

FALKIRK COUNCIL

Subject: CONSTRUCTION OF WESTERN ACCESS TO EXISTING BRICKWORKS SITE INCLUDING NEW ROUNDABOUT ON A801 AND SUSTAINABLE DRAINAGE INFRASTRUCTURE AND CARRYING OUT OF REQUISITE EARTHWORKS AT MANUEL WORKS, LINLITHGOW EH49 6LH FOR MORSTON WHITECROSS LIMITED - P/11/0308/FUL

Meeting: PLANNING COMMITTEE

Date: 28 November 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes

Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: No Community Council

Case Officer: Brent Vivian (Senior Planning Officer), Ext. 4935

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application seeks detailed planning permission for the construction of a new western access road to serve the Whitecross Special Initiative for Residential Regeneration (SIRR). The application includes the construction of a new roundabout on the A801 and the application site extends from the A801 to the western edge of the new Whitecross development area. Future phases of the new access road would link the new development to the existing Whitecross settlement. The proposal also includes the provision of a cycleway/footpath to link to the Union Canal towpath and a landscape corridor on both sides of the new road.
- 1.2 The application site includes land in agricultural use and the southern portion of the Haining Wood Wildlife Site. A portion of the proposed road runs parallel and in close proximity to the Union Canal. Some loss of woodland would be required to provide for the new road.
- 1.3 The following information has been submitted in support of the application:-
- A Biodiversity and Protected Species Update Survey Report;
 - A Bat Survey Report;
 - A Tree Survey Report;
 - Surface Water Drainage Details; and

- A Stage 2 Road Safety Audit.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires consideration by the Planning Committee as the application site includes land within the ownership of Falkirk Council.

3. SITE HISTORY

- 3.1 Planning application ref: P/10/0188/PPP for a residential and mixed phased development for the Whitecross SIRR, including up to 1500 residential units, community and enterprise facilities, transport and environmental infrastructure (including two roundabouts on A801) and employment space, was received in March 2010. The Planning Committee decided in May 2011 that it is minded to grant planning permission in principle subject to the satisfactory completion of a Section 75 Legal Agreement (Planning Obligation). The preparation of an Agreement is now at an advanced stage.
- 3.2 Prior notification ref: P/10/0562/DMO was received in July 2010 for the demolition of buildings at Manuel Works (Phase 1). It was advised that the prior approval of the planning authority is not required.
- 3.3 Prior notification ref: P/10/0801/DMO was received in November 2010 for the demolition of buildings at Manuel Works (Phase 2). It was advised that the prior approval of the planning authority is not required.

4. CONSULTATIONS

- 4.1 The Roads Development Unit are satisfied that the proposed road design, which has been amended to reflect road safety audit comments, meets the standards set out in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area. They are satisfied with the proposed surface water drainage arrangements, which include provision of a SUDS pond and the construction of a new culvert to convey water from the SUDS pond to Manuel Burn. The design detail of the proposed outfall culvert could be subject to a condition of any grant of permission.
- 4.2 The Environmental Protection Unit have advised that a contaminated land assessment would be required if unexpected contamination is encountered following commencement of the development.
- 4.3 The Transport Planning Unit are satisfied with the geometry proposed for the new roundabout on the A801 and that it would operate within capacity in the design year.
- 4.4 Scottish Natural Heritage accept the conclusions of the biodiversity and protected species reports that the proposed access road would not have any long term impacts on the natural heritage interests in the local area. They support the proposed mitigation, which includes the undertaking of further badger and otter surveys, immediately prior to construction taking place.

- 4.5 Historic Scotland have advised that the proposal to connect a new cycle path to the towpath of the Union Canal would require an application for Scheduled Monument Consent.
- 4.6 Falkirk Community Trust's Museum Services have advised that an archaeological watching brief should be undertaken during topsoil stripping, due to the proximity of the line of the proposed new road to the medieval road from Linlithgow to Falkirk via Manuel Nursery, Almond Castle, Nicolton and Gilston.

5. COMMUNITY COUNCIL

- 5.1 There is no Community Council for Whitecross at present.

6. PUBLIC REPRESENTATION

- 6.1 One objection to the application has been received, on the following grounds:-

- The incline of the A801 from Lathallan Roundabout on the M9 to the bridge across the road at Maddiston means that heavily laden vehicles seldom reach their permitted speed before they reach the straight stretch just before the Bowhouse Roundabout;
- Putting two roundabouts on an incline which already causes problems can only make the road more dangerous;
- Two more roundabouts on this stretch of road will cause problems for heavy goods vehicles and added frustration for those who follow, and could jeopardise the Avon Gorge development;
- Increased pollution as drivers are forced to crawl up the hill towards the Bowhouse roundabout;
- Disruption caused by the building of the roundabout;
- The existing access road to the Linlithgow Road could be used, which would be a cheaper and simpler option than building a new road through greenbelt land;
- The line of the proposed new road is beside a scenic part of the Union Canal where there are badgers, foxes, goosanders and kingfishers, and which will cause damage to the environment;
- The Whitecross area has many roads leading to it. With the widening of some and the opening of a promised rail station, the need to disrupt the A801 is unnecessary; and
- On health and safety grounds, the new roundabout could cause problems if there is an incident at Grangemouth or the east of the Falkirk District and there needs to be ease of access for ambulances and fire engines.

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 Policy ECON.1 ‘Strategic Development Opportunities’ states:

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

- Town Centres*
- 1 Falkirk Town Centre*
- 2 Grangemouth Docks*
- 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.2 This policy indicates that Falkirk Council will promote the former Manuel Works site at Whitecross as a strategic location for major economic development. Planning application ref: P/10/0188/PPP (see paragraph 3.1 of this report) reflected this aspiration in providing for a residential and mixed use phased development including up to 1500 residential units and community and enterprise facilities. The current application reflects the access strategy proposed in P/10/0188/PPP which included the creation of a new strategic gateway (on the A801) to the expanded Whitecross settlement as part of the first phase of the overall development. The application therefore facilitates the development of this strategic opportunity site and accords with this policy.

7a.3 Policy ECON.2 ‘Strategic Development Opportunities - Development Criteria’ states:

“Development of the strategic development opportunities identified in Policy ECON.1 will be subject to the following conditions:

- (1) high standards of design will be required through a development brief and masterplan for each opportunity which will be approved by the Council and ensure a comprehensive and sensitive approach to site planning;*

- (2) *provision must be made for walking, cycling and public transport infrastructure to allow a high level of access by transport modes other than the private car;*
- (3) *the scale of any residential use must comply with the general housing allocations set out in Chapter 4 and adequate social and physical infrastructure must be in place to serve them;*
- (4) *the scale and nature of out-of-centre retailing and leisure provision must be complementary to provision in Falkirk Town Centre and the District Centres. Accordingly, a Retail/Leisure Impact Assessment will be required to demonstrate this for all retail developments of 2,500 sq. m. gross floorspace or more, and for major commercial leisure developments. Assessment of smaller retail developments (between 1,000 and 2,500 sq.m. gross) may also be required in certain circumstances; and*
- (5) *development at Grangemouth Docks must not prejudice the operation of the port. and should be compatible with the continuing activities of the petrochemical and chemical industries.”*

7a.4 This policy sets out the criteria that will apply to development of the strategic locations identified in Policy ECON.1. The development proposed in P/10/0188/PPP has been subject to a comprehensive masterplanning process and the approved Masterplan indicates the primary access to the expanded Whitecross settlement as being from a new access from the A801. The current application therefore reflects the approved Masterplan. In addition, the current application proposes a cycle path along the southern side of the new road to connect to the Union Canal towpath (to enable access under the A801), and the new road infrastructure would be suitable for use by public transport. The proposed development therefore makes suitable provision for sustainable transport modes. The application is therefore considered to accord with this policy.

Falkirk Council Local Plan

7a.5 The application site boundaries mostly lie within the countryside whilst the easternmost portion of the site lies within the boundaries of the Whitecross SIRR as defined in the Falkirk Council Local Plan.

7a.6 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 Councils 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.7 This policy permits development proposals that require a countryside location. In circumstances where the countryside criteria are met, the scale, siting and design are strictly controlled to ensure there are no adverse impacts on the character of the countryside. The proposed development reflects the access strategy proposed in P/10/0188/PPP, which included the creation of a new strategic gateway as part of phase 1 of the overall development, and the provision of a suitable strategic road infrastructure to mitigate traffic impacts during both the construction and operational phases. The need for a new access road from the A801, at this particular countryside location, has therefore previously been accepted in principle.
- 7a.8 The scale, siting and design of the proposed road by necessity reflects its intended function and compliance with the requisite road design standards. The visual impact of the road would be mitigated to some extent by the lie of the land relative to the Union Canal and the screening function afforded by the Haining Wood Wildlife Site. In addition, the proposed road would sit within a landscape corridor, which would help integrate it into its surroundings.
- 7a.9 Overall, the application is considered to accord with this policy.
- 7a.10 EQ16 ‘Sites of Archaeological Interest’ states:
- (1) *Scheduled ancient monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances;*
 - (2) *All other archaeological resources shall be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications; and*
 - (3) *Developers may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development*
- 7a.11 This policy requires scheduled ancient monuments to be preserved in situ within an appropriate setting and for all other archaeological resources to be preserved in situ wherever feasible. The proposed access road generally follows the line of the Union Canal Scheduled Ancient Monument and lies to the south of the Almond Castle Scheduled Ancient Monument. This accords with the Masterplan approved as part of P/10/0188/PPP. The proposed development includes a cyclepath link to the Union Canal towpath which would directly impact on the scheduled area of this monument. Scheduled Monument Consent would be required for this aspect of the development but Historic Scotland have intimated that they do not anticipate any problems with granting consent, but details would be required regarding the proposed ground works and the path specifications. In other respects, the existing bank of the Canal structure and bankside vegetation would not be disturbed. An impact on the setting of the Canal would occur adjoining the A801 where ground levels would be raised to tie into the level of the A801. However, the creation of a landscape corridor would help mitigate this impact.
- 7a.12 Falkirk Community Trust’s Archaeologist has advised that the proposed new road would be close to the line of the medieval road from Linlithgow to Falkirk. An archaeological watching brief would therefore be required during topsoil stripping.

7a.13 Overall, the application is considered to accord with this policy.

7a.14 EQ24 'Ecological Sites and Features' states:

- (1) *Development likely to have a significant effect on Natura 2000 sites (including Special Protection Areas, Special Areas of Conservation, and Ramsar Sites) will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions; and there are imperative reasons of overriding public interest, including those of a social or economic nature. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).*
- (2) *Development affecting Sites of Special Scientific interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of national importance.*
- (3) *Development affecting Wildlife Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, wildlife corridors and other nature conservation sites of regional or local importance will not be permitted unless it can be demonstrated that the overall integrity of the site will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance.*
- (4) *Development likely to have an adverse effect on species which are protected under the Wildlife and Countryside Act 1981, as amended, the Habitats and Birds Directives, or the Protection of Badgers Act 1992, will not be permitted.*
- (5) *Where development is to be approved which could adversely affect any site of significant nature conservation value, the Council will require mitigating measures to conserve and secure future management of the site's natural heritage interest. Where habitat loss is unavoidable, the creation of replacement habitat to compensate for any losses will be required along with provision for its future management.*
- (6) *The Council, in partnership with landowners and other relevant interests, will seek the preparation and implementation of management plans for sites of nature conservation interest.*

7a.15 This policy only permits development affecting Wildlife Sites and Sites of Importance for Nature Conservation (SINCs) where it can be demonstrated that the overall integrity of the site will not be compromised. Where adverse impacts are likely, mitigating and/or compensatory measures will be required. The access road would impact on approximately 0.5 hectares or 4.2% of the Haining Wood Wildlife Site, according to the information accompanying the application. The direct loss of trees within this site was accepted in principle in consideration of planning application ref: P/10/0188/PPP. A tree survey accompanying the current application indicates that a total of 59 trees, mainly oak, sycamore and silver birch, would be removed to provide for the new road. The survey indicates that 52 of these 59 trees are in good or fair condition. In order to compensate for this loss, and preserve the overall integrity of this wildlife site, an equivalent area/number of new trees which reflects the current species composition would be required. The detail with regard to the compensatory measures would be the subject of a planning condition.

- 7a.16 The Union Canal is a Site of Special Importance for Nature Conservation (SINC). The proposed access road has the potential to impact on the nature conservation values of this SINC during the construction phase. Such potential impacts would be considered in the development of a Construction Environmental Management Plan (CEMP) which would need to include appropriate Method Statements including a contingency plan for any potential pollution related events.
- 7a.17 Updated protected species reports have been submitted in support of the application. The reports, as informed by survey, concluded that there is a strong local presence of otters along this stretch of the Union Canal (but no otter shelters were recorded within the site or within 30 metres of the site), that water vole and red squirrel would appear to be absent from the site and that there are no known badger setts within the site or within 30 metres of the site. The undertaking of updated surveys immediately prior to commencement of the development to confirm the status of protected species is recommended. In addition, the Bat Survey accompanying the application concluded that the proposed access road would have minimal impact on bat populations, as there was no evidence of bats nesting on the site and, whilst small numbers use Haining Wood for foraging, the bulk of the woodland would be retained and could continue to be used for foraging. One tree was identified as having the potential to be used as a bat roost. Therefore, as a precaution, the report recommended that it be felled outwith the bat deep hibernation period (mid December to mid March).
- 7a.18 Overall, the application is considered to accord with this policy. Parts 1 and 2 of the policy are not relevant as the proposed access road would not impact on a Natura 2000 site or a Site of Special Scientific Interest (SSSI).
- 7a.19 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.20 This policy states that the Council will promote the biodiversity of the Council area. The biodiversity information accompanying the application describes the habitats comprising the application site as including broad-leaved woodland (a UK and Falkirk area priority habitat), associated species on the woodland floor, improved pasture, hedges and new planting of alder and other species adjoining the A801. The loss of a small portion of Haining Wood Wildlife Site can be justified in the light of local circumstances to create a new access to the Whitecross SIRR strategic opportunity site, and the need for mitigation and compensatory measures have been discussed under paragraph 7a.15 of this report. As part of the overall Whitecross development proposal, Haining Wood would be subject to a management regime to secure the long term retention of the woodland and enhance biodiversity. In addition, new planting would be required to compensate for the loss of the existing trees adjoining the A801. Overall, the application is considered to accord with this policy.

7a.21 Policy EQ29 – ‘Outdoor Access’ states:

- “(1) The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network.*
- (2) In promoting new routes particular emphasis will be placed on*
 - opportunities specified on the Proposals Map*
 - other opportunities which support and provide linkages in respect of the Falkirk Greenspace Initiative, the recreational use of the major river corridors, including the Forth Estuary, and sustainable travel within and between settlements;*
 - other areas of proven demand as identified through community consultation; and*
 - the need to safeguard protected habitats and species in accordance with Policies EQ24 and EQ25;*
 - the need to safeguard protected buildings and archaeological sites in accordance with Policies EQ16 and EQ17.*
- (3) When considering planning applications, the Council will*
 - Safeguard the line of any existing or proposed access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed.*
 - Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development, particularly where they relate to the priority areas identified in sub-section (2) above.*
 - Where an access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.”*

7a.22 This policy seeks to safeguard, improve and extend the network of countryside access routes. Haining Wood is bounded to the west and south by an asserted right of way (CF23) according to the National Catalogue of Rights of Way. The proposed access road would sever the right of way and suitable arrangements would need to be made to cross the new access road or divert the right of way to retain the existing connection to the Union Canal towpath. Suitable arrangements would also need to be put in place during the construction phase. These matters would be subject to planning condition. The application therefore accords with this policy.

7a.23 Accordingly, the application is considered to accord with the Development Plan.

7b Material Considerations

7b.1 The material considerations in respect of the application are the consultation responses and the representations received.

Consultation Responses

7b.2 The consultation responses are summarised in section 4 of this report. No objections to the proposal have been received in the consultation responses and the matters raised could be the subject of conditions or informatives of any grant of planning permission. An informative would be attached to any grant of permission detailing the advice of Historic Scotland that Scheduled Monument Consent would be required to connect the proposed cycle path to the Union Canal towpath.

Representations Received

7b.3 The concerns raised in the representation to the application are summarised in section 6 of this report. In response to these concerns, the following comments are considered to be relevant:

- The principle of two new roundabouts on the A801 was accepted in consideration of planning application ref: P/10/0188/PPP. The proposed northern roundabout would provide a new western access to the Whitecross SIRR and is included in the current application. This application is concerned with the detailed proposals for (phase 1) of the new access road;
- The proposed southern roundabout would provide access to a new canal facility to the west of the A801 which has been granted planning permission in principle (ref: P/10/0761/PPP);
- The existing access road to the Linlithgow Road in combination with minor rural roads would not cope with the projected increase in traffic associated with the Whitecross SIRR, and reliance on and upgrade of minor access roads would be to the detriment of the rural amenity of the area. The proposed access strategy therefore centres on a new primary access (from the A801) and early delivery of the new access to mitigate traffic impacts, including the impacts associated with construction traffic;
- The introduction of two roundabouts on this section of the A801 would not jeopardise the further upgrading of the A801 in the vicinity of the Avon Gorge;
- There is no evidence to support the statements that pollution from heavy vehicles would increase or there would be negative impacts on the route in an emergency situation in Grangemouth; and
- Impacts on habitat and protected species have been assessed in this report and construction related impacts would be considered in a Construction Environmental Management Plan (CEMP).

7c Conclusion

- 7c.1 This application, for the construction of a western access road to the Whitecross SIRR, is considered to accord with the Development Plan for the reasons detailed in this report. The location of the proposed road reflects the Masterplan approved in principle in consideration of planning application ref: P/10/0188/PPP, and is a crucial step to implementing the access strategy for the overall Whitecross SIRR development and realising a strategic development opportunity identified in the Falkirk Council Structure Plan. The application is therefore recommended for approval subject to appropriate conditions. There are not considered to be any material planning considerations to set aside the terms of the Development Plan.

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 of the date of this permission.
- (2) Before the development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (3) Before the development commences, details of a scheme of soft landscaping and biodiversity enhancement (including measures to compensate for the loss of woodland within the Haining Wood Wildlife Site) shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include (as appropriate):-
 - (i) An 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) The location of all proposed new trees, shrubs, hedges and grassed areas;
 - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/density; and
 - (iv) A programme for completion and subsequent maintenance

Thereafter, the development shall be carried out in accordance with the approved details.

- (4) The Construction Environmental Management Plan (CEMP) required by Condition 2 of this permission shall include a Tree Protection Plan. The details of the Tree Protection Plan shall include the exact location and specification of the temporary fencing to protect the areas of retained habitat, and a Method Statement showing how the retained woodland and other habitat would be protected during construction of the proposed road and associated infrastructure. The protective fencing shall be put in place before the development commences and shall remain in place until all construction works are completed. The Planning Authority shall be notified within three days of the erection of the protective fencing to provide the Planning Authority with an opportunity to inspect the protective fencing once it is in place.
- (5) During construction of the development granted by this permission, no excavation, level changes, material storage or vehicle movements shall take place within the areas fenced off by the Protective Fencing indicated in the Tree Protection Plan.
- (6) Updated badger and otter surveys shall be carried out if the development approved by this planning permission does not commence within 12 months of the date of the previous survey for each respective species. The results of any updated survey required by this condition shall be submitted to and approved by this Planning Authority before the development commences.
- (7) The oak tree identified at Point C in the Survey for Bats and Bat Roosts prepared by Dr Susan Smith, dated October 2012, shall not be felled during the period mid December to mid March inclusive.
- (8) The proposed cyclepath link to the Union Canal footpath shall be fully completed in accordance with a timescale to be agreed in writing by this Planning Authority.
- (9) Before the development commences, the proposed arrangements for the safeguarding of the line of existing right of way CF 23 during both the construction and operational development phases, or the proposed arrangements for the provision of an alternative route shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (10) Before the development commences, the implementation of a programme of archaeological works shall be secured, in accordance with a written scheme of investigation which has been submitted to and approved in writing by this Planning Authority. Thereafter, development shall be carried out in accordance with the approved scheme.
- (11) Before the development commences, or any alternative timescale that may be agreed in writing by this Planning Authority, the design details, including drawings and calculations, for the proposed surface water drainage outfall culvert to the Manuel Burn shall be submitted to and approved in writing by this Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason(s):-

- (1) The development to which this permission relates must be begun within three years of the date of this permission.
- (2) To ensure that construction related impacts of the proposed development are satisfactorily mitigated.
- (3) To safeguard/enhance the visual amenity and biodiversity of the area and ensure that adequate measures are put in place to compensate for the loss of woodland with Haining Wood Wildlife Site.
- (4-5) To safeguard the visual and environmental amenity of the area.
- (6-7) To safeguard the interests of protected species.
- (8) To ensure the timeous provision of essential infrastructure to support sustainable modes of transport.
- (9) To safeguard the existing network of outdoor access routes in the local area.
- (10) To safeguard the local archaeological interest.
- (11) To ensure the suitable provision of surface water drainage.

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, 04A, 05A, 06B, 07A, 08, 09, 10, 11, 12, 13, 14A, 15A, 16, 17A, 18, 19, 20, 21 and 22.
2. Scheduled Monument Consent is required for the proposed works within the Scheduled Area of the Union Canal to provide a new cycle path link to the Canal towpath.
3. The Construction Environmental Management Plan (CEMP) shall include: method statements to avoid adverse impacts along the Union Canal, including a contingency plan for any potential pollution events; a requirement that the south facing trunk of the partly dead oak at point C be soft-felled, with workers being made aware that there is a small possibility of bats being present; and measures to avoid the entrapment of otters within pits, ditches or pipes i.e. the capping of pipes at the end of each working day and escape ramps being placed within pits, ditches etc

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Pp Director of Development Services

Date: 20 November 2012

LIST OF BACKGROUND PAPERS

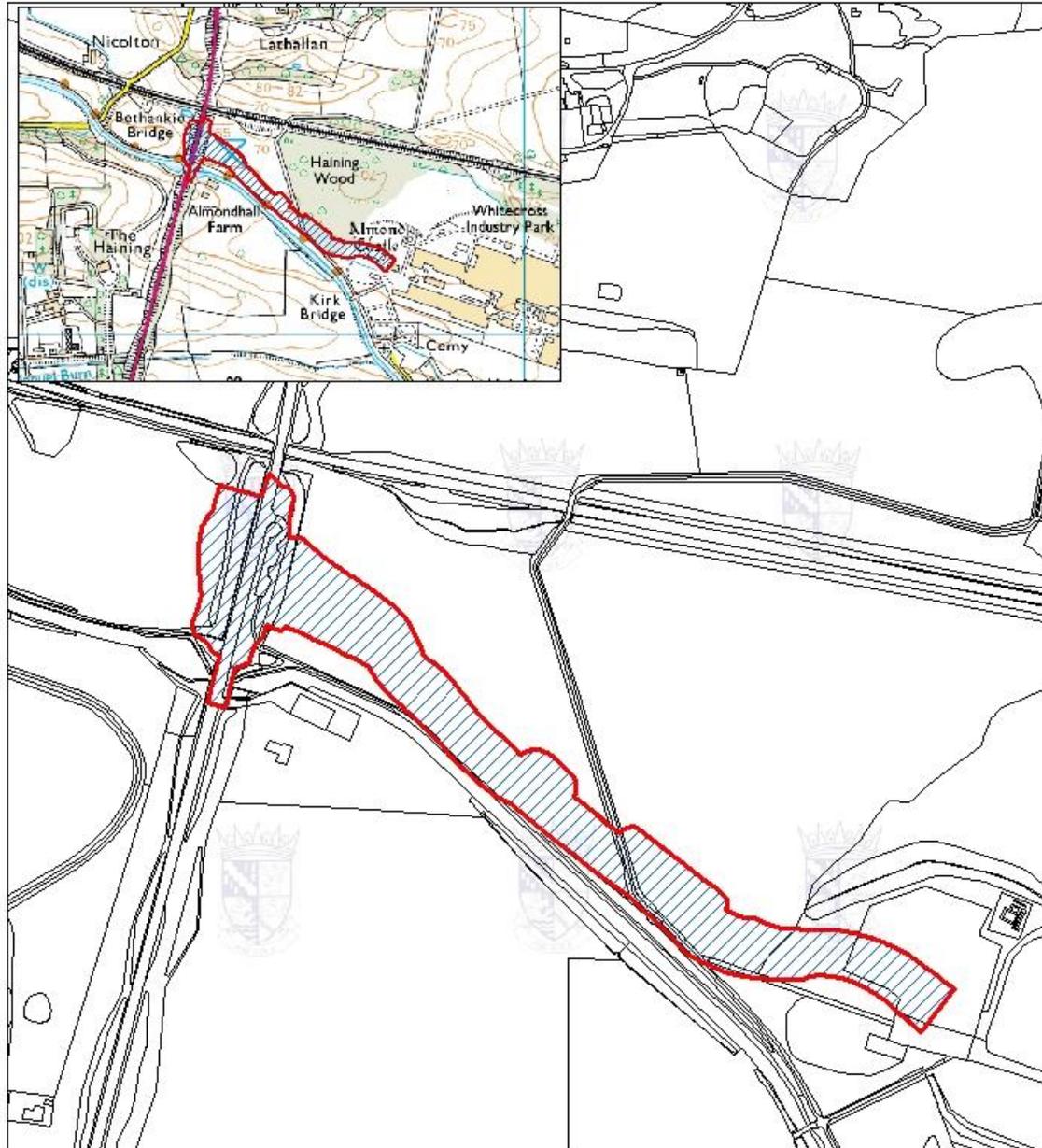
1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Council Supplementary Planning Guidance.
4. Letter of Objection received from Margaret Wotherspoon, Kendieshill Farm, Falkirk, FK2 0BP on 23 June 2011.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

Planning Committee

Planning Application Location Plan P/11/0308/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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