

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 25 JUNE 2013 at 9.30 A.M.**

**PRESENT:** Baillies Buchanan and Paterson; Councillors Alexander, Carleschi, Chalmers, Mahoney, C Martin, Meiklejohn, McLuckie, Nicol and Turner.

**CONVENER:** Baillie Buchanan.

**ATTENDING:** Director of Development Services; Chief Governance Officer; Head of Planning and Transportation; Development Manager; Development Management Co-ordinator (D Campbell); Network Co-ordinator; Transport Planning Co-ordinator; Senior Planning Officer (J Milne); Environmental Health Officer (S Henderson); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

**P28. APOLOGIES**

No apologies were intimated.

**P29. DECLARATIONS OF INTEREST**

Baillie Buchanan declared a non financial interest in Item 19 (minute P47) by virtue of his relationship to the applicant through marriage in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

Councillor C Martin advised that he had already intimated that he would not take part in the consideration of Item 4 (minute P32), in accordance with his letter sent previously to the Monitoring Officer.

Prior to consideration of business, the Members below made the following statements:-

- Councillor Mahoney informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/13/0163/FUL and P/10/0762/FUL (minute P35 and P38).
- Councillor Nicol informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/13/0163/FUL (minute P35) but he would take part in consideration of planning applications P/12/0380/FUL and the consultation in respect of the application to North Lanarkshire Council (reference 12/00729/FUL) (minute P36 and P37) as he was sufficiently familiar with the sites.

- Councillor Alexander informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/13/0163/FUL, P/12/0380/FUL and the consultation in respect of the application to North Lanarkshire Council (reference 12/00729/FUL) (minute P35, P36 and P37) as he was sufficiently familiar with the sites.
- Baillie Buchanan informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/13/0163/FUL (minute P35).

### **P30. REQUESTS FOR SITE VISITS**

Having heard requests by Members for site visits, the Committee agreed to the continuation of planning applications P/13/0303/FUL, P/13/0265/FUL, P/12/0543/PPP.

In accordance with his declaration of interest, Baillie Buchanan left the Chair and took no part in consideration of the request by a Member for a site visit in relation to planning application P/13/0164/FUL, Councillor McLuckie assumed the role of Convener.

The Committee agreed to the continuation of application P/13/0164/FUL to allow an inspection of the site by Committee.

Baillie Buchanan resumed the Convenership of the meeting following consideration of the foregoing matter.

### **P31. MINUTE**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 29 May 2013; and
- (b) Minute of Meeting of the Planning Committee held on Site on 10 June 2013.

Councillor C Martin left the meeting prior to consideration of the following item of business.

### **P32. DEVELOPMENT FOR COAL BED METHANE PRODUCTION, INCLUDING DRILLING, WELL SITE ESTABLISHMENT AT 14 LOCATIONS, INTER-SITE CONNECTION SERVICES, SITE ACCESS TRACKS, A GAS DELIVERY AND WATER TREATMENT FACILITY, ANCILLARY FACILITIES, INFRASTRUCTURE AND ASSOCIATED WATER OUTFALL POINT AT LETHAM MOSS, FALKIRK FK2 8RT FOR DART ENERGY - P/12/0521/FUL**

There was submitted Report (circulated) dated 20 June 2013 by the Director of Development Services in relation to an application for full planning permission to expand an existing network of coal bed methane wells and associated infrastructure at Letham Moss, Falkirk.

**AGREED:-**

- (1) to advise the Directorate for Planning and Environmental Appeals that, as at the date of lodging of the appeal, the Council had had no opportunity to evaluate the information most recently provided by the applicant in response to the application, that information having been supplied on the date the appeal was lodged;
- (2) that the Reporter, in the absence of analysis of the information the Council considers necessary to allow determination of the appeal and evaluation thereof, be asked to refuse the appeal;
- (3) to co-operate in the appeal process and provide any information requested by the Directorate for Planning and Environmental Appeals (DPEA) with the Director of Development Services being authorised to prepare and submit to the DPEA the Council's response to the appeal made by the applicant and to handle the appeal process for the Council;
- (4) to authorise the Director of Development Services to engage such external advisers to assist in the Council's participation in the appeal process as she thinks fit; and
- (5) to instruct the Director of Development Services to intimate to the Reporter that the Council recommends a public inquiry be held as part of the appeal process to conclude outstanding matters within a public forum, reflecting the complexity of issues and responding to the high level of public interest in the application.

Councillor C Martin re-entered the meeting following consideration of the foregoing item of business.

**P33. THE FALKIRK COUNCIL (VARIOUS STREETS, CAMELON) (PROHIBITION AND RESTRICTION OF WAITING) (AMENDMENT NO.2) ORDER 2013**

There was submitted Report (circulated) dated 17 June 2013 by the Director of Development Services seeking a decision on the Falkirk Council (Various Streets, Camelon) (Prohibition and Restriction of Waiting) (Amendment No. 2) Order 2013 to manage on-street parking on the public roads within the vicinity of the proposed Aldi's supermarket retail development as detailed in planning permission (P/12/0418/FUL), affecting Redbrae Road and the A803 Glasgow Road.

**AGREED** to make the Traffic Regulation Order referred to in the Report.

**P34. THE FALKIRK COUNCIL (ON-STREET PARKING SPACE FOR DISABLED PERSONS) (No TRO/DB/12/048) ORDER 2012 - ANNAN COURT, HALLGLEN**

There was submitted Report (circulated) dated 13 June 2013 by the Director of Development Services seeking a decision on the Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/12/048) Order 2012 to reserve a parking space for disabled persons on Annan Court, Hallglen.

**AGREED** to make the Traffic Regulation Order referred to in the Report.

Baillie Buchanan left the Chair prior to consideration of the following item of business and took no part in consideration of the item. Councillor McLuckie assumed the role of Convener.

Councillor Mahoney left and re-entered the meeting during consideration of the following item of business but took no part in consideration thereon.

**P35. CHANGE OF USE FROM OPEN SPACE/LANDSCAPE AREA TO FORM VEHICULAR ACCESS AND PARKING AREA IN ASSOCIATION WITH COMMERCIAL GARAGE/TAXI BUSINESS INCLUDING DROPPED KERB ON LAND TO THE WEST OF 6 MILLER CRESCENT, LITTLE CARRIDEN, BO'NESS FOR MR AND MRS G MCBAIN – P/13/0163/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 29 May 2013 (Paragraph P20 refers), Committee gave further consideration to Report (circulated) dated 21 May 2013 by the Director of Development Services and an additional Report (circulated) dated 17 June 2013 by the said Director on an application for full planning permission for the change of use from an open space/landscape area to form a vehicular access and parking area in association with a commercial garage/taxi business and including a dropped kerb at the site of an overgrown and disused road on land to the west of 6 Miller Crescent, Little Carriden, Bo'ness.

**AGREED** to **GRANT** planning permission subject to appropriate conditions as determined by the Director of Development Services including (but not limited to) conditions requiring (1) that the existing hedgerow at the outer edge of the proposed parking area be 'gapped up' to achieve a dense tall native shrub planting along the full length of the parking area thereby screening vehicles within the parking area; and (2) the provision of details of the proposed road levels to the satisfaction of the Director of Development Services.

Baillie Buchanan resumed the Convenership of the meeting following consideration of the foregoing item of business.

**P36. LANDSCAPE RESTORATION OF QUARRY VOID, COMPRISING PLANTING AND EARTHWORKS RESTORATION AND UPGRADING OF SOUTHERN SECTION OF SITE ACCESS ROAD LEADING TO THE A803 AT COWDENHILL QUARRY, CONEYPARK CRESCENT, BANKNOCK, BONNYBRIDGE FK4 1TX FOR AGGREGATE INDUSTRIES UK LTD – P/12/0380/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 29 May 2013 (Paragraph P17 refers), Committee gave further consideration to Report (circulated) dated 21 May 2013 by the Director of Development Services and an additional Report (circulated) dated 17 June 2013 by the said Director on an application for full planning permission for the restoration of an existing quarry void, comprising planting and earthworks restoration and the upgrading of the southern section of site access road leading to the A803 at Cowdenhill Quarry, Coneypark Crescent, Banknock, Bonnybridge.

In accordance with Standing Order 35.1 (viii) the Convener gave consent to Councillors McCabe and Oliver to speak in relation to this item of business.

**AGREED to CONTINUE** consideration of this item of business until after a decision has been taken by North Lanarkshire Council in relation to the application 12/00729/FUL (minute P37).

The Convener agreed at 11.30 a.m. a 10 minute recess prior to consideration of the following item of business. The meeting reconvened at 11.40 a.m., with all Members present as per the sederunt.

**P37. CONSULTATION IN RESPECT OF APPLICATION 12/00729/FUL (NORTH LANARKSHIRE REFERENCE NUMBER) - EXTRACTION OF 350,000 TONNES PER ANNUM OF HARD ROCK OVER A 21 YEAR PERIOD AND ASSOCIATED LANDSCAPE, EARTHWORKS AND ACCESS ROAD UPDGRADE AT TOMFYNE FARM, BANTON, NORTH LANARKSHIRE G65 0RJ FOR AGGREGATE INDUSTRIES UK LTD (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 29 May 2013 (Paragraph P18 refers), Committee gave further consideration to Report (circulated) dated 21 May 2013 by the Director of Development Services and an additional Report (circulated) dated 17 June 2013 by the said Director on an application to North Lanarkshire Council for full planning permission (under their reference 12/00729/FUL) for the extraction of 350,000 tonnes per annum of hard rock over a 21 year period and associated landscape, earthworks and the upgrading of the access road at Tomfyne Farm, Banton, North Lanarkshire. The Council's comments on the application had been sought.

In accordance with Standing Order 35.1 (viii) the Convener gave consent to Councillor McCabe to speak in relation to this item of business.

Councillor Alexander, seconded by Councillor Carleschi, moved that Falkirk Council advise North Lanarkshire Council that it opposes the application but that, should planning permission be granted, to request (1) the involvement of officers from Falkirk Council in the drafting of appropriately worded planning conditions; and (2) that Falkirk Council be included in a liaison group established to monitor conditions and ongoing site operations.

By way of an amendment, Baillie Buchanan, seconded by Councillor C Martin, moved that North Lanarkshire Council be advised that, if planning permission is granted, Falkirk Council requests (1) the involvement of officers from Falkirk Council in the drafting of appropriately worded planning conditions; and (2) that Falkirk Council be included in a liaison group established to monitor conditions and ongoing site operations.

On a division, 5 Members voted for the motion and 6 voted for the amendment.

Accordingly, **AGREED** in terms of the amendment.

Councillor Nicol left the meeting following consideration of the foregoing item of business.

**P38. TEMPORARY STORAGE, TREATMENT AND DISTRIBUTION OF ORGANIC WASTE INCLUDING LIME TREATMENT, JAWCRAIG BRICKWORKS, FALKIRK FK1 3AL FOR JAMES McCAIG FARMS P/10/0762/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 1 February 2012 (Paragraph P136 refers), Committee gave further consideration to Report (circulated) dated 24 January 2012 by the Director of Development Services and an additional Report (circulated) dated 17 June 2013 by the said Director on an application for full planning permission for the temporary storage, treatment and distribution of organic waste including lime treatment at Jawcraig, Brickworks, Falkirk.

**AGREED** to **CONTINUE** consideration for further information to be provided to Members with particular reference to the letter recently received from the Scottish Environment Protection Agency (SEPA) in relation to their concerns.

The Convener agreed at 12.30 p.m. a recess for lunch. The meeting reconvened at 2.00 p.m. with all Members present as per the sederunt, with the exception of Councillors Chalmers, C Martin and Nicol.

Councillor Nicol re-entered the meeting during consideration of the following item of business.

Baillie Paterson left the meeting during consideration of the following item of business.

**P39. ERECTION OF FENCE (1.8M HIGH) AT 33 ABBOTSFORD STREET, FALKIRK FK2 7QJ FOR MR BRYAN HUGHES - P/13/0267/FUL**

There was submitted Report (circulated) dated 17 June 2013 by the Director of Development Services on an application for full planning permission for the erection of a 1.8 metre high fence on a site consisting of a flatted dwelling on a corner plot within a residential area at 33 Abbotsford Street, Falkirk.

**AGREED** to **GRANT** planning permission, subject to the following condition:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the 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.

Reason:-

- (1) As these drawings and details constitute the approved development.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A and 02.

Councillor C Martin re-entered the meeting during consideration of the following item of business.

**P40. ROAD INFRASTRUCTURE (ROAD 3) INCLUDING ASSOCIATED HIGHWAY DRAINAGE AT MANUEL WORKS, LINLITHGOW EH49 6LH FOR MORSTON ASSETS LTD - P/12/0708/FUL**

There was submitted Report (circulated) dated 17 June 2013 by the Director of Development Services on an application for full planning permission for the construction of road infrastructure and associated highway drainage (including a SUDS attenuation basin) to serve the Whitecross Special Initiative for Residential Led Regeneration (SIRR) at Manuel Works, Linlithgow.

**AGREED to GRANT** planning permission, subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the 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, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (3) Before the development (as shown on approved plan 07C) commences, details of a scheme of soft and hard landscaping shall be submitted to and approved in writing by the 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, hedges and grassed areas;
  - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - (iv) The location and design, including materials, of all surface finishes, walls, fences and gates; and
  - (v) A programme for completion and subsequent maintenance.

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

- (4) Before the development (as shown on approved plan 12B) commences, details of a scheme of soft and hard landscaping shall be submitted to and approved in writing by the 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, hedges and grassed areas;
  - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - (iv) The location and design, including materials, of all surface finishes, walls, fences and gates; and
  - (v) A programme for completion and subsequent maintenance.

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



- (5) The Construction Environmental Management Plan (CEMP) required by Condition 2 of the permission shall include a Tree Protection Plan. The details of the Tree Protection Plan shall include the exact location, specification and timing of provision of the temporary fencing to protect the areas of retained habitat, and a Method Statement showing how the retained habitat would be protected during construction of the proposed road and associated infrastructure. 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.
- (6) 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.
- (7) The development granted by the permission shall be carried out in accordance with the Badger Protection Plan prepared by Mike Harris, Grampian Badger Surveys, dated June 2011, which was approved for the Whitecross SIRR development under reference P/10/0188/PPP.
- (8) Before the development commences, the proposed arrangements for the safeguarding of the line of existing Core Paths 021/867, 021/868 and 021/871 during both the construction and operational phases of the development, or the proposed arrangements for the provision of an alternative route(s), shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (9) The final arrangement as indicated on approved plan 12B shall be fully completed prior to occupation of the first unit within the proposed Employment Park or Local Centre, or opening of the new Whitecross Primary School, whichever is the earliest, unless otherwise agreed in writing by the Planning Authority.
- (10) Notwithstanding Condition 9, the proposed works to change the priority of the Haining Road junction, as detailed on approved plan 12B, shall be implemented to coincide with the new access from the A801 through to Haining Road being completely open for use.
- (11) Before the development commences, or any alternative timescale that may be agreed in writing by the Planning Authority, the design details, including drawings and calculations, for the proposed surface water outlet culvert to the Manuel Burn and the proposed maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure that the construction related impacts of the proposed development are satisfactorily mitigated.
- (3-4) To safeguard the visual amenity of the area and achieve the landscape strategy for the Whitecross SIRR development.
- (5-6) To ensure that the construction related impacts of the proposed development are satisfactorily mitigated.
- (7) To safeguard the interests of a protected species (badgers).
- (8) To safeguard the existing network of outdoor access routes in the local area.
- (9) To ensure the timeous completion of the final arrangement of the approved development.
- (10) To ensure completion of the Haining Road junction works at an appropriate time.
- (11) To ensure the suitable provision of surface water drainage.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 03A, 04B, 06C, 07C, 08A, 09, 10, 11, 12B, 13A, 14, 15 and 16.
- (3) The Roads Development Unit have advised that a Road Construction Consent would be required for the proposed final arrangement (Road Construction Consent would not be issued for the proposed interim arrangements).
- (4) SEPA have advised that the proposal may require registration or a licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2001 (CAR).

- (5) The Coal Authority have advised that the proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority. Any intrusive works which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of the Coal Authority. Property specific summary information on coal mining can be obtained from the Coal Authority Property Search Service on telephone 0845 7626848 or at [www.groundstability.com](http://www.groundstability.com).

In accordance with the decision taking at the start of the meeting, **NOTED** the following item had been continued to a future meeting to allow an inspection of the site by Committee:-

**P41. FORMATION OF A MULTI USE GAMES AREA COURT (MUGA COURT) ON LAND TO EAST OF ARCHIBALD RUSSELL CENTRE, HAYPARK ROAD, HEAD OF MUIR, FOR FALKIRK COUNCIL - P/13/0303/FUL**

**P42. REDEVELOPMENT OF DENNY TOWN CENTRE COMPRISING CLASS 1 AND 2 USES, CAFÉ RESTAURANT, LIBRARY WITH COMMUNITY SPACE, COMMUNITY ENTERPRISE UNITS (CLASS 4), RESIDENTIAL DEVELOPMENT, PUBLIC REALM WORKS, CAR PARKING AND ANCILLARY WORKS AT 1 - 31 (ODDS) CHURCH WALK, DENNY FK6 6DF 133 - 167A (ODDS) CHURCH WALK, DENNY FK6 6HS FOR FALKIRK COUNCIL - P/12/0179/PPP**

There was submitted Report (circulated) dated 18 June 2013 by the Director of Development Services on an application for planning permission in principle for the redevelopment of Denny Town Centre to provide new retail, office, library and residential uses and associated works including car parking and public realm works.

In accordance with Standing Order 35.1 (viii) the Convener gave consent to Councillor McCabe to speak in relation to this item of business.

Councillor Mahoney, seconded by Councillor McLuckie, moved that the application be granted in accordance with the recommendations in the Report.

By way of an Amendment, Councillor Turner, seconded by Councillor Carleschi, moved that the application be continued to allow an inspection of the site by Committee.

Notice of a further amendment was given by Councillor Alexander.

On a division, 5 Members voted for the motion and 4 voted for the amendment.

The motion thereafter became the substantive motion on which the further amendment, such further amendment being that the application be refused on the basis of concerns over road traffic management, disabled access and design, was moved by Councillor Alexander and seconded by Councillor Meiklejohn.

On a division, 5 Members voted for the substantive motion and 4 voted for the amendment.

Accordingly, **AGREED** to **GRANT** planning permission in principle subject to the following conditions:-

- (1) Plans and particulars of the matters specified below shall be submitted for consideration by the Planning Authority in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the Planning Authority has been given, and the development shall be carried out in accordance with that approval. The specified matters are:-
  - (a) The siting of the proposed buildings;
  - (b) The design of the proposed buildings;
  - (c) The external appearance of the proposed buildings;
  - (d) Details of the proposed access arrangements;
  - (e) Details of the proposed landscaping of the site; and
  - (f) Details of the proposed boundary treatments.
- (2) As part of each application for Matters Specified in Conditions, a Contaminated Land Assessment shall be submitted for the written approval of the Planning Authority. Before each phase of the development is brought into use, any necessary remedial works to make the ground safe shall be completed in accordance with the approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by the Planning Authority.
- (3) As part of each application for Matters Specified in Conditions, details of the precise use class of each proposed unit shall be submitted for the written approval of the Planning Authority.
- (4) As part of each application for Matters Specified in Conditions, the exact details of the measures to mitigate the potential for noise and odour impacts shall be submitted to and approved in writing by the Planning Authority, where the submission of such details is considered to be necessary by the Planning Authority in view of the proposed use of that unit. Thereafter, the development shall be carried out in accordance with the approved details.
- (5) As part of each application for Matters Specified in Conditions, the details of the provision of secure covered cycle parking shall be submitted for the written approval of the Planning Authority.

- (6) Unless otherwise agreed in writing by the Planning Authority, the first application for Matters Specified in Conditions within Phases 2 or 3 of the development (as indicated on approved masterplan drawing 02) shall be accompanied by the following details for the written approval of the Planning Authority:-
- (a) Transport and road safety information, including detailed traffic management proposals, in support of the proposed final access strategy;
  - (b) A Travel Plan Framework;
  - (c) Detailed proposals for upgrade/provision of bus lay-bys and bus shelters/information panels;
  - (d) A parking signage strategy;
  - (e) A directional signing strategy;
  - (f) Documentary evidence to demonstrate that an Agreement has been entered into with the Roads Authority to pay the sum of £1.41 million towards the construction of Denny Eastern Access Road (DEAR) when requested by the Council as Roads Authority and not before completion of the development. The contribution shall be index linked from the date of grant of planning permission; and
  - (g) An Air Quality Assessment.
- (7) Following approval of the Travel Plan Framework, a Travel Plan for each development (if relevant) shall be submitted for the written approval of the Planning Authority, in accordance with the approved Travel Plan Framework and an agreed timescale for its submission.

Reason(s):-

- (1) To ensure the matters specified are given full consideration and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc., (Scotland) Act 2006.
- (2) To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc., (Scotland) Act 2006.
- (3) To ensure that the Planning Authority can control the future uses of the development.
- (4) To safeguard the environmental amenity of the area.
- (5) To promote the use of sustainable modes of transport to travel to and from the site.

- (6) To safeguard the interests of the users of the highway and to promote the adoption of sustainable transport measures and the use of sustainable modes of transport to travel to and from the site.
- (7) To promote the adoption of sustainable transport measures and the use of sustainable modes of transport to travel to and from the site.

Informative(s):-

- (1) Plans and particulars of the matters listed above shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of Falkirk Council as Planning Authority has been given, and the development shall be carried out in accordance with that approval.
- (2) For the avoidance of doubt, the plan(s) to which the permission refers bear the online reference number(s) 01 and 02.

**P43. ERECTION OF FACILITIES BUILDING ON LAND TO THE WEST OF WEST MAINS INDUSTRIAL ESTATE, THE HELIX, FALKIRK FOR FALKIRK COUNCIL - P/13/0201/FUL**

There was submitted Report (circulated) dated 17 June 2013 by the Director of Development Services on an application for full planning permission for the erection of a facilities building on land to the west of West Mains Industrial Estate at the Helix, Falkirk.

**AGREED to 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:-

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

Informative(s):-

- (1) The application was submitted online, and the decision notice is issued without plans. For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03a, 04a, 05b, 06b and 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.

**P44. FORMATION OF 4 FLATTED DWELLINGS, RE-CLADDING EXTERIOR, RE-ROOFING EXISTING TOWER AT 1 - 1 SYMON TOWER, SEATON PLACE, FALKIRK FK1 1TQ FOR FALKIRK COUNCIL - P/13/0340/FUL**

There was submitted Report (circulated) dated 17 June 2013 by the Director of Development Services on an application for full planning permission to create four additional flattened dwellings within an existing high rise block known as Symon Tower, to re-clad the exterior of the building and re-roof it.

**AGREED to GRANT** planning permission, subject to the following condition:-

- (1) Falkirk Community Trust's Keeper of Archaeology and Local History shall be provided with 14 days notice before work commences on site.

Reason:-

- (1) To ensure that monitoring of the site can be arranged to avoid the potential for any impact on the Antonine Wall World Heritage Site Scheduled Area.

Informative(s):-

- (1) 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 three years beginning with the date on which the permission is granted unless the development to which this permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01-05, 06A and 07-11.

- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
- (4) There shall be no operations or activity associated with the development within or cause disturbance to the Antonine Wall World Heritage Site, or Scheduled Ancient Monument, which lies to the north of the application site.

In accordance with the decision taking at the start of the meeting, **NOTED** the following items had been continued to a future meeting to allow an inspection of the sites by Committee:-

- P45. ERECTION OF DWELLINGHOUSE WITH INTEGRAL GARAGE AT AONACH-MOR, GLEN ROAD, TORWOOD, LARBERT FK5 4SN FOR MR AND MRS COMRIE - P/13/0265/FUL**
- P46. DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT CASTINGS COMMUNITY SPORTS AND SOCIAL CLUB, ETNA ROAD, FALKIRK FK2 9 EG FOR MR MARK AGNEW - P/12/0543/PPP**
- P47. DEMOLITION OF DWELLINGHOUSE AND GARAGE AND ERECTION OF 2 DWELLINGHOUSES, DOMESTIC GARAGE AND GUEST HOUSE (CLASS 7) AT INCHES HOUSE, BELLSDYKE ROAD, LARBERT FK5 4EL FOR MR IAIN POLLOCK - P/13/0164/FUL**