

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 30 OCTOBER 2013 at 9.30 A.M.

COUNCILLORS:

Baillie William Buchanan (Convener)
Steven Carleschi
Colin Chalmers
Adrian Mahoney
Craig Martin
Cecil Meiklejohn
John McLuckie
Alan Nimmo
Baillie Joan Paterson
Sandy Turner

OFFICERS:

John Angell, Head of Planning and Transportation
Kevin Collins, Transport Planning Co-ordinator
Ian Dryden, Development Manager
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Alfred Hillis, Environmental Health Officer
Craig Russell, Roads Development Officer
Antonia Sobieraj, Committee Officer
Russell Steedman, Network Co-ordinator
Bernard Whittle, Development Management Co-ordinator

P89. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Alexander and Nicol.

P90. DECLARATIONS OF INTEREST

No declarations were made.

P91. MINUTE

Decision

The minute of the meeting of the Planning Committee held on 18 September 2013 was approved.

Councillor McLuckie entered the meeting during consideration of the following item of business.

P92. THE FALKIRK COUNCIL (40MPH SPEED LIMIT) (A905 GLENSBURGH TO SKINFLATS) ORDER 2013

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (40mph Speed Limit) (A905 Glensburgh to Skinflats) Order 2013 to implement a 40mph speed limit on the section of the carriageway between Skinflats and the newly installed Helix lifting bridge at the River Carron.

Decision

The Committee agreed to make the Traffic Regulation Order referred to in the Report.

P93. THE FALKIRK COUNCIL (ELPHINSTONE CRESCENT, MAIN STREET AND MILLER PLACE, AIRTH) (PROHIBITION OF WAITING) ORDER 2013

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (Elphinstone Crescent, Main Street and Miller Place, Airth) (Prohibition of Waiting) Order 2013 to implement waiting restrictions on the junctions outside Airth Primary School.

Decision

The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.

P94. 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 and 25 June 2013 (Paragraphs P17 and P36 refer), Committee (a) gave further

consideration to a report by the Director of Development Services, and (b) considered an additional report 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.

Baillie Buchanan, seconded by Councillor McLuckie, moved that Committee be minded to grant the application in accordance with the recommendations in the Report.

By way of an amendment, Councillor Turner, seconded by Councillor Carleschi, moved that that Committee be minded to grant the application in accordance with the recommendations in the report but subject to the amendments as undernoted:-

- that recommendation 6.1(2)(i) be amended to read ‘a timescale, not to exceed 12 months, for the restorations of Cowdenhill and the proposed period of vegetation establishment’;
- that recommendation 6.1(2)(viii) be amended to read ‘a method statement on the management and eradication of the Japanese Knotweed at the southern end of the site, to include the option for the provision of an alternative access to assist in the containment of this species until the eradication process is completed’; and
- that an additional recommendation 6.1(12) to be added to read ‘that prior to the start of the work an independent Liaison Group shall be formed, in consultation with the Banknock, Hags and Longcroft Community Council and local residents, to represent the interest of local residents in relation to this development. This Liaison Group shall be in addition to, and completely independent of, that which represents Banton residents’.

Having received advice from the Development Manager on the scale and complexity of the site and the reasonableness of a 12 month restoration period, Councillor Turner with the agreement of his seconder, and with the unanimous consent of the meeting in accordance with Standing Order 20.8, deleted the first part of his amendment under bullet one above.

On a division, 6 Members voted for the motion and 4 for the amendment.

Decision

The Committee agreed that it is MINDED to GRANT planning permission subject to the satisfactory completion of an obligation within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to prevent future extraction from Cowdenhill Quarry whilst any quarry exists at Tomfyne Farm. And thereafter, on conclusion of the foregoing matter, remit to the Director of Development Services 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) Prior to the extraction operations commencing at Tomfyne Farm the following details shall be submitted to and approved in writing by the Planning Authority:-
- (i) A timescale for the restorations of Cowdenhill and the proposed period of vegetation establishment;
 - (ii) Details of the final re-graded landform for the Doups Burn corridor;
 - (iii) A method statement for the regrading/levelling of the remainder of the quarry area and the regrading of the Doups Burn corridor;
 - (iv) A method statement for the hydro-seeding of the quarry face together with a specification of the seed mix proposed;
 - (v) Final confirmation of proposed management and treatment of water into the Doups Burn;
 - (vi) A detailed specification for all areas to be tree and shrub planted;
 - (vii) A fully detailed maintenance schedule for the initial maintenance to aid establishment of all planted and seeded areas for a five year period following completion of planting/seeding; and
 - (viii) A method statement on the management and eradication of the Japanese Knotweed at the southern end of the site.

Thereafter, the restoration works shall be carried out in accordance with the details unless otherwise agreed in writing with the Planning Authority.

- (3) Prior to extraction operations commencing at Tomfyne Farm full details of road markings and proposed signage shall be submitted to and approved in writing by the Planning Authority, thereafter the development shall be carried out in accordance with these details unless otherwise agreed in writing by the Planning Authority.
- (4) The hours of operation for works relating to the regrading of the Doups Burn and upgrading of the access road shall be restricted to 0800 hours to 1700 hours Monday to Friday only. All other restoration work shall be restricted to 0700 hours to 1830 hours Monday to Friday and 0700 hours to 1300 hours on Saturdays.
- (5) The access road from the A803 shall be maintained in a tidy condition, free from mud or slurry throughout the period of restoration and quarry operations at Tomfyne Farm and prior to the commencement of development at Tomfyne Farm, details of operations and measures to be taken to minimise dust generation including vehicle sheeting and the use of water bowsers to dampen road surfaces shall be submitted to and approved in writing by the

Planning Authority. Thereafter the site shall be operated in accordance with these details unless otherwise agreed in writing by the Planning Authority.

- (6) Prior to the commencement of development at Tomfyne Farm, a wheel wash facility in accordance with details and specifications to be submitted to and approved in writing by the Planning Authority shall be installed on the site access road leading from the A803 in a position to be agreed with the Planning Authority. Thereafter the wheel wash facility shall be maintained in an efficient working order for the use of all heavy goods vehicles leaving the Tomfyne or Cowdenhill Quarry sites. Such facilities shall be retained, maintained and in operation for the duration of the restoration and quarrying operations.
- (7) All access road upgrade and bunding works shall be completed prior to extraction operations commencing at Tomfyne Farm as proposed under North Lanarkshire application reference 12/0729/FUL or other permissions granted for quarrying operations at Tomfyne Farm, whichever is the sooner.
- (8) Any mud, slurry or spillages deposited on the public highway (A803) as a result of quarry or restoration operations shall be removed by the operator to the satisfaction of the Planning Authority.
- (9) Unless otherwise agreed in writing by the Planning Authority, the following blasting limitations shall be adhered to in full:-
 - (i) Any blasting operations shall take place five minutes either side of 1000 hours Monday - Friday inclusive and no blasting shall occur on weekends or public holidays. In the event of a blast failure, one blast shall be permitted five minutes either side of 1100 hours or 1200 hours and at no other time;
 - (ii) There shall be no more than one blast per day;
 - (iii) Blasting shall be carried out such that no component of peak particular velocity measured at any vibration sensitive building shall exceed 12mm/sec;
 - (iv) All blasting shall be carried out in accordance with current regulations for the use of explosives at quarries;
 - (v) All blasting shall be by down the hole initiation;
 - (vi) There shall be no storage of explosive material on site at any time;
 - (vii) In the event of emergency, where, in the interests of safety, blasting outwith the permitted times is considered necessary, the operator shall ensure that the Planning Authority is advised as soon as practicable of the nature and circumstances of such events; and
 - (viii) All blasting shall be carried out in accordance with the requirements of the Director of Development Services, Falkirk Council, which would include prior notification of

the intention to blast of at least three days, to the Environmental Health Team.

- (10) Prior to the start of work on site full details of the proposed security fencing and signage including ongoing maintenance and inspection arrangements shall be submitted to and approved in writing by the Planning Authority thereafter the fencing and signage shall comply with these details unless otherwise agreed in writing by the Planning Authority.
- (11) Prior to the start of work on site, full details of proposed pipeline protection and quarry face stabilisation measures in the vicinity of the Scottish Gas Networks high pressure gas pipeline shall be submitted to and approved in writing by the Planning Authority in consultation with Scottish Gas Networks. Thereafter all work on site shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Planning Authority.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure suitable restoration of the site is achieved.
- (3) To safeguard the interests of the users of the highway.
- (4) To ensure that occupants of nearby properties are safeguarded against excessive noise intrusion.
- (5-6,8) To safeguard road safety and air quality.
- (7) To ensure that the access road is upgraded to an acceptable standard.
- (9) To ensure that safe working practices are adhered to and environmental amenity levels are safeguarded.
- (10) To ensure that the site is adequately secured.
- (11) To ensure protection of the adjacent high pressure gas pipeline.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 - 12, 13A - 23A, 24B, 25A, 26 - 31 and supporting documents.
- (2) 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.

NOTE: Planning Officers will update Members at a later date on the progress and phasing of the restoration work at Cowdenhill Quarry. They will also, in reflection of Members' views during discussion, make a request to North Lanarkshire Council that representatives from Banknock, Haggs and Longcroft Community Council and local ward members are invited to participate in the Community Liaison Group to be established by North Lanarkshire Council in accordance with their approval of planning permission in relation to the Tomfyne Quarry.

P95. DEMOLITION OF A SINGLE STOREY COTTAGE AND WORKSHOP AND ERECTION OF DWELLINGHOUSE AT CADGERSLOAN COTTAGE, BONNYBRIDGE FK4 2EU FOR DR PAUL FLANIGAN - P/13/0458/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the demolition of a single storey cottage and workshop and the erection of a single storey dwellinghouse at Cadgersloan Cottage, Bonnybridge.

Decision

The Committee agreed grant to 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, the exact details of the colour and specification of the proposed external finishes 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) Unless otherwise agreed in writing by the Planning Authority, before the development commences a contaminated land assessment shall be submitted to and approved in writing by the 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 any approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by the Planning Authority.**

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To safeguard the visual amenity of the area.
- (3) To ensure the ground is suitable for the proposed 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, 02A, 03, 04A and 05.
- (3) The builder is advised to ensure that noisy work which is audible at the site boundary is only conducted between the following hours:-

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

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

- (4) Scottish Water have advised that:-
 - There are no public sewers in the vicinity of the proposed development;
 - Carron Valley Water Treatment Works may have capacity to serve the proposed development;
 - In some circumstances it may be necessary for the developer to fund works on existing infrastructure to enable their development to connect;
 - Their current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require pumping arrangements installed, subject to compliance with the current water byelaws; and
 - If the connection to public sewer and/or water main requires to be laid outwith public ownership, the developer must provide evidence of formal approval from the affected

landowner(s). This should be done through a deed of servitude.

P96. FORMATION OF A MULTI USE GAMES AREA COURT (MUGA COURT) AT DUNCAN STEWART PARK, HIGH STREET, BONNYBRIDGE FOR FALKIRK COUNCIL - P/13/0419/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the formation of a multi use games area court (MUGA Court) at Duncan Stewart Park, High Street, Bonnybridge.

Decision

The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.