

**FALKIRK COUNCIL**

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

**COUNCILLORS:** Baillie William Buchanan (Convener)  
Colin Chalmers  
Steven Carleschi  
Paul Garner  
Adrian Mahoney  
Craig Martin  
John McLuckie  
Martin Oliver  
Baillie Joan Paterson  
Sandy Turner

**OFFICERS:** John Angell, Head of Planning and Transportation  
Kevin Collins, Transport Planning Co-ordinator  
Elspeth Forsythe, Planning Officer  
Rose Mary Glackin, Chief Governance Officer  
Iain Henderson, Legal Services Manager  
John Sleith, Environmental Health and Trading  
Standards Manager  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Richard Teed, Senior Forward Planning Officer  
Brent Vivian, Senior Planning Officer  
Bernard Whittle, Development Management Co-ordinator

**P71. APOLOGIES**

Apologies were intimated on behalf of Councillor Nimmo.

**P72. DECLARATIONS OF INTEREST**

Councillor Oliver declared a non financial interest in item 8 (minute P78) by virtue of him being an objector to the application, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

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

**P73. MINUTES**

**Decision**

- (a) The minute of meeting of the Planning Committee held on 15 September 2015 was approved; and
- (b) The minute of meeting of the Planning On-Site Committee held on 28 September 2015 was approved.

**P74. ERECTION OF PERGOLA AND SECTION OF LATTICE FENCING (RETROSPECTIVE) FOR 26 GRANGEBURN ROAD, GRANGEMOUTH, FK3 9AA FOR MR THOMAS PATERSON - P/15/0370/FUL**

With reference to Minute of Meeting of the Planning Committees held on 15 September 2015 (Paragraph P65 refers), Committee (a) gave further consideration to a report to that meeting 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 single storey pergola and a section of wooden lattice fencing (retrospective) at 26 Grangeburn Road, Grangemouth.

**Decision**

**The Committee agreed to grant planning permission.**

**Informative:-**

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02 - 08.

**P75. PROPOSED CYCLEWAY BETWEEN DENNY AND FALKIRK AT SITE TO THE SOUTH EAST OF DENNY CEMETERY FOR FALKIRK COUNCIL - P/15/0136/PPP**

The Committee considered a report by the Director of Development Services on an application for planning permission in principle for the construction of a 3 metre wide cycleway/footpath between the Three Bridges Roundabout on the A883 at Falkirk to land to the south of Denny Cemetery including a spur from the cycleway and passing Roughmute Refuse Centre and tying into the path network on land to the south of Bonnybridge Primary School, Bonnybridge.

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

Councillors Carleschi, Garner, and Oliver left and re-entered the meeting during consideration of the following item of business.

**P76. RESIDENTIAL AND MIXED USE PHASED DEVELOPMENT FOR THE WHITECROSS SIRR, INCLUDING UP TO 1500 RESIDENTIAL UNITS, COMMUNITY AND ENTERPRISE FACILITIES, TRANSPORT AND ENVIRONMENTAL INFRASTRUCTURE AND EMPLOYMENT SPACE AT MANUEL WORKS, WHITECROSS, LINLITHGOW EH49 6LH FOR MORSTON ASSETS / MWL MAXINE DURY - P/10/0188/PPP**

With reference to Minutes of Meetings of the Planning Committee held on 25 February, 19 August and 15 September 2015 (Paragraphs P120, P53 and P64 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for residential and mixed use phased development for the Whitecross SIRR, including up to 1500 residential units, community and enterprise facilities, transport and environmental infrastructure and employment space at Manuel Works, Linlithgow.

**Decision**

The Committee agreed to refuse the application for planning permission in principle on the basis that the Section 75 Planning Obligation had not been satisfactorily concluded within a reasonable timescale.

**P77. USE OF LAND FOR END OF LIFE VEHICLE DECONTAMINATION AND DE-LIQUIDISING FACILITY AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT ALL PARTS AUTO SALVAGE, HILLVIEW ROAD, HIGH BONNYBRIDGE FK4 2BD FOR ALL PARTS AUTO SALVAGE - P/14/0094/FUL**

With reference to Minutes of Meetings of the Planning Committee held on 25 March, 29 April and 25 June 2015 and (Paragraphs P132, P10 and P34 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director in relation to conditions imposed in a planning permission granted for the use of land for an end of life vehicle decontamination and de-liquidising facility and storage of scrap material (retrospective) at All Parts Auto Salvage, Hillview Road, High Bonnybridge, Bonnybridge.

**Decision**

**The Committee:-**

- (1) noted the report; and**
- (2) agreed that an updated report (together with photographic substantiation showing progress on site) be submitted to the meeting of the Committee in January 2016.**

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

Councillor Carleschi left and re-entered the meeting during consideration of the following item of business.

**P78. DEVELOPMENT OF LAND FOR UP TO 550 HOUSES, A COMMERCIAL BLOCK INCLUDING A CONVENIENCE STORE AND NURSERY, AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS JUNCTION WORKS, NEW ROADS AND PATHS, OPEN SPACE, WOODLAND PLANTING, SURFACE WATER DRAINAGE PONDS AND PLAY FACILITIES ON LAND TO THE NORTH OF WATSON PLACE, GLASGOW ROAD, LONGCROFT FOR MACTAGGART & MICKEL - P/09/0508/OUT**

With reference to Minutes of Meetings of the Planning Committee held on 23 March 2011 and 25 February 2015 (Paragraphs P215 and P122 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle (formerly outline planning permission) for the development of land for up to 550 dwellinghouses and a commercial block and associated infrastructure including an access junction works, new roads and paths, open space, woodland planting, surface water drainage ponds and play facilities on a site to the north of Watson Place, Glasgow Road, Longcroft.

**Decision**

**The Committee:-**

- (1) noted the report; and
- (2) agreed to continue consideration of the application noting that if the Section 75 Planning Obligation has not been satisfactorily concluded and planning permission in principle granted (with the updated planning conditions detailed in the recommendation to the report) by 23 February 2016, the matter will require to be brought back to Committee for further consideration and potential refusal.

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

Councillor Carleschi left and re-entered the meeting during consideration of the following item of business.

**P79. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT MILNQUARTER FARM, ROMAN ROAD, BONNYBRIDGE, FK4 2DE FOR STEWART HOMES - P/11/0142/PPP**

With reference to the Minute of Meeting of the Planning Committee held on 19 August 2015 (Paragraph P56 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the development of land for residential purposes on a site at Milnquarter Farm, Roman Road, Bonnybridge.

**Decision**

The Committee agreed to continue consideration of the application for a site visit by members of the Committee only to view the physical characteristics of the site and requested that officers contact the Directorate for Planning and Environmental Appeals to seek an extension to the time to respond to the procedure note.

**P80. DISTRIBUTOR ROAD AND ASSOCIATED EARTH WORKS ON LAND TO THE NORTH OF SHAMISTLE, MADDISTON, FALKIRK FOR MANOR FORREST LTD AND LAND OPTIONS WEST LTD - P/14/0483/PPP**

With reference to Minutes of Meetings of the Planning Committee held on 27 May and 25 June 2015 (Paragraphs P23 and P35 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the construction of a distributor road and associated earth works measuring 7.3 metres in width with 2 x 2 metre wide verges and a 3 metre wide footway/cycleway linking to the recently constructed roundabout at the Parkhall housing development at Maddiston to an approved roundabout on the A801 on land to the north of Shamistle, Maddiston, Falkirk.

**Decision**

The Committee agreed to continue consideration of the application:-

- (1) to allow the applicants to provide information to officers in relation to areas of concern identified in the report;
- (2) to enable officers to provide information to members in relation to previous application, permission and development at Parkhall Farm in so far as it may be relevant to the current application; and
- (3) to undertake site visit by members of the Committee only to view the physical characteristics of the site.

**P81. DEVELOPMENT OF LAND FOR RESIDENTIAL USE (12 NO. FLATS AND 7 NO. DWELLINGHOUSES) ON LAND TO THE WEST OF 127 DUKE STREET, DUKE STREET, DENNY FOR FALKIRK COUNCIL - P/15/0363/PPP**

The Committee considered a report by the Director of Development Services on an application for planning permission in principle for the development of land for residential use (for Falkirk Council affordable social housing) for 19 new units comprising a mix of flatted accommodation, semi detached and terraced housing with vehicular access off Duke Street and new tree planting within adjoining land to be retained as open space, on land to the west of 127 Duke Street, Denny.

**Decision**

**The Committee 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 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 building(s);**
  - (b) The design of the building(s);**
  - (c) The external appearance of the building(s);**
  - (d) Details of the access arrangements;**
  - (e) Details of landscaping of the site;**
  - (f) Details of proposed boundary treatments;**
  - (g) A drainage strategy and surface water drainage design, and**
  - (h) Details of proposed levels.**
- (2) The development shall not commence until a contaminated land assessment has been submitted to and approved in writing by the Planning Authority. The development shall not be occupied until (a) any necessary remedial works to make the ground safe have been carried out in accordance with an approved remediation strategy, and (b) any necessary remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority;**
- (3) The development shall not be occupied until an acoustic barrier has been provided in accordance with the recommendations of the Road Traffic Noise Impact Assessment prepared by Robin Mackenzie Partnership (RMP), dated 6 February 2015;**
- (4) Each dwellinghouse/flat shall be fitted with glazing/ventilation in accordance with the recommendations of the Road Traffic Noise Impact Assessment prepared by Robin Mackenzie Partnership (RMP), dated 6 February 2015, before it is occupied;**

- (5) A sum of £65,786 shall be paid to the Roads Authority towards the construction of the Denny Eastern Access Road (DEAR). The development shall not commence until the time(s) of payment of the contribution has been agreed in writing by the Planning Authority in consultation with the Roads Authority. The contribution shall be index linked from the date of grant of planning permission in principle, and
- (6) A sum of £57,850 shall be paid to the Education Authority towards the future upgrade of Denny Primary School and Denny High School. The development shall not commence until the time(s) of payment of the contribution has been agreed in writing by the Planning Authority in consultation with the Education Authority. The contribution shall be indexed linked from the date of grant of planning permission in principle.

**Reasons(s):-**

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the ground is suitable for the proposed development.
- (3-4) To ensure that the occupants of the new housing are safeguarded against excessive noise intrusion.
- (5) A proportional financial contribution towards the delivery of the DEAR is required in order to address the cumulative impact of new development in the area on capacity issues at Denny Cross.
- (6) A proportional financial contribution is required in order to address capacity issues at Denny Primary School and Denny High School as a consequence of the cumulative impact of new housing development in the area.

**P82. CHANGE OF USE OF PUBLIC OPEN SPACE TO PRIMARY SCHOOL GROUNDS AND ERECTION OF FENCE (RETROSPECTIVE) ON LAND TO THE NORTH OF BANKIER PRIMARY SCHOOL, BANKIER ROAD, BANKNOCK FOR FALKIRK COUNCIL – P/15/0460/FUL**

The Committee considered a report by the Director of Development Services on an application for full planning permission for the change of use of public open space to primary school grounds and the erection of a 2.8 metre high steel mesh fence (retrospective) on a site consisting of a grassed amenity area within an existing open space on land to the north of Bankier Primary School, Bankier Road, Banknock.

**Decision**

The Committee agreed to continue consideration of the application to request information from the applicant on measures to mitigate the loss of open space in the area from this proposal.