

P33. Amendment to Planning Permission P/13/0741/FUL (Substitution of Housetype) at Land to the West of Netherview Cottage, Bonnybridge, for Black Bull Estates Limited - P/19/0149/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the amendment to planning permission P/13/0741/FUL (Substitution of Housetype) at Land to West of Netherview Cottage, Bonnybridge for Black Bull Estates Limited – P/19/0149/FUL.

Decision

The committee agreed to grant planning permission, subject to the following condition(s):-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority;**
- (2) Before the development commences, the exact details of the colour and specification of the proposed external finishes 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, the exact details of the height, location and construction of all proposed fences, walls and other means of enclosure 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;**
- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking and re-enacting that Order), no fence, wall, gate, or other means of enclosure exceeding one metre in height shall be erected without the prior express consent of this Planning Authority;**
- (5) For the avoidance of doubt, the defined curtilage of the proposed dwellinghouse shall be as defined on approved plan 02 (Drawing Number RMDL/254/001 Revision G);**
- (6) Before the development commences, a scheme of soft landscaping works (including the proposed plant bund) shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include (as appropriate):-**
 - i. Existing and finished ground levels/profiles in relation to a fixed datum, preferably ordnance;**

- ii. An indication of existing landscape and planting features to be removed, those features to be retained and, in the case of damage, proposals for their restoration;
- iii. The location of new trees, shrubs, hedges and grassed areas;
- iv. A schedule of plants to comprise species, plant sizes and proposed numbers/density; and
- v. A programme of completion and subsequent maintenance.

No existing vegetation shall be removed prior to approval of the scheme of soft landscaping works, and, following approval of the scheme, the development shall be carried out in accordance with the approved details.

- (7) Before the development commences, a contaminated land assessment shall be submitted to and approved in writing by this Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by this Planning Authority;
- (8) Before the development commences, a proposed strategy to deal with surface water run-off shall be submitted to and approved in writing by this Planning Authority. Thereafter, the approved strategy shall be fully implemented prior to the development being brought into use;
- (9) The dwellinghouse hereby approved shall be used and occupied in all-time coming for no other purpose than exclusively for a person employed, or last employed, in the farm business associated with the proposed development, or widow or widower of such persons, and any resident dependants of such a person.

Reason(s):-

- 1. As these drawings and details constitute the approved development.
- 2-4, 6. To safeguard the visual amenity of the area.
- 5. In order to confirm the defined curtilage for the proposed dwellinghouse
- 7. To ensure the ground is suitable for the proposed development
- 8. To ensure that adequate drainage is provided.
- 9. The proposed development is at a countryside location and is considered to be inappropriate unless tied to the agricultural use of the land.

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, 03 and 04.

2. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
3. The applicant shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

Monday to Friday	08:00 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

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

4. In the event of any unexpected contaminated land being encountered following the commencement of development, the applicant is advised to notify the Planning Authority immediately, carry out a contaminated land assessment and any necessary remediation works, and only recommence the development with the approval of the Planning Authority.
5. Scottish Water have advised that according to their records, the development proposals impact on existing Scottish Water assets. Any conflicts identified may be subject to restrictions on proximity of construction. The Asset Impact Team should be contacted on service.relocation@scottishwater.co.uk