

**FALKIRK COUNCIL**

**Subject:** **ERECTION OF FACILITIES BUILDING AT  
LAND TO THE WEST OF WEST MAINS INDUSTRIAL  
ESTATE, THE HELIX, FALKIRK, FOR FALKIRK COUNCIL -  
P/13/0201/FUL**

**Meeting:** **PLANNING COMMITTEE**  
**Date:** **25 June 2013**  
**Author:** **DIRECTOR OF DEVELOPMENT SERVICES**

**Local Members:** **Ward - Falkirk North**

**Provost Pat Reid**  
**Councillor David Alexander**  
**Councillor Dr C R Martin**  
**Councillor Cecil Meiklejohn**

**Community Council:** **Grahamston, Middlefield and Westfield  
Bainsford, Langlees and New Carron**

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

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

- 1.1 The application under assessment is for full planning permission for the erection of a facilities building for the Helix project. The application site is located north of Falkirk Stadium on the site of the new Helix 'Central Park' which is currently under construction.
- 1.2 The site access is proposed from the existing Etna Road roundabout on the A9 northern distributor road.
- 1.3 The Helix 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 and the countryside.
- 1.4 The proposed development seeks to provide storage and support facilities for those visiting the Helix and to enable a worthwhile visitor experience to be enjoyed. The proposed building includes a refreshment kiosk, covered seating and toilet facilities.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The proposed development involves land in the ownership of Falkirk Council. Falkirk Council is also the applicant.

### **3. SITE HISTORY**

- 3.1 Planning permission ref: P/10/0293/FUL was granted on 16 June 2010 for the formation of an access road for Helix related Forth and Clyde Canal improvements. This access road has been constructed and is installed to serve the development proposed as part of this application.
- 3.2 Planning permission P/11/0072/MSC was granted on 20 July 2012 for the formation of Central Park including lagoon, event space, plaza and visitor facilities.
- 3.3 Planning permission ref: P/11/0154/FUL was granted on 30 March 2012 for the erection of two 30 metres high 'Kelpie' Sculptures, formation of boat turning pool, landscaped hub area including visitor facilities, parking and ancillary development. The current proposal seeks to complement these previously approved facilities.
- 3.4 Planning permission P/13/0158/FUL was granted on 30 May 2013 for the erection of a visitor centre, car parking and associated infrastructure for the Helix.

### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has no objections to the proposed development. The proposed development is not considered to have any impact on the local road network.
- 4.2 The Environmental Protection Unit has no objections subject to contaminated land and construction noise informatives.
- 4.3 A 'Do Not Advise Against' response has been received from the Health and Safety Executive following online consultation using the PADHI+ process.
- 4.4 Scotland Gas Networks has no objection to the proposed development.
- 4.5 Ineos has no objection to the proposed development.

### **5. COMMUNITY COUNCIL**

- 5.1 Grangemouth Community Council has not made comment on the application.
- 5.2 Bainsford, Langlees and New Carron Community Council has not made comment on the application.

### **6. PUBLIC REPRESENTATION**

- 6.1 No objections or representations have been 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 Policy ECON.7 'Tourism' states:

*"The Council will support the development of sustainable tourism in the Council area, through the provision of an improved range and quality of attractions and supporting infrastructure. Accordingly:*

- (1) the key locations for development will be the Millennium Canals, Falkirk Town Centre/Callendar Park and Bo'ness;*
- (2) development which supports and expands the main target markets of day trips, short breaks, visiting friends and family and business tourism will be particularly encouraged; and*
- (3) tourism development must be environmentally sustainable, in terms of its location and design. In particular, any development outwith the urban areas must demonstrate that a countryside location is essential."*

##### 7a.2 Policy ENV.2 'Green Belt' states:

*"There will be a system of Green Belts in the areas generally described in Schedule ENV.1 and indicated on the Key Diagram. Within these there will be a long term presumption against development in order to prevent the coalescence of settlements, protect their landscape setting, and avoid prejudicing future proposals for landscape enhancement and countryside recreation.*

*The detailed boundaries will be defined in Local Plans, having regard, where appropriate, to the Strategic Development Opportunities set out in Policy Econ.1 and Schedule Econ.1 and other structure plan policies."*

##### 7a.3 Policy ENV.7 'Quality of Development' states:

- "(1) Priority is attached to the achievement of high standards of design in all new development. Proposals for development which would have significant visual and physical impact on a site and its surroundings must be accompanied by a "design concept statement" incorporating the relevant factors outlined in Schedule ENV.7 which sets out how design principles have been addressed and how quality objectives will be achieved.*
- (2) Local Plans and Supplementary Planning Guidance will provide detailed guidance on how significant impact will be assessed and the details to be included in such design concept statements."*

7a.4 Policy TRANS.1 ‘Core Path Networks’ states:

*“The Council through consultation will identify a network of strategic paths and core path networks based on the main communities of the area. In particular the Council will make provision for the identification, safeguarding and development of the following:*

- (1) National Cycle Network route between Edinburgh and Stirling through the Falkirk Council area;*
- (2) Strategic walking and cycling routes utilising the Union and Forth and Clyde Canal towpaths; and*
- (3) Local Core Path networks in line with the Council’s Countryside Access Strategy.*

*The Council in its Local Plans will contain policies that protect identified paths from development and ensure that wherever possible new development proposals create linkages and strategic routes to the identified core path network.”*

7a.5 The proposed development seeks to assist in the use of the site for tourism, outdoor recreation, improved use of the Forth and Clyde Canal by providing infrastructure to serve the development of the Helix. A high design standard is exhibited and core paths are respected. The fixed site location given the Helix project position and the proposed uses justify and accord with Green Belt policy. The proposal is therefore considered to comply with all relevant Structure Plan policies.

***Falkirk Council Local Plan***

7a.6 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.7 The applicant has exhibited a sensitive approach to the designing of infrastructure, a focus on providing pedestrian and vehicular access in a sustainable approach to the scheme. The proposed building is of timber construction and has been designed incorporating sustainable design principles.

7a.8 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.9 The application is considered to accord with this policy, reflecting the proposal's importance in relation to the wider Helix project, public access, and connection to adjoining areas of land.

7a.10 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.11 The proposal is considered to assist in the active promotion of outdoor access and links to paths, walkways and other Helix facilities which will encourage visitor participation within the site and wider Helix project.

7a.12 Policy EP18 – ‘Major Hazards’ states:

*“Within the Major Hazard and Pipeline Consultation Zones identified on the Proposals Map, proposals will be judged in relation to the following criteria:*

- (1) The increase in the number of people exposed to risk in the area, taking into account the advice of the Health and Safety Executive, any local information pertaining to the hazard, and the existing permitted use of the site or buildings;*
- (2) The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means. and*
- (3) The potential impact that the proposals may have upon chemical and petrochemical establishments.”*

7a.13 The application site lies within the consultation area of hazardous installations at the Grangemouth petrochemical area. The Health and Safety Executive through use of PADHI+ consultation has provided a ‘Do Not Advise Against’ response in relation to the proposal on the basis of acceptable risk to visitors to the site. The application will, on this basis, not require to be referred to Scottish Ministers if the Committee grants planning permission. It is therefore considered that the proposal accords with this policy.

7a.14 Accordingly, the proposal accords with the Development Plan

## **7b Material Considerations**

7b.1 The material consideration to be addressed are the policies of the emerging Falkirk Local Development Plan.

7b.2 The proposed Falkirk Local Development Plan was approved by the Council for consultation on 6 March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the extant Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council’s views in relation to Development Plan Policy and constitutes a material consideration in the determination of planning applications.

7b.3 The following policies of the emerging Falkirk Local Development Plan are relevant to the assessment of the application under consideration:

INF07	Walking and Cycling
BUS05	Major Hazards and Pipelines
EN05	Outdoor Access
D02	Sustainable Design Principles
D04	Low and Zero Carbon Development
D14	Canals

7b.4 The above policies reinforce and develop relevant policies in the extant Falkirk Structure Plan and Falkirk Council Local Plan. The proposed development has been assessed as being in accordance with all relevant policies in the emerging Falkirk Local Development Plan.

**7c Conclusion**

- 7c.1 The proposed development has demonstrated compliance with all relevant Development Plan policies.
- 7c.2 The views of consultees have been accommodated or can be achieved by planning informatives.
- 7c.3 The 'Do Not Advise Against' consultation response using HSE PADHI+ would not require referral of the application to Scottish Ministers if the Committee grants planning permission.
- 7c.4 No objections or adverse comments have been made in relation to the proposed development.
- 7c.5 There are no material considerations which would justify setting aside policies of the Development Plan and refusing planning permission.

**8. RECOMMENDATION**

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

- (1) Prior to the commencement of development, samples of construction materials relating to fenestration and timber cladding shall be submitted for the written approval of Falkirk Council as Planning Authority.**
- (2) Prior to the commencement of development details and specification of all hard and soft landscaping, including samples of materials and species specification shall be submitted for the written approval of Falkirk Council as Planning Authority.**

**Reason(s):**

- (1-2) In the interest of visual amenity.**

**Informative(s):**

- (1) This application was submitted online, and the decision notice is issued without plans. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03a, 04a, 05b, 06b, 07-14.**
- (2) The applicant should have regard to controlling any noise produced by the construction and future use of the development to ensure that no noise nuisance is caused. If noise complaints were received about the development, the Environmental Health Unit would be obliged to investigate and take any necessary action if the complaints were found to be justified under Statutory Nuisance Legislation.**

- (3) In the event that any made ground, suspect substances or odours are encountered within the site, the development should notify the Environmental Protection Unit of Falkirk Council.

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Director of Development Services

Date: 17 June 2013

#### **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan
2. Falkirk Council Local Plan
3. Falkirk Local Development Plan (Proposed Plan) April 2013

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

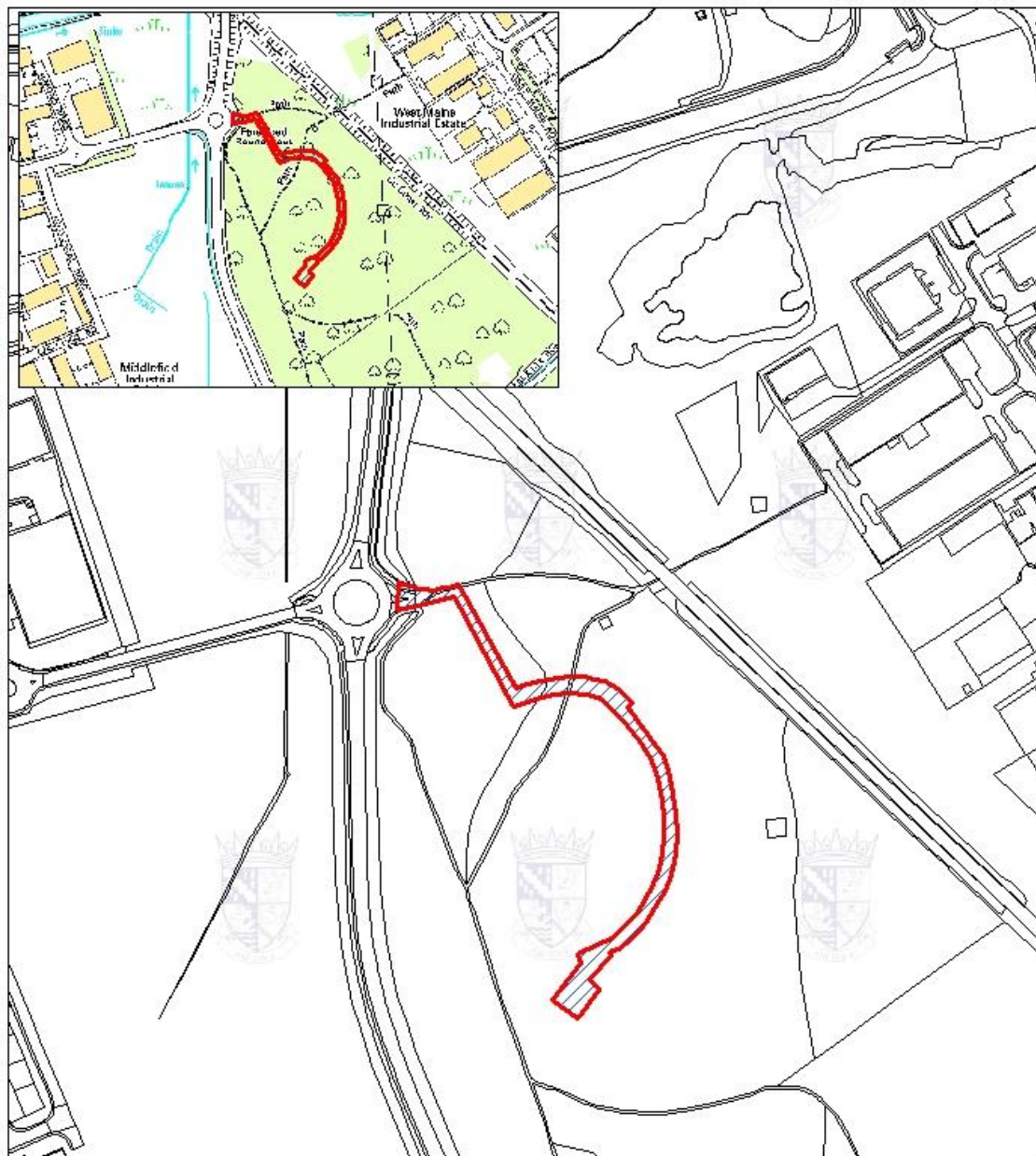


# Planning Committee

## Planning Application Location Plan

**P/13/0201/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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