

**P118. ERECTION OF 4 RETAIL UNITS AND 4 FLATS WITH ACCESS AND PARKING FACILITIES ON LAND TO THE OF EAST OF 22A GLASGOW ROAD, GLASGOW ROAD, DENNY FOR MR NIMI DHILLON - P/14/0077/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 28 January 2015 (Paragraph P111 refers), Committee gave (a) 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 erection of a two storey building comprising four retail units and four flatted dwellings, with associated access and parking facilities, on land to the east of 22A Glasgow Road, Glasgow Road, Denny.

Councillor McLuckie, seconded by Baillie Paterson, moved that planning permission be granted in accordance with the recommendations in the Report and with the additional informative relating to relevant parties working together to consider options to deter the potential for unauthorised parking.

By way of an amendment, Councillor McNally, seconded by Councillor Meiklejohn, moved that Committee continue consideration to obtain further information from the applicant in relation to addressing the parking issues at the site and the arrangements for refuse collection and associated issues.

On a division, 7 Members voted for the motion and 2 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) Notwithstanding the approved plans, the development shall not commence until exact details of the colour and specification of all proposed external finishing materials have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (3) The development shall not commence until exact details of the height, location, specification and colour of all proposed fences, walls and any other means of enclosure have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (4) The development shall not commence until a contaminated land assessment has been 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 an approved remediation strategy, and any necessary**

remediation completion report/validation certificate shall be submitted to and approved in writing by the Planning Authority.

- (5) The development shall not be brought into use until acoustic glazing with a specification of 6mm/12mm/6mm or acoustic equivalent and permanent ventilation (to ensure that windows can be kept closed without loss of ventilation) have been installed in the proposed flatted dwellings, in accordance with details to be approved in writing by the Planning Authority before the development commences. The acoustic glazing shall ensure that the internal levels with the windows closed do not exceed 35dB daytime and 30dB night-time, when measured at LAeq,T.
- (6) Before each proposed retail unit is occupied, exact details of the measures proposed to mitigate the potential for elevated levels of noise/vibration from refrigeration/ventilation plant 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. The scheme of mitigation shall ensure that future occupiers of the proposed flatted dwellings will not be subject to noise levels in excess of 35dB daytime and 30db night-time. The development shall be carried out in accordance with the approved details.
- (7) Before the development is brought into use, the proposed new access shall be constructed in a manner to ensure that no surface material or loose material is discharged onto the public road.
- (8) The development shall not commence until the applicant has demonstrated to the satisfaction of the Planning Authority that the proposed development would not be constructed over a culverted watercourse.

**Reason(s):-**

- (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.
- (2-3) To safeguard the visual amenity of the area.
- (4) To ensure the ground is suitable for the proposed development.
- (5) To ensure that the occupiers of the properties are safeguarded against excessive noise intrusion.
- (6) To ensure that the occupants of the property are safeguarded against excessive intrusion from noise and vibration.
- (7) To safeguard the interests of the users of the public highway.
- (8) It is contrary to good practice to build over culverted watercourses.

**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) 01B, 02C, 03, 04B, 05B, 06B, 07B, 08B, 09B, 10B, 11B, 13A, 14 and 15.
- (3) Scottish Water have advised that, due to the size of the proposed development, it will be necessary for Scottish Water to assess the impact of the new demand on their existing infrastructure. With any development of 10 or more housing units, or equivalent, there is a requirement to submit to a fully completed Development Impact Assessment form to Scottish Water. These forms could be found at [www.scottishwater.co.uk](http://www.scottishwater.co.uk).
- (4) The applicant is advised to work together with the relevant parties to consider options to deter the potential for unauthorised parking.