

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 28 JANUARY 2015 at 9.30 a.m.**

**COUNCILLORS:**

Baillie William Buchanan (Convener)  
Colin Chalmers  
Craig Martin  
John McLuckie  
John McNally  
Cecil Meiklejohn  
Alan Nimmo  
Baillie Joan Paterson

**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  
Stuart Henderson, Environmental Health Officer  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Brent Vivian, Senior Planning Officer  
Bernard Whittle, Development Management Co-ordinator

**P107. APOLOGIES**

Apologies were intimated on behalf of Councillors Carleschi, Mahoney, Nicol and Turner.

**P108. DECLARATIONS OF INTEREST**

No declarations were made.

**P109. MINUTES**

**Decision**

- (a) The minute of meeting of the Planning Committee held on 27 November 2014 was approved;

- (b) The minute of meeting of the Planning On-Site Committee held on 8 December 2014 was approved, and
- (c) The minute of Special Meeting of the Planning Committee held on 8 December 2014 was approved.

**P110. DEMOLITION OF FORMER SCOUT HALL AND ERECTION OF 3 DWELLINGHOUSES AT SCOUT HALL, GARTCOWS ROAD, FALKIRK FOR GRS HOMES LTD - P/14/0336/FUL (CONTINUATION)**

With reference to Minutes of Meeting of the Planning Committee held on 29 October and 27 November 2014 (Paragraphs P79 and P91 refer), Committee gave (a) further consideration to a reports by the Director of Development Services; and (b) considered an additional report by the said Director seeking full planning permission to demolish a former scout hall and the erection of three detached dwellinghouses on a site extending 0.33 hectares on land to the south of Gartcows Road, Falkirk.

Councillor Chalmers, seconded by Councillor Meiklejohn, moved that the application be refused on the grounds that the proposal was contrary to Falkirk Council Local Plan Policy SC8 'Infill Development and Subdivision of Plots' and would have an adverse impact on road safety and the amenity of the area.

By way of an amendment, Councillor McLuckie, seconded by Baillie Paterson, moved that Committee grant full planning permission with conditions as detailed in the Report.

On a division, 3 Members voted for the motion and 5 voted for the amendment.

**Decision**

**The Committee 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) No dwellinghouse shall be occupied prior to the first 50 metres of the access to the site on Well Road from Gartcows Road being brought up to Falkirk Council adoptable standards as shown on approved drawing "Access Surface Treatment Plan".
- (3) Before development commences, a Tree Protections and Planting plan shall be submitted for the site, which plots the position of each tree accurately and tabulates details of species, crown spread, height, stem diameter and condition (in accordance with the

Council's SPG 'Trees and Development'). From this tree survey information and specifically the tree stem diameters, a 'Tree Constraints Plan' shall be provided to show the root protection areas (RPA) required for each tree where no development or construction operations shall take place. Development shall not commence on site until the submitted Tree Survey and Constraints Plan has been approved by Falkirk Council as Planning Authority including amendment as required.

- (4)
  - (i) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;
  - (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination;
  - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority, and
  - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
- (5) Before development commences a detailed specification schedule for all masonry, fenestration rain water goods and roofing construction materials shall be submitted for the written approval of Falkirk Council as Planning Authority including amendment as required.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.
- (2) In the interests of road safety.
- (3) In the interests of landscape quality.
- (4) To ensure the ground is made suitable for the approved development.
- (5) In the interests of visual amenity.

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01-06.
- (2) Records indicated that a public sewer/water main crossed the application site. Scottish Water is the Water and Drainage Authority for the area and has a policy of not permitting building over or in close proximity to sewers/water mains. Attention is therefore drawn to the fact that the planning permission does not constitute consent to build over or close to a public sewer/water mains.

**P111. ERECTION OF 4 RETAIL UNITS AND 4 FLATS WITH ACCESS AND PARKING FACILITIES ON LAND TO THE EAST OF 22A GLASGOW ROAD, GLASGOW ROAD, DENNY FOR MR NIMI DHILLON – P/14/0077/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the erection of a two storey building comprising four retail units and four flatted dwellings, with associated access and parking facilities, on a site consisting of vacant land on a lower level from the adjoining road to the east of 22A Glasgow Road, Glasgow Road, Denny.

**Decision**

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