

P90. Change of Use from a Vacant Retail Unit (Class 1) to a Hot Food Takeaway (Sui Generis); Installation of Extraction/Ventilation Equipment and External Alteration at 24 High Street, Bonnybridge FK4 1DA for DPSK Ltd - P/16/0423/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 26 October 2016 (Paragraph P71 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 change of use from a vacant retail unit (class 1) to a hot food takeaway at 24 High Street, Bonnybridge.

Baillie Buchanan, seconded by Councillor Nicol, moved that Committee grant planning permission in accordance with the recommendations within the report.

As an amendment, Councillor Oliver, seconded by Councillor Garner, moved that Committee refuse planning permission on the ground of road safety.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (7) - Baillies Buchanan and Paterson; and Councillors Chalmers, C Martin, McLuckie, Nicol and Nimmo.

For the amendment (3) - Councillors Carleschi, Garner and Oliver.

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) The proposed development shall not be brought into use until the extraction duct has been painted a colour to be approved in writing by the Planning Authority.**
- (3) The hours of opening of the hot food takeaway shall be limited to between the hours of 11:00 hours and 23:00 hours.**
- (4) Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwellinghouse or noise sensitive buildings in excess of the equivalent to Noise Rating Curve (N.R.C) 35 between 07:00 hours and 22:00 hours and N.R.C 25 at all other times.**

Reasons:-

- (1) As these drawings and details constitute the approved development.**
- (2) In the interests of visual amenity; to ensure the external finish is appropriate to the character of the area.**
- (3-4) To safeguard the residential amenity of the area.**

Informatives:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02B, 03D, 04, 05A, 06A, 07, 08B, 09B and 10.**
- (2) 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.**