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;*
- (2) Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create buildings and spaces that are attractive, safe and easy to use;*
- (3) Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;*
- (4) Resource Use. Development should promote the efficient use of natural resources, and take account of life cycle costs, in terms of energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;*
- (5) Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and*
- (6) Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure."*

7a.6 The current proposal is for a Masterplan and therefore detailed design matters cannot be assessed at this stage. It is however considered that the general layout and design principles set out in the Masterplan accord with the terms of policy EQ1 and set out an acceptable framework for the consideration of future detailed planning applications.

7a.7 Policy EQ3 'Townscape Design' states:

"New development will be required to contribute positively to the quality of the built environment. Proposals should accord with the following criteria:

- (1) The siting, layout and density of new development should create a coherent structure of streets, amenity space and buildings which respects and complements the site's environs and creates a sense of identity within the development;*
- (2) Streets and public spaces should have buildings fronting them, and where this is not possible, a high quality architectural or landscape treatment will be required as an alternative;*
- (3) The design of new buildings should reflect the surrounding urban fabric in terms of scale, height, massing and building line;*
- (4) Building materials, finishes and colours should be chosen to complement those prevailing in the local area;*

- (5) *Existing buildings or structures which contribute to the local townscape should be retained and integrated sensitively into the layout; and*
- (6) *The contribution to the townscape of important landmarks, skylines and views should be respected.”*

7a.8 The current proposal is for a Masterplan and therefore detailed design matters cannot be assessed at this stage. It is however considered that the general layout and design principles set out in the Masterplan accord with the terms of policy EQ3 and set out an acceptable framework for the consideration of future detailed planning applications.

7a.9 Policy EQ4 - ‘Landscape Design’ states:

“Development proposals should include a landscape framework which enhances the development and assists integration with its surroundings. The landscape scheme should:

- (1) *Be informed by the surrounding landscape;*
- (2) *Retain and incorporate existing vegetation, natural and cultural features where they contribute to the amenity and biodiversity of the site, with provision for replacement planting where removal is authorised;*
- (3) *Integrate with strategies for the provision of open space, pedestrian access, and sustainable urban drainage systems on the site;*
- (4) *Promote biodiversity, including the use of native tree and plant species (see Policy EQ25);*
- (5) *Incorporate robust structure planting to provide structure in larger developments, and screen the edge of developments where necessary;*
- (6) *Incorporate street trees and informal open space planting to assist in structuring and unifying streets and spaces;*
- (7) *Incorporate high quality hard landscaping, including surface materials, boundary enclosures and street furniture which are robust and complement the development; and*
- (8) *Demonstrate that satisfactory arrangements have been made for the future maintenance and management of all landscaped areas.”*

7a.10 The proposed Masterplan including general landscaping details is designed to create a site identity whilst promoting biodiversity and making good use of existing provision adjacent to the burn running through the site. The proposals generally accord with policy EQ4 and set out in an acceptable framework for the consideration of future detailed planning applications.

7a.11 Policy EQ5 ‘Design and Community Safety’ states:

“Development proposals should create a safe and secure environment for all users through the application of the following principles:

- (1) *Buildings, public spaces, access routes and parking areas should benefit from a high level of natural surveillance;*
- (2) *Boundaries between public and private space should be clearly defined;*
- (3) *Access routes should be direct, clearly defined and well lit, with recognised points of entry; and*
- (4) *Contributions to the provision of CCTV may be sought, where appropriate.”*

7a.12 The current proposal is for a Masterplan and therefore detailed design matters cannot be assessed at this stage. It is however considered that the general layout and design principles set out in the Masterplan accord with the terms of policy EQ5 and set out an acceptable framework for the consideration of future detailed planning applications.

7a.13 Policy EQ22 'Landscape and Visual Assessment' states:

"Development proposals which are likely to have a significant landscape impact must be accompanied by a comprehensive landscape and visual assessment as part of the Design Statement, which demonstrates that the setting is capable of absorbing the development, in conjunction with suitable landscape mitigation measures, and that best environmental fit has been achieved, in terms of the landscape character of the area."

7a.14 The Masterplan includes comprehensive consideration of potential landscape impacts which has led to the submission of the current layout. The proposal accords with the terms of policy EQ22.

7a.15 Policy EQ25 'Biodiversity' states:

"The Council will promote the biodiversity of the Council area and ensure that the aims and objectives of the Falkirk Area Biodiversity Action Plan are promoted through the planning process. Accordingly:

- (1) Developments which would have an adverse effect on the national and local priority habitats and species identified in the Falkirk Area Biodiversity Action Plan will not be permitted unless it can be demonstrated that there are overriding national or local circumstances;*
- (2) The safeguarding, enhancement and extension of the broad and key habitats and the species of conservation concern identified in 'The Biodiversity of Falkirk' will be given particular attention in the consideration of development proposals;*
- (3) Development proposals should incorporate measures to promote, enhance and add to biodiversity, through overall site planning, and infrastructure, landscape and building design, having reference to the Supplementary Planning Guidance Note on 'Biodiversity and Development'; and*
- (4) Priority will be given to securing appropriate access to and interpretation of areas of local nature conservation interest. The designation of Local Nature Reserves, in consultation with communities, local wildlife groups and statutory bodies will be pursued."*

7a.16 The proposed Masterplan promotes biodiversity by safeguarding and enhancing existing habitat provision and by introducing new habitat areas across the site. The proposal accords with the terms of policy EQ25.

7a.17 Policy EQ27 - 'Watercourses' states:

"The Council recognises the importance of watercourses within the Council area in terms of their landscape, ecological, recreational and land drainage functions. Accordingly:

- (1) There will be a general presumption against development which would have a detrimental effect on the landscape integrity, water quality, aquatic and riparian ecosystems, or recreational amenity of watercourses. Development proposals adjacent to a watercourse should provide for a substantial undeveloped and suitably landscaped riparian corridor to avoid such impacts;*

- (2) *Watercourses will be promoted as recreational corridors, with existing riparian access safeguarded and additional opportunities for ecological enhancement, access and recreation encouraged where compatible with nature conservation objectives; and*
- (3) *There will be a general presumption against the culverting of watercourses.”*

7a.18 The proposed Masterplan includes a substantial landscape buffer area around the existing watercourse adjacent to the eastern boundary of the site and is not anticipated to cause any detrimental effects on landscape integrity, water quality, aquatic and riparian ecosystems or recreational amenity. The proposal accords with the terms of policy EQ27.

7a.19 Policy EQ10 - ‘Advertisements’ states:

“Proposals for advertisements will not be permitted where they would have an adverse effect on the visual amenity of the property or the wider area, or would create a road safety hazard. In particular:

- (1) *the prevention of advertising clutter through a proliferation of signs on a property or in a locality will be a priority;*
- (2) *advertising should be sensitive to the property on which it is mounted in terms of scale, design and positioning, and should be seen as part of the overall design of the property, rather than an add-on;*
- (3) *illumination of adverts will be controlled in the interests of amenity and road safety, and will generally be prohibited outwith the Urban Limit.*
- (4) *advance directional signs will not generally be permitted unless the display is considered to be in the public interest;*
- (5) *(Deleted)*
- (6) *advertising boardings and rotating/moving advertisements will not be permitted where they will prejudice the area enhancement priorities set out in Policy EQ7 by virtue of visual intrusion;*
 - *they will compromise residential amenity; or*
 - *they are likely to cause driver distraction, or interfere with visibility at conflict points such as junctions, pedestrian crossings, hazard warning signs, low bridges and sections of road with poor forward visibility.”*

7a.20 The current proposal is for a Masterplan and therefore detailed advertisement proposals have not been submitted. It is however considered that the general approach to advertisements as set out in the Masterplan would accord with policy EQ10.

7a.21 Policy ST1 - ‘Core Path Network’ states:

“The Council will safeguard and promote the development of the core path network as and when this is defined. Where appropriate, developer contributions to the implementation of the network will be sought.”

7a.22 The proposed development has no detrimental impact on the existing core path network and actually increases path provision in the area and improves general connectivity and permeability across the site and within the wider area. The proposal accords with policy ST1.

7a.23 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.24 The Masterplan proposes an appropriate standard of pedestrian and cycle infrastructure across the site and accords with policy ST2.

7a.25 Policy ST3 - 'Bus Travel and New Development' states:

"New development will be required to provide appropriate levels of bus infrastructure or suitable links to existing bus stops, services or stations, as identified within travel plans. This provision will be delivered through direct funding of infrastructure and / or the provision of sums to support the delivery of bus services serving the development.

- (1) Bus infrastructure should be provided at locations and to phasing agreed with Falkirk Council, and designed in accordance with the standards set out in Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.*
- (2) Bus facilities within new developments should offer appropriate links to existing pedestrian or cycle networks in surrounding areas. Alternatively, new development should be linked to existing bus infrastructure via pedestrian or cycle links as described in Policy ST2.*
- (3) New development should incorporate routes suitable for the provision of bus services. Where bus services already exist, new developments should not be designed or constructed in ways that impede the routing of these services.*

(4) *New developments may require bus links to rail stations or other public transport infrastructure."*

7a.26 The proposed Masterplan safeguards a suitable route for a potential future bus route to Gilston Crescent and the site has direct access to existing bus route provision on the A803 to the north of the site. The proposal accords with the terms of policy ST3.

7a.27 The proposal accords with the terms of the Falkirk Council Local Plan.

7a.28 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be addressed are the Reddingmuirhead Community Council comments, public representations and national planning policy and guidance.

Reddingmuirhead Community Council Comments

7b.2 The positioning of the main access road into the site has already been determined by way of a previous planning consent (Ref. P/07/0802/FUL) and cannot therefore be re-assessed as part of this application.

Assessment of Public Representations

7b.3 The principle of a mixed use development of this site comprising classes 4, 5 and 6 uses has been established by way of the existing outline planning consent (Ref. P/07/0803/OUT). Issues relating to the potential economic impact of the proposals and potential 'Bad Neighbour Development' cannot therefore be addressed by way of this application.

7b.4 The proposed Masterplan layout has been assessed and is considered to be acceptable in terms of roads infrastructure provision.

7b.5 The proposed layout includes a large stand off distance between any new development and the existing properties in Gilston Crescent. This is considered to be beneficial in terms of reducing potential noise impacts arising from the development but a full assessment of noise impacts cannot be made at this Masterplan stage.

7b.6 Whilst the proposal includes the realignment of Nicolton Road, the future closure of this to vehicular traffic needs to be promoted through the appropriate orders under the relevant Town and Country Planning and / or Roads legislation, and cannot be facilitated through this planning application. The current proposals involve Nicolton Road remaining open for cycle and pedestrian usage and this is considered to be in line with the position accepted by the Reporter when determining P/07/0803/OUT at appeal.

7b.7 The potential attraction of the area for traveling persons is not a matter which can be addressed by way of this application.

- 7b.8 Planning application P/07/0803/OUT originally included provision for a Garden Centre use on the site. However this was removed by the Reporter during consideration of the appeal. The current Masterplan does not propose a Garden Centre on the site. The economic impact of the proposed development on shops in Polmont town centre is not considered to be a planning consideration in this instance

National Planning Policy and Guidance

- 7b.9 Planning Advice Note 83 – Masterplanning encourages greater focus on the quality of places and, in particular, this guidance note sets out important aspects which should be considered in any Masterplan. It is considered that the submitted Masterplan generally accords with the guidance set out in Planning Advice Note 83.

7c Conclusion

- 7c.1 The proposal accords with the terms of the Development Plan, National Planning Advice and the outline planning permission for development of the site. There are no material planning considerations that warrant a refusal of planning permission in these circumstances.

8. RECOMMENDATION

- 8.1 It is therefore recommended that planning permission be granted for the matters specified in condition 5 of planning permission P/07/0803/OUT.

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Director of Development Services

Date: 14 August 2012

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2. Falkirk Council Local Plan.
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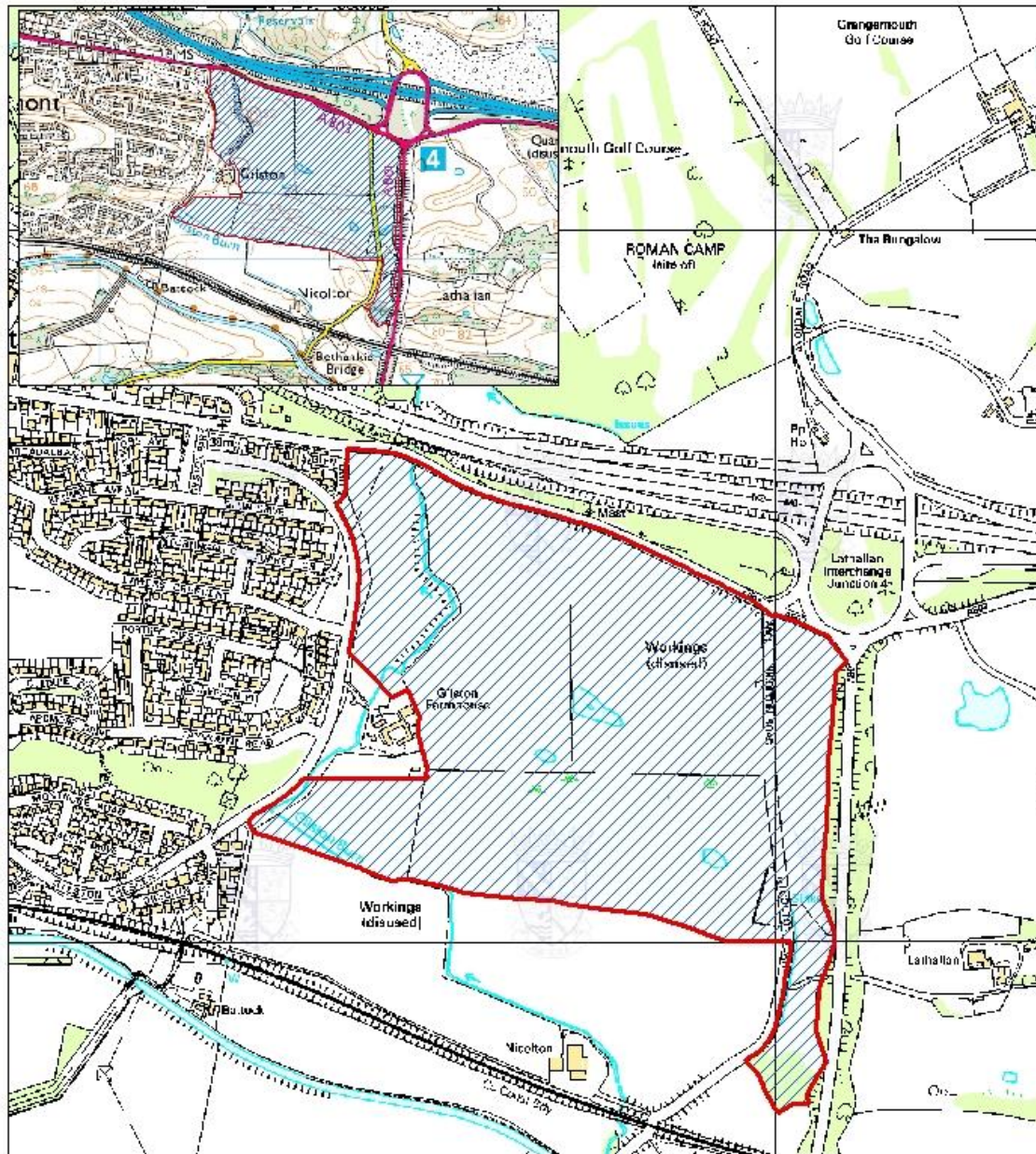
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Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

Planning Committee

Planning Application Location Plan **P/12/0095/MSC**

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



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