

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 27 MAY 2015 at 9.30 a.m.

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

OFFICERS: John Angell, Head of Planning and Transportation
Douglas Blyth, Team Leader, Legal Services
Kevin Collins, Transport Planning Co-ordinator
Ian Dryden, Development Manager
Rose Mary Glackin, Chief Governance Officer
Stuart Henderson, Environmental Health Officer
Alexandra Lewis, Planning Officer
Antonia Sobieraj, Committee Services Officer
Russell Steedman, Network Co-ordinator
Brent Vivian, Senior Planning Officer

P14. APOLOGIES

Apologies were intimated on behalf of Baillie Paterson and Councillors McNally and Nicol.

P15. DECLARATIONS OF INTEREST

Councillor Mahoney declared a non financial interest in item 7 (Ref. P22) by virtue of him being a member of Friends of Kinneil and a member of Historic Scotland, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

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

- Councillor Chalmers informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/14/0741/FUL (minute P19).
- Councillor Mahoney informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/14/0475/FUL (minute P20).

P16. REQUESTS FOR SITE VISITS

Having heard requests by members for site visits, the Committee agreed to the continuation of planning applications P/15/0110/FUL, P/14/0729/FUL, P/14/0483/PPP and P/15/0102/FUL (minute P21, P22, P23 and P24).

P17. MINUTES

Decision

- (a) The minute of meeting of the Planning Committee held on 29 April 2015 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 11 May 2015 was approved.

P18. MATTERS ARISING FROM MINUTE OF 29 APRIL 2015

Prior to further consideration of business, following a member's request for an update in relation to application P/14/0094/FUL (Ref. P10), the Convener invited the Development Manager to provide an update on the progress of the matters referred to in the minute. The Development Manager advised that, following discussions with the applicant and their agent, engagement was currently taking place with the community in relation to a revised landscaping treatment. The applicant's appeal against the SEPA enforcement action was also discussed and it was noted that an updated report would be submitted to the next meeting, to allow the Committee to consider the issues outstanding.

P19. ERECTION OF DWELLINGHOUSE ON LAND TO THE NORTH EAST OF VICTORIA COTTAGE, FALKIRK FOR THE FIRM OF JAMES SHANKS & SONS - P/14/0741/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 29 April 2015 (Paragraph P11 refers), 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 erection of a one and a half storey dwellinghouse on land measuring 2,340 square metres to the north east of Victoria Cottage, Falkirk.

In accordance with Standing Order 38.1(x) the Convener gave consent to Councillor Hughes to speak in relation to this item of business, the said Member having duly given at least 24 hours notice.

Decision

The Committee agreed to refuse planning permission on the basis that the development was contrary to Policies SC03, SC08 and EQ19 of the Falkirk Council Local Plan and on the basis that the development would be detrimental to road safety.

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

P20. ERECTION OF SHOP, HOT FOOD TAKE-AWAY AND 6 FLATTED DWELLINGS WITH ASSOCIATED CAR PARKING AT SPAR AND FLAMES, SALMON INN ROAD, POLMONT, FALKIRK FK2 0XF FOR MR ABDUL SATTAR - P/14/0475/FUL (CONTINUATION)

With reference to Minutes of Meeting of the Planning Committee held on 25 March and 29 April 2015 (Paragraphs P133 and P8 refer), Committee (a) gave further consideration to a reports 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 shop, hot food take-away and 6 flatted dwellings with associated car parking at Spar and Flames, Salmon Inn Road, Polmont, Falkirk.

Decision

The Committee agreed that it is **MINDED** to **GRANT** planning permission subject to the satisfactory conclusion of a legal agreement/planning obligation to the satisfaction of the Director of Development Services within the terms of Section 69 of the Local Government (Scotland) Act 1973 or Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, for the sum of £5,460 towards off site open space and play provision.

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 start of work on site, full details in regard to odour and noise control measures associated with the hot food takeaway unit shall be submitted to and approved in writing by the Planning Authority. These should include a detailed specification of:-
 - (i) Cooking odour extraction system, including its proposed flue exit point on the external facade of the property;
 - (ii) Measures to control odour emissions; and

- (iii) Measures employed to control noise emissions from any extraction or ventilation systems and noise output from fan.
- (3) Prior to the start of work on site full drainage details demonstrating how surface water drainage will be dealt with at the site shall be submitted to and approved in writing by the Planning Authority.
- (4) Prior to the start of work on site, details of the height and construction of all boundary treatments shall be submitted to and approved in writing by the Planning Authority.
- (5) Prior to the start of work on site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.
- (6) Unless otherwise agreed in writing by the planning authority, no building on the site shall be occupied until such time that the car parking shown on the Approved Plan has been completed.
- (7) Development shall not begin until details of the scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
 - (i) indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their replacement;
 - (ii) location of new trees, shrubs, hedges and grassed areas;
 - (iii) schedule of plants to comprise species, plant sizes and proposed numbers/density; and
 - (iv) programme for completion and subsequent maintenance.
- (8) Prior to the start of works on site, or within an alternative timescale agreed in writing by the Planning Authority, the access road to the rear of the site (Meadowbank) shall be converted to a one way system.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2,4,5) To safeguard the residential amenity of the area.
- (3) To ensure that adequate drainage is provided.
- (6) To ensure that adequate car parking is provided.
- (7) To safeguard the visual amenity of the area.
- (8) To safeguard the interests of the users of the highway.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02B, 03A, 04B and 05.
- (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.
- (3) Separate consent may be required from Scottish Water for certain aspects of the development.
- (4) A Traffic Regulation Order is required in connection with the development to put in place a one way system on the access road to the rear of the site (Meadowbank). Prior to the start of work on site, the developer should contact the Roads and Design Network Coordinator at Abbotsford House, Falkirk to ascertain the timescales and procedures involved in obtaining such an order. The full costs of the process are to be met by the applicant.

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

- P21. EXTENSION TO DWELLINGHOUSE AT 12 BLAIRLODGE AVENUE, POLMONT, FALKIRK FK2 0AD FOR MR WILLIAM MITCHELL – P/15/0110/FUL**
- P22. ERECTION OF SINGLE WIND TURBINE, 87 METRES TO TIP, CRANE PAD AND ANCILLARY INFRASTRUCTURE AT SITE TO THE NORTH OF UPPER KINNEIL BUNGALOW, LINLITHGOW FOR KINNEIL POWER LLP - P/14/0729/FUL**
- P23. DISTRIBUTOR ROAD AND ASSOCIATED EARTH WORKS ON LAND TO THE NORTH OF SHAMISTLE, MADDISTON, FALKIRK FOR MANOR FORREST LTD & LAND OPTIONS WEST LTD - P/14/0483/PPP**
- P24. CHANGE OF USE FROM DWELLINGHOUSE (CLASS 9) TO CHILDREN'S CARE HOME (CLASS 8) AT 102 OSWALD STREET, FALKIRK FK1 1QL FOR FTS CARE LTD - P/15/0102/FUL**