

**FALKIRK COUNCIL**

**Subject:** CONSTRUCTION OF 50 METRE ICD ROUNDABOUT ON A801 AT LAND TO THE NORTH WEST OF ALMONDHALL FARM, FALKIRK FOR MORSTON ASSETS LTD/LOW - P/12/0694/FUL  
**Meeting:** PLANNING COMMITTEE  
**Date:** 30 January 2013  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Lower Braes

Councillor Steven Jackson  
Councillor Malcolm Nicol  
Councillor Alan Nimmo

**Community Council:** Maddiston

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

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

- 1.1 This local application seeks full planning permission to construct a new roundabout on the A801 to provide access to a proposed canal hub facility, which was granted planning permission in principle on 18 May 2011 (ref. P/10/0761/PPP). The proposal includes new planting areas to compensate for the removal of existing trees and bushes. As part of the proposal, existing embankments would be re-contoured and planted.
- 1.2 The application site comprises a portion of the A801 and adjoining land immediately to the south of the Union Canal, near Almondhall Farm. The site includes existing road embankments and trees and bushes.
- 1.3 The following information has been submitted in support of the application:-
  - A Construction Environmental Management Plan; 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 seeking planning permission in principle for a residential and mixed use phased development for the Whitecross SIRR, including up to 1500 residential units, community and enterprise facilities, transport and environmental infrastructure and employment space currently has the status of Minded to Grant planning permission in principle pending the satisfactory completion of a Section 75 Planning Obligation.
- 3.2 Planning application ref: P/10/0761/PPP seeking planning permission in principle for a canal hub facility comprising a marina, pontoon moorings, visitor facility, hotel/tourism accommodation, canal footbridge, boat service buildings, car-parking, landscaping works and ancillary development as previously indicated was granted planning permission in principle in May 2011. The proposed canal hub facility is an alternative to provision of canal facilities at the Whitecross SIRR site (see paragraph 3.1 above).
- 3.3 Planning application ref: P/11/0308/FUL to construct a new western access to the Whitecross SIRR, including a new roundabout on the A801 further north, was granted in November 2012. The development proposals on the A801 therefore involve a northern roundabout to serve the Whitecross SIRR (to the east of A801) and a southern roundabout to serve the proposed canal hub facility (to the west of A801).

### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit are satisfied with the proposed road design and have requested further information and clarification in respect of design, modelling and maintenance in respect of the surface water drainage proposals.
- 4.2 Scottish Water have no objection to the application but have noted that any grant of planning permission does not guarantee a connection to their infrastructure.
- 4.3 The Transport Planning Unit are satisfied that the geometry of the proposed roundabout is adequate to cope with the level of traffic predicted as a result of the proposed development in combination with the existing network traffic in the area.
- 4.4 The Coal Authority have advised that the application site does not fall within the defined Coal Mining Development Referral Area.
- 4.5 The Environmental Protection Unit have advised that the planning authority should be notified if any made ground, suspect substances or odours are encountered during the site works/operations.
- 4.6 Scottish Natural Heritage have no comments to make on the application.
- 4.7 Scottish Environmental Protection Agency (SEPA) have referred the planning authority to their standing advice for small scale local planning applications. The standing advice covers a range of matters including surface water drainage and pollution prevention.
- 4.8 Historic Scotland have no comments to make on the application.

4.9 Falkirk Community Trust (Museum Services) have no objection to the application.

## **5. COMMUNITY COUNCIL**

5.1 The Maddiston Community Council have objected to the application on the following grounds:-

- The road was designed as a safe, efficient access route to and from the motorway network and the petrochemical industry at Grangemouth. The proposed roundabouts would increase the volume of traffic, particularly at rush hours, which would hinder the smooth flow of traffic and reduce the efficiency of this stretch of road;
- The proposed roundabouts would slow down traffic which would lead to driver frustration and increase the risk of accidents; and
- The road carries a large amount of bulk transporters, particularly fuel tankers from Grangemouth, and has a significant incline when travelling towards Bowhouse roundabout from Lathallan. Larger vehicles take a longer time to pick up speed when taking off from a roundabout which, together with them having to cope with an incline would exacerbate the potential for driver frustration.

## **6. PUBLIC REPRESENTATION**

6.1 No public representations have been received in relation to the application.

## **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 is not considered to raise any strategic issues and was therefore assessed against the Falkirk Council Local Plan alone.

#### ***Falkirk Council Local Plan***

7a.2 Policy EP16 - 'Leisure and Tourism Development In The Countryside' states:

*"Leisure and tourism development within the countryside will only be permitted where the use demonstrates a particular need for a countryside location and could not more appropriately be located within the Urban or Village Limits, or where existing buildings are to be utilised. In particular:*

- (1) *Proposals for small-scale self-catering chalet developments, caravan and camping sites may be acceptable, subject to appropriate siting and compliance with Policy EP15. Proposals for new hotels, B&Bs, guest houses and pubs/ restaurants will generally only be permitted where existing buildings are being utilised or where a specific opportunity is identified in the Local Plan;*
- (2) *Proposals for outdoor sport and recreation which require a countryside location may be acceptable, subject to appropriate siting. Associated built development will be limited to that which is directly ancillary to the activity (e.g. clubhouses, changing facilities, parking);*
- (3) *Proposals for new visitor attractions, heritage and interpretative centres may be acceptable, subject to appropriate siting and compliance with Policy EP15. The nature and theme of the facility must provide a clear rationale for the countryside location chosen; and*
- (4) *Proposals for new roadside facilities will not be permitted unless it is demonstrated that there is a clear need for additional services. Proposals for facilities on motorways and the trunk road network should comply with the guidance in the SPP.*

*Proposals will be subject to rigorous assessment of their impact on the rural environment, having particular regard to Local Plan policies protecting natural heritage (EQ19-EQ30) and built heritage (EQ12-EQ16), and of the adequacy of access and car parking arrangements must be satisfactory.”*

7a.3 This policy permits leisure and tourism development in the countryside where the use demonstrates a particular need for a countryside location and could not be more appropriately located within the urban or village limits. The proposal in this instance is linked to the provision of a new canal hub facility which has planning permission in principle (ref: P/10/0761/PPP). In granting the application in principle, the particular need for a countryside location for the proposed use was accepted. This was supported by Opportunity ED.POL05 (Gilston/Nicolton) which provides for canal related leisure/tourism on the Union Canal within the vicinity of Nicolton Road. The application is therefore considered to accord with this policy.

7a.4 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.5 This policy states that development proposals should include a landscape framework which enhances the development and assists to integrate it into the surroundings. The proposal involves the loss of trees and bushes and replacement planting areas which are considered to be acceptable in principle as a compensatory measure. The details of the proposed planting scheme could be the subject of a condition of any grant of permission. The application is therefore considered to accord with this policy.

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 Council’s ‘Design Guide for Buildings in the Rural Areas’; and*
- *boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.7 This policy states that the scale, siting and design of development in the countryside will be strictly controlled to ensure there is no adverse impact on the character of the countryside. The application site covers a portion of the A801 carriageway and adjoining land to facilitate the proposed new roundabout, and the proposed scale and design by necessity reflects the intended function and compliance with the requisite road standards. As such, it is considered that the existing setting has the capacity to absorb the proposed development subject to mitigation, including the provision of a suitable planting scheme. The application is therefore considered to accord with this policy.

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

## **7b Material Considerations**

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

## ***Consultation Responses***

7b.2 The consultation responses are summarised in section 4 of this report. No objections have been received in these responses and the matters raised could be the subject of planning conditions or informatives in the grant of any permission.

## ***Representation Received***

7b.3 The objection to the application is summarised in section 5 of this report. In response, 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's: P/10/0188/PPP and P/10/0761/PPP. The proposed northern roundabout would provide a new western access to the Whitecross SIRR and the proposed southern roundabout would provide access to a new canal facility;
- The A801 forms a strategic link between the M9 and M8 and performs a variety of functions including access to and from the petrochemical industry at Grangemouth;
- The Transport Planning Unit consider there is no evidence to suggest that the introduction of the roundabouts and increased volume of traffic would lead to driver frustration and an increased risk of accidents; and
- The Transport Planning Unit are unaware of any current issues with the gradient of the A801 between Lathallan and Bowhouse for HGV movements.

## **7c Conclusion**

7c.1 This application, for the construction of a new roundabout, is considered to accord with the Development Plan for the reasons detailed in the report. The roundabout would provide access to a proposed new canal facility granted planning permission in principle (ref. P/10/0761/PPP) in May 2011. As such, the application is recommended for approval subject to appropriate conditions. There are not considered to be any material planning considerations to justify a contrary recommendation.

## **8. RECOMMENDATION**

8.1 It is therefore 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) Before the development commences, details of a scheme of soft landscaping 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 retention;

- (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 and an approved timescale(s). No existing planting shall be removed prior to the scheme of soft landscaping being approved.

- (3) Before the development commences, a fence shall be erected in a position and in accordance with a specification approved in writing by this 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.
- (4) Vegetation renewal shall only be carried out in the months of August to April, in order to avoid disturbance to breeding birds, unless otherwise agreed in writing by this Planning Authority.
- (5) Where the proposed development has not commenced within 12 months of the last survey of the site for protected species, further walkover survey(s) and any necessary species protection plan(s) shall be submitted to and approved in writing by this Planning Authority before the development commences.
- (6) Before the development commences, a full site-specific surface water drainage scheme 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) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2-3) To safeguard the visual amenity of the area.
- (4-5) To safeguard the interests of bird and protected species.
- (6) 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) 01A, 02, 03A, 04A, 05A, 06A, 07, 08A and 09.

- (2) It is advised that noisy works which are audible at the site boundary should only be conducted between the following hours:-

Monday to Friday	0800 - 1800 hours
Saturday	0900 - 1700 hours
Sunday/Bank Holidays	1000 - 1600 hours

Deviation from these hours will not be permitted unless in emergency circumstances and with the prior approval of the Environmental Protection Unit.

- (3) It is advised that the applicant should confirm in writing that no made ground, suspect substances or odours have been encountered within the site. In the event that any made ground, suspect substances or odours are encountered during any site works/operations, all work on the affected part of the site should cease, the planning authority should be notified immediately, a contaminated land risk assessment should be carried out in accordance with current guidance and legislation and any necessary remediation works should be undertaken. Development should not recommence without the written prior approval of the planning authority.

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Director of Development Services

Date: 23 January 2013

#### LIST OF BACKGROUND PAPERS

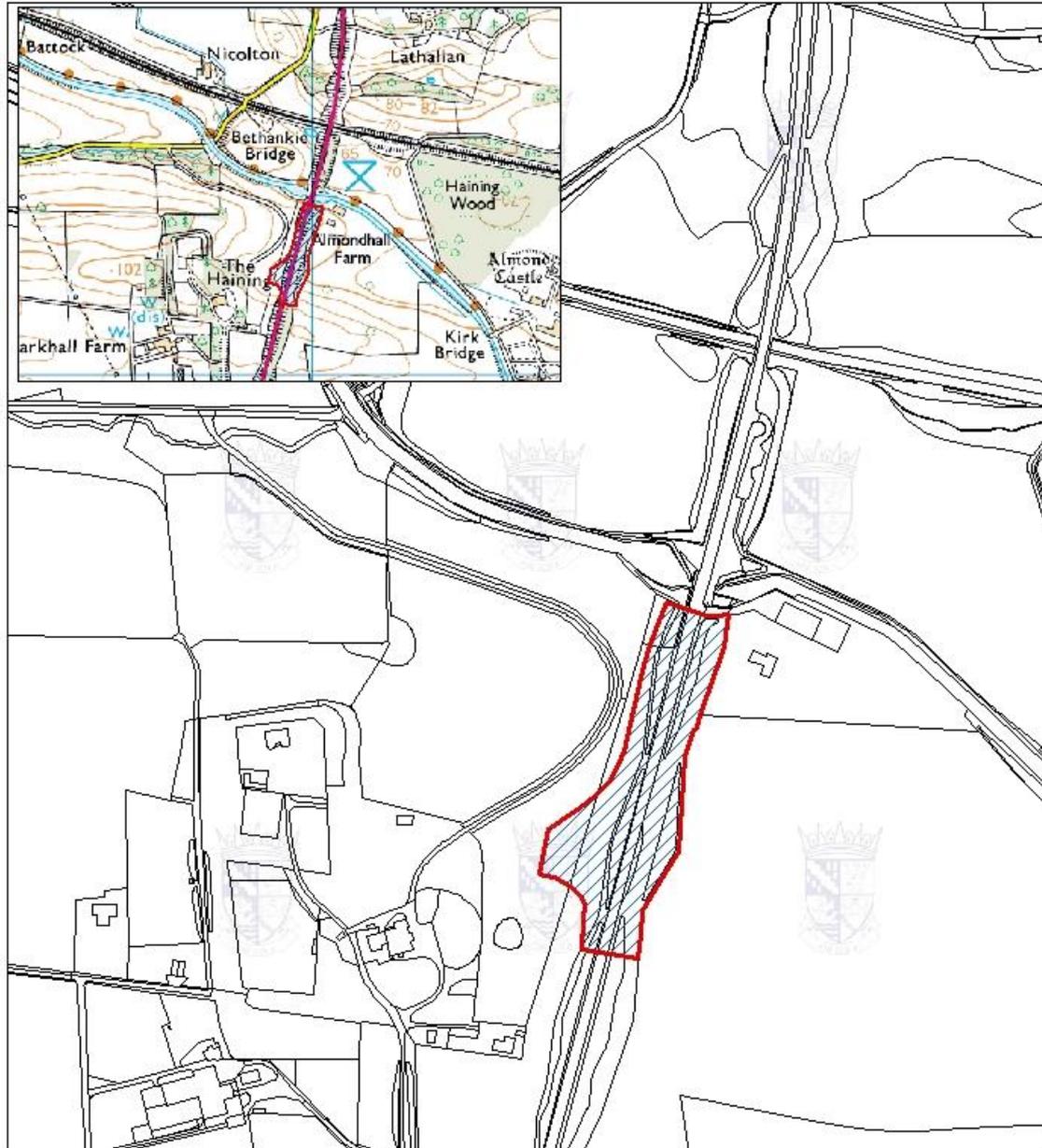
1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Letter of Objection received from Maddiston Community Council, c/o Mrs Jacqueline McDevitt, Magdalene, Vellore Road, Maddiston, Falkirk, FK2 0AR on 16 December 2012.

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/12/0694/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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