

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 27 APRIL 2016 at 9.30 a.m.**

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

**OFFICERS:** John Angell, Head of Planning and Transportation  
Ian Dryden, Development Manager  
Kevin Collins, Transport Planning Co-ordinator  
Elspeth Forsyth, Senior Planning Officer (Landscape)  
Rose Mary Glackin, Chief Governance Officer  
Iain Henderson, Legal Services Manager  
Antonia Sobieraj, Committee Services Officer  
Russell Steedman, Network Co-ordinator  
Danny Thallon, Planning Officer  
Brent Vivian, Senior Planning Officer

**P4. APOLOGIES**

No apologies were intimated.

**P5. DECLARATIONS OF INTEREST**

No declarations were made.

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/15/0583/FUL (minute P158).

- Councillor Nicol informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/15/0583/FUL (minute P158).
- Baillie Paterson informed the Committee that as she had not attended the site visit she would not take part in consideration of planning application P/15/0583/FUL (minute P158).

**P6. MINUTES**

**Decision**

- (a) **The minute of meeting of the Planning Committee held on 23 March 2016 was approved; and**
- (b) **The minute of meeting of the Planning On-Site Committee held on 4 April 2016 was approved.**

**P7. THE FALKIRK COUNCIL (COW WYND, FALKIRK) PROHIBITION OF WAITING) ORDER 2015**

The Committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council Cow Wynd, Falkirk (Prohibition of Waiting) Order 2015.

Councillor Nicol, seconded by Baillie Buchanan, moved that the Committee continue consideration of the matter to a Hearing in terms of the Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999.

In accordance with Standing Order 20.9, and with the unanimous consent of the meeting, Councillor Nicol and his seconder withdrew the motion to allow further consideration of the matter.

**Decision**

**The Committee agreed to continue consideration of the matter to a future meeting to allow consideration of the objections made to the proposed Order.**

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

**P8. THE FALKIRK COUNCIL (UNION ROAD AND MAIN STREET, CAMELON, FALKIRK) (PROHIBITION OF SPECIFIED TURNS AND ONE WAY TRAFFIC) ORDER 2015**

With reference to Minute of Meeting of the Planning Committee held on 1 February 2016 (Paragraph P113 refers), Committee (a) gave further consideration to the report by the Director of Development Services; and (b) considered an additional report by

the said Director seeking a decision on the Falkirk Council (Union Road and Main Street, Camelon, Falkirk) (Prohibition of Specified Turns and One Way Traffic) Order 2015.

As the recommendation in the report sought to change a decision taken within the last six months, Standing Order 35 applied. As a preliminary point, and prior to any discussion on the substance of the report, consideration was given to whether there were grounds to review or reconsider the decision previously reached. Following discussion, and having had regard to advice from the relevant officer, the Convener determined that the Committee be given the opportunity to consider whether the matter should be reconsidered in terms of Standing Order 35.1(iii). The Committee members unanimously agreed that the matter be reconsidered.

### **Decision**

**The Committee agreed not to make the Traffic Regulation Order referred to in the Report.**

Baillie Paterson left and re-entered the meeting during consideration of the following item of business but did not take part in consideration thereon.

**P9. ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE ON LAND TO THE WEST OF 10 AGRICULTURAL HOLDINGS, KILSYTH ROAD, LONGCROFT FOR MRS FIONA CARLIN – P/15/0583/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 23 March 2016 (Paragraph P151 refers), Committee (a) gave further consideration to the 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 four bedroom two storey detached dwellinghouse and an attached double garage on a site consisting of open grazing land lying to the west of an existing dwellinghouse on land to the west of Agricultural Holdings, Kilsyth Road, Longcroft.

The Convener agreed an adjournment at 11.35 a.m. prior to full consideration of this item of business to allow members to read the contents of a letter received from the landowner following the meeting of the Planning Committee On Site held on 4 April 2016. The meeting reconvened at 11.45 a.m. with all Members present as per the sederunt.

Councillor Oliver, seconded by Councillor Turner, moved that the Committee (1) note the undertaking by the owner of the entire H10 site that she (a) has no intention now or in the future of allowing development of the site with the exception of the self build house which is the subject of this application; and (b) will support removal of the site from the Falkirk Local Development Plan; and (2) grant planning permission subject to conditions 1 to 8 detailed within the report.

By way of an amendment, Councillor Martin, seconded by Councillor Mahoney, moved that Committee be minded to grant planning permission in accordance with the recommendations within the report.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 9 members present with voting as undernoted:-

For the motion (5) - Baillie Buchanan; Councillors Carleschi, Garner, Oliver and Turner.

For the amendment (4) - Councillors Mahoney, C Martin, McLuckie and Nimmo.

## **Decision**

**The Committee (1) noted the undertaking by the owner of the entire H10 site that she (a) has no intention now or in the future of allowing development of the site with the exception of the self build house which is the subject of the application; and (b) will support removal of the site from the Falkirk Local Development Plan; and (2) 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 development shall commence until the exact details of the colour and specification of the 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) No development shall commence until the exact details of the height, location, construction, colour and plant species etc. of all proposed means of boundary 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 and a timescale(s) to be agreed in writing by the Planning Authority.**
- (4) The dwellinghouse shall not be occupied until acoustic glazing with a specification of 10/12/6 or acoustic equivalent is installed and permanent ventilation is provided in order that windows can be kept closed without loss of ventilation. The acoustic glazing shall ensure that internal levels with the windows closed do not exceed 35dB daytime and 30dB night-time, when measured as LAeq,T.**
- (5) No development shall commence until the exact details of the finalised scheme for sewage and surface water drainage has been submitted to and approved in writing by the Planning Authority. If the approved scheme**

includes drainage via the existing stone culvert, a CCTV survey of the culvert shall be carried out before the development commences, to determine its condition and any blockages, and any necessary remedial works and the maintenance arrangements shall be subject to the written approval of the Planning Authority.

- (6) Vehicular access to the property shall be via a dropped kerb footway crossing, formed in accordance with details to be approved in writing by the Planning Authority.
- (7) The driveway shall be formed with a maximum gradient of 1 in 10 and in a manner to ensure that no surface water is discharged, or loose material is carried, onto the public road.
- (8) The dwellinghouse shall not be occupied until visibility splays measuring 2.4 metres x 59 metres are provided in both directions from the access onto the A803. There shall be no obstruction to visibility greater than 600mm above the height of the carriageway within these splays.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2,3) To safeguard the visual amenity of the area.
- (4) To ensure the occupiers of the property are safeguarded against excessive noise intrusion from transportation noise.
- (5) To ensure that adequate drainage is provided.
- (6-8) To safeguard the interests of the users of the highway.

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) 01, 02, 03, 04 and 05.
- (3) Formation of the dropped kerb will require Minor Roadworks Consent. The applicant should contact Roads Services on 01324 506070 to obtain the relevant application form.
- (4) The applicant is advised to ensure that noisy works that are audible at the application site boundary are only conducted during the following hours:-
  - Monday to Friday 0800 to 1800 hours

- Saturday 0900 to 1700 hours
- Sunday/Bank Holidays 1000 to 1600 hours

Deviation from these hours will not be permitted unless in emergency circumstances and with the prior approval of the Environmental Health Unit.

- (5) The applicant is advised to ensure that all works on the affected of the application site cease in the event that any made ground, suspect substances or odours are encountered following the commencement of the development. In such circumstances, the applicant is required to notify the Planning Authority immediately, carry out a contaminated land assessment and undertaken any necessary remediation works, and only recommence the development with the prior written approval of the Planning Authority.

Councillor Garner left the meeting following consideration of the foregoing item of business

**P10. USE OF LAND FOR END OF LIFE VEHICLE DECONTAMINATION AND DELIQUIDISING FACILITY AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT ALL PARTS AUTO SALVAGE, HILLVIEW ROAD, HIGH BONNYBRIDGE, 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, 25 June and 28 October 2015 and 1 February, 24 February and 23 March 2016 (Paragraphs P132, P10, P34, P77, P115, P135 and P150 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 contents of the report; and
- (2) agreed to consider a further update report at the meeting of the Committee in September 2016.