



Agenda Item 6

**CHANGE OF USE OF FIRST FLOOR
ANCILLARY STORAGE AREA (FOR
PUBLIC HOUSE, RESTAURANT AND
FUNCTION SUITE) TO HOTEL (CLASS 7),
EXTENSION TO BAR AND EXTERNAL
ALTERATIONS AT MASONIC ARMS, 224
GLASGOW ROAD, LONGCROFT,
BONNYBRIDGE, FK4 1QP FOR MANGO
RESTAURANT - P/17/0783/FUL**

FALKIRK COUNCIL

Subject: CHANGE OF USE OF FIRST FLOOR ANCILLARY STORAGE AREA (FOR PUBLIC HOUSE, RESTAURANT AND FUNCTION SUITE) TO HOTEL (CLASS 7), EXTENSION TO BAR AND EXTERNAL ALTERATIONS AT MASONIC ARMS, 224 GLASGOW ROAD, LONGCROFT, BONNYBRIDGE, FK4 1QP FOR MANGO RESTAURANT - P/17/0783/FUL

Meeting: PLANNING COMMITTEE

Date: 19 June 2018

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Denny and Banknock

Councillor Jim Blackwood
Councillor Fiona Collie
Councillor Paul Garner
Councillor Nigel Harris

Community Council: Banknock, Haggs and Longcroft

Case Officer: Julie Seidel (Planning Officer), Ext. 4880

UPDATE REPORT

1. Members will recall that this application was originally considered by the Planning Committee on 20 March 2018 (copy of previous report appended), when it was agreed to continue the application for a site visit. The site visit took place on Tuesday 3 April 2018. The application was heard by Planning Committee again on 25 April 2018 (copy of previous report appended), where it was agreed to continue the application to allow a survey of the site to be undertaken.
2. Following on from this, the applicant advises that a survey of the site was undertaken and has submitted an existing plan, a proposed site plan and a topographical plan. The proposed site plan shows 42 spaces in the car park. The applicant has also submitted a Supporting Statement raising the following issues:
 - The existing restaurant, bar and function suite operate well with the current car park arrangement of 28 spaces. The business has not experienced any negative traffic management issues to date;
 - Staff are transported to and from the site by minibus, which doesn't stay on site, so there are no staff cars parked in the car park at any time;

- Midweek there are approximately 15 cars using the car park in the morning and 20 in the evening. At the weekend there are approximately 20 cars using the car park in the morning and 25 in the evening; and
 - The hotel is required primarily for existing customers using the premises for functions and weddings. Customers staying at the hotel would already be using the car park.
3. The submitted plans were checked on site by officers and it is considered that the car park dimensions (as measured from the plans and on site) appear to be generally accurate. However, the Roads Development Unit advise that the Ordnance Survey data (which the drawings are based on) is superseded by alterations on the ground and as such there is not enough information contained in the drawings to demonstrate that the proposed arrangement of car park spaces at the entrance could be achieved (i.e. the pavement arrangement is not accurate, the boundary wall and lighting columns are not shown, etc.). They also raise concerns in relation to the stone boundary wall between the application site and No. 2 Cumbernauld Road and whether this could withstand vehicle loading.
 4. Planning permission P/15/0707/FUL, which dealt with the first floor extension of the building to form a store room, included an extension of the car park to the south and west of the site. Condition No. 3 required the car park to be completed within 3 months of the decision. The car park was extended to the south, but the western extension was not carried out and the fence is therefore erected in the wrong position.
 5. As such the applicant is currently in breach of condition No.3 of P/15/0707/FUL and the fence is unauthorised. The position of the fence and the submission of inaccurate plans to support this application lead to the fence line being assessed as the western boundary of the site and the land beyond as garden ground for the adjacent property.
 6. It is noted that the applicant could complete the car park extension in accordance with planning permission P/15/0707/FUL. The car park layout, which should have been implemented, shows 36 spaces. The proposed car park layout for this application shows 42 spaces, which would achieve 6 additional spaces. As a result, this would still leave a shortfall of 8 spaces required to serve the proposed hotel use.
 7. Members should also note that there are a number of other breaches of planning control at the site, including 5 newly erected advertisement banners on the western boundary fence, a banner sign on the front elevation of the building and an unauthorised 'portacabin' to the rear of the site. If Members decided to progress the application on the basis that the car park could be implemented under planning permission P/15/0707/FUL, there are concerns that there would still be a shortfall of at least 8 spaces (noting that the proposed spaces to the front of the site have not been demonstrated as being acceptable).

8. If Members decide to grant planning permission, planning conditions could be used to seek accurate survey data at the entrance to the site and information for the car park extension, including proposed levels, construction materials and proposed boundary treatment (including the stability of the existing wall). A further condition requiring the car park to be fully completed prior to the use being activated could also be considered.
9. It is considered that no further matters have emerged from the site visit and continuation that would alter the recommendation to refuse planning permission.

10. RECOMMENDATION

10.1 It is therefore recommended that the Planning Committee refuse the application for the following reason(s):-

1. The proposed development generates an additional parking requirement of 14 in-curtilage spaces which cannot be adequately provided. The application site is located at a challenging road junction, where increased vehicular movements and demand for on-street parking would have a detrimental impact on road safety and unacceptably impact upon the residential amenity of surrounding residential properties. This is contrary to policies BUS01 'Business and Tourism' and BUS04 'Business Development outwith Designated Business Areas' of the Falkirk Local Development Plan and the National Roads Development Guide (SCOTS 2015).

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A and 03 - 10.

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pp Director of Development Services

Date: 11 June 2018

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. National Roads Development Guide (SCOTS 2015).
3. Objection received from Mr Gordon Waddell, 343 Glasgow Road, Longcroft, Bonnybridge, FK4 1QR on 4 January 2018.
4. Objection received from Mrs Susan Storrar, 2 Cumbernauld Road, Longcroft, Bonnybridge, FK4 1QJ on 2 February 2018.
5. Objection received from Mr John Bell, 341 Glasgow Road, Longcroft, Bonnybridge, FK4 1QR on 3 January 2018.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

FALKIRK COUNCIL

Subject: CHANGE OF USE OF FIRST FLOOR ANCILLARY STORAGE AREA (FOR PUBLIC HOUSE, RESTAURANT AND FUNCTION SUITE) TO HOTEL (CLASS 7), EXTENSION TO BAR AND EXTERNAL ALTERATIONS AT MASONIC ARMS, 224 GLASGOW ROAD, LONGCROFT, BONNYBRIDGE, FK4 1QP FOR MANGO RESTAURANT - P/17/0783/FUL

Meeting: PLANNING COMMITTEE

Date: 25 APRIL 2018

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Denny and Banknock

Councillor Jim Blackwood
Councillor Fiona Collie
Councillor Paul Garner
Councillor Nigel Harris

Community Council: Banknock, Haggs and Longcroft

Case Officer: Julie Seidel (Planning Officer), Ext. 4880

UPDATE REPORT

1. Members will recall that this application was originally considered by the Planning Committee on 20 March 2018 (copy of previous report appended), when it was agreed to continue the application for a site visit. The site visit took place on Tuesday 3 April 2018.
2. Following a summary of the proposal by the case officer, the agent spoke in support of the application, commenting that the proposed hotel would be a good addition to the existing business and the local area. The agent advised that overspill car parking could be provided to support the proposed development. The applicant advised that it is intended to remove the unauthorised portable building, entrance gates and the telegraph pole to assist in this matter.
3. The case officer confirmed that details relating to overspill parking and the removal of existing features in the car park were not submitted as part of the application submission.

4. An objector spoke, raising concerns in relation to parking, visibility and road safety.
5. Members viewed the site and the current parking arrangements.
6. During the site inspection, the agent also referred to the existing fence on the western boundary being removed to create a larger parking area. It was noted that this did not form part of the submitted plans. It was agreed that the applicant would submit an accurate surveyed plan of the current site and submit a plan showing the proposed parking layout and detail the changes proposed to facilitate the additional spaces.
7. Members sought clarification in relation to parking requirements for the current use. At the time of planning application (Ref: P/14/0418/FUL) for the alteration and extension to public house, erection of decking and alteration to car park, the Council's Roads Development Unit advised that there was a shortfall of 20 spaces on site (based on a proposed block plan showing 23 spaces). Since then additional parking has been created to the rear of the site and the business has a current shortfall of approximately 16 spaces.
8. Local Member Councillor Harris advised that he had no questions or comments.
9. Since the site visit, the applicant has submitted an amended existing and proposed site plan. The amended plans show the removal of the gates, telegraph pole and an extension of the car park into a landscaped area, beyond the western fence line. The car park extension requires the benefit of planning permission and was not included in the application drawings or description of the proposed development. As such the additional parking, to serve the proposed hotel development, cannot be considered as part of this application process.
10. The Roads Development Unit have reviewed the revised plans and comment that the amended proposed site plan shows 42 spaces being achieved within the enlarged boundary, however as the ordinance survey data (which the proposed layout has been based on) is superseded by alterations on the ground, they cannot advise if the proposed alteration to the car park could be achieved. The Unit recommend that the proposed block plan is based on a topographical survey which accurately captures the application site and carriageway arrangement in the vicinity of the restaurant.

11. The car park extension was not included in the application and it cannot be considered as part of this application. If the applicant wishes the car park extension to be considered, this would need to be assessed as part of a new planning application process. This is because the car park extension requires the benefit of planning permission in its own right and it has not been assessed or considered by officers, neighbours or consultees. In addition, there would be additional information required to allow full assessment of the car park extension, for example drainage details, levels information and details of any new proposed boundary treatment. The applicant has been given the opportunity to withdraw the current application and resubmit with the required details/information. He has confirmed that he wishes the current application to be determined as it stands.
12. It is considered that no further matters have emerged from the site visit that would alter the recommendation to refuse planning permission. An additional reason for refusal relating to the accuracy of the submitted plans has been added to the original recommendation.

13. RECOMMENDATION

13.1 It is therefore recommended that the Planning Committee refuse the application for the following reason(s):-

1. **The proposed development generates an additional parking requirement of 14 in-curtilage spaces which cannot be adequately provided. The application site is located at a challenging road junction, where increased vehicular movements and demand for on-street parking would have a detrimental impact on road safety and unacceptably impact upon the residential amenity of surrounding residential properties. This is contrary to policies BUS01 'Business and Tourism' and BUS04 'Business Development outwith Designated Business Areas' of the Falkirk Local Development Plan and the National Roads Development Guide (SCOTS 2015).**
2. **The submitted plans do not accurately reflect the existing site conditions or clearly show the proposed development and therefore a full assessment is not possible to establish that parking provision and road safety concerns can be satisfactory addressed.**

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A and 03 - 10.

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pp Director of Development Services

Date: 17 April 2018

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. National Roads Development Guide (SCOTS 2015).
3. Objection received from Mr Gordon Waddell, 343 Glasgow Road, Longcroft, Bonnybridge, FK4 1QR on 4 January 2018.
4. Objection received from Mrs Susan Storrar, 2 Cumbernauld Road, Longcroft, Bonnybridge, FK4 1QJ on 2 February 2018.
5. Objection received from Mr John Bell, 341 Glasgow Road, Longcroft, Bonnybridge, FK4 1QR on 3 January 2018.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

FALKIRK COUNCIL

Subject: CHANGE OF USE OF FIRST FLOOR ANCILLARY STORAGE AREA (FOR PUBLIC HOUSE, RESTAURANT AND FUNCTION SUITE) TO HOTEL (CLASS 7), EXTENSION TO BAR AND EXTERNAL ALTERATIONS AT MASONIC ARMS, 224 GLASGOW ROAD, LONGCROFT, BONNYBRIDGE, FK4 1QP FOR MANGO RESTAURANT - P/17/0783/FUL

Meeting: PLANNING COMMITTEE

Date: 20 March 2018

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Denny and Banknock

Councillor Jim Blackwood
Councillor Fiona Collie
Councillor Paul Garner
Councillor Nigel Harris

Community Council: Banknock, Haggs and Longcroft

Case Officer: Julie Seidel (Planning Officer), Ext. 4880

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application relates to the conversion of a first floor storage area, to form a fourteen bedroom hotel. The application includes an extension to the existing ground floor bar area and other external alterations to the building.
- 1.2 The site is an established restaurant and bar, with a function suite.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been referred to the Planning Committee at the request of Councillor Nigel Harris, for the following reason:
- So that concerns raised by Officers and objectors, that there is not adequate parking to support the development in an area that is already pressured by parking and on a busy main access route, can be considered by the Planning Committee.

3. SITE HISTORY

- 3.1 A planning application (Ref: 06/0774/FUL) for the formation of a beer garden was approved on 13 October 2006.
- 3.2 A planning application (Ref: P/14/0418/FUL) for the alteration and extension to public house, erection of decking and alteration to car park was approved on 6 October 2014.
- 3.3 A planning application (Ref: P/15/0222/FUL) for the formation of No. 3 flatted dwellinghouses and re-cladding of public house / restaurant building (partially retrospective) was withdrawn on 14 August 2015.
- 3.4 A planning application (Ref: P/15/0453/FUL) for the formation of No. 3 flatted dwellinghouses, re-cladding of public house / restaurant building, erection of fence and erection of wall/gate piers (retrospective) was refused on 16 October 2015.
- 3.5 A planning application (Ref: P/15/0707/FUL) for the first floor extension (store room) over existing flat roof function suite, re-cladding of existing public house building, extension of car park, erection of 1.8 metre boundary fence and wall / gate piers (retrospective) was approved on 19 February 2016.
- 3.6 A planning application (Ref: P/17/0552/FUL) for the change of use of first floor ancillary storage area (for public house, restaurant and function suite) to hotel (Class 7) and external alterations was withdrawn on 8 November 2017.

4. CONSULTATIONS

- 4.1 Falkirk Council's Roads Development Unit advise that the existing restaurant, bar and function suite currently have inadequate in-curtilage parking to serve the existing use.
- 4.2 This application relates to a proposed 14 room hotel where 14 additional parking spaces are required in accordance with the National Roads Development Guide (SCOTS 2015). The applicant has submitted a block plan which states that there are currently 45 spaces in the car park; however, a site visit has identified 28 usable spaces. The parking layout shown is not viable, as the arrangement does not take cognisance of the gate, telegraph pole or provide sufficient aisle width. The proposed spaces to the front of the site would extend beyond the front elevation of the building and would reduce visibility at the junction of the site entrance / exit onto Cumbernauld Road / Glasgow Road.
- 4.3 Due to the parking shortfall, there are concerns that customer parking will spill out onto the adjacent roads. Due to the site's proximity to a junction, this would not be in the best interests of road safety.
- 4.4 Scottish Water have no objection to the proposed development.

- 4.5 Falkirk Council's Environmental Protection Unit have no objection to the proposed development.

5. COMMUNITY COUNCIL

- 5.1 The Banknock, Haggs and Longcroft Community Council did not make comment.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, 3 objectors submitted letters to the Council. The salient issues are summarised below:

- The parking area is already busy with the restaurant. At the weekend there is no on-street parking available for local residents and Cumbernauld Road becomes very busy due to insufficient parking (the objectors have submitted photographs showing traffic congestion outwith the application site);
- Because of insufficient parking, delivery vehicles need to reverse out onto the public road;
- There are current road safety issues as a result of the volume of traffic using the existing restaurant, takeaway and function room;
- The access to the site merges straight onto a blind junction on Cumbernauld Road which is dangerous;
- The last application stated there would be 36 spaces, but there are only 26. The new application shows additional parking, but it is not possible to gain any additional parking within the site;
- There is noise and disturbance as a result of taxis and other vehicles picking up customers. Guests are noisy causing stress and disturbance to surrounding properties and the security lights cause light pollution; and
- They have two illegal signs on the building.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

7a.1 The Falkirk Local Development Plan (LDP) was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development was assessed against the following policy or policies:

7a.2 Policy BUS01 - 'Business and Tourism' states:

- 1. The Council will promote the Strategic Business Locations (SBLs) and National Developments identified on Map 3.3 as the priority areas for economic development. Development of the site specific elements of the SBLs, as listed in the Settlement Statements and detailed in the Site Schedule in Appendix 1, will be to high standards of design in accordance with a development brief or masterplan for each location approved by the Council, to ensure a comprehensive and sensitive approach to site planning.*
- 2. Other local sites for new local business and industrial development listed in the Settlement Statements and detailed in the Site Schedule will be safeguarded for the employment use specified for each site.*
- 3. The Council will give priority to the development of tourism proposals which support the themes/networks and strategic nodes identified in Figure 3.2 and Map 3.4. Proposals will be supported which:*
 - complement the existing pattern of development;*
 - are of a quality which enhances the image and tourism profile of the area;*
 - comply with other LDP supporting policies.*

7a.3 The application relates to a hotel, which is tourism development. The Council generally supports tourism development, where it complements the existing pattern of development, is of a quality which enhances the image and tourism profile of the area and complies with all other LDP supporting policies. In this instance policy BUS04 is relevant.

7a.4 Policy BUS04 - 'Business Development outwith Designated Business Areas' states: -

Proposals for business development within the Urban/Village Limits, but outwith designated business areas, will be permitted where the nature and scale of the activity will be compatible with the surrounding area, there will be no adverse impact on neighbouring uses or residential amenity, and the proposal is satisfactory in terms of access, parking and traffic generation.

7a.5 There is no parking to serve the proposed hotel use, as the existing parking on site serves staff and customers using the restaurant, bar and function suite. As such, it is considered that there would be an adverse impact on the residential amenity of the area as a result of inadequate parking on site and the resulting impact on the surrounding road network. This would not be in accordance with the best interests of road safety. The application is contrary to policy BUS04 'Business Development outwith Designated Business Areas' and policy BUS01 'Business and Tourism'.

7a.6 Accordingly, the application is contrary to the Falkirk Local Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the public representations and additional planning considerations.

Assessment of Public Representations

7b.2 The objections in relation to traffic generation, a shortfall in parking and the location of the site on a dangerous junction are all noted. The photographs submitted with the objection demonstrate a large number of vehicles and traffic congestion on the public road.

7b.3 There is a current enforcement case in relation to unauthorised signage at the site.

Additional Planning Considerations

7b.4 The Roads Development Unit object to the application on the basis that no additional parking can be provided within the site to serve the proposed use, contrary to the National Roads Development Guide (SCOTS 2015). A total of 14 additional spaces are required to serve the proposed use and there is no opportunity to provide them within the site. The applicant has amended the block plan, from the last application stage, to show 45 parking spaces in the site. It is considered that the additional parking could not be achieved on site, whilst maintaining safe access and to allow adequate manoeuvrability. There are 28 spaces on site at present and it is considered that there is inadequate space to accommodate any additional parking, than that currently developed and available for use on site.

- 7b.5 It is noted that during consideration of the planning application (Ref: P14/0418/FUL), for the alteration and extension to the existing public house, there was a shortfall in parking provision. The application was progressed on the basis that the site was an existing public house and the application sought to renovate the building and develop a modest extension. The alterations to the building are now completed and the site has established itself as a restaurant and bar, with function suite. Objections have been received on the basis of a current parking problem, which would reinforce the concerns of the Road Development Unit. The objectors have also submitted photographic evidence to suggest traffic congestion and parking issues associated with the business exist.
- 7b.6 It is noted that the site is at a challenging road junction where Cumbernauld Road merges with Glasgow Road. The angle of the junction, road elevation and level of traffic on Glasgow Road make it a difficult manoeuvre and it is noted that the vehicular access to the site is at the junction of Cumbernauld Road and Glasgow Road. It is considered that a shortfall of 14 parking spaces is a significant departure from the guidance contained in the National Roads Development Guide (SCOTS 2015). It is considered that the shortfall in parking and the conditions of the surrounding road network, would have an unacceptable impact on the road safety of the surrounding area.

7c Conclusion

- 7c.1 The application is assessed as being contrary to the Falkirk Local Development Plan as there would be an adverse impact on the residential amenity of the area, as a result of inadequate parking and impact on the surrounding road network.
- 7c.2 In addition, the application is assessed as being contrary to the National Roads Development Guide (SCOTS 2015), as no parking can be provided to serve the proposed use and there is no space within the site to achieve any additional parking. The site sits at a challenging junction and there is evidence that there are existing parking problems at the site. It is recommended that Committee refuse the planning application.

8. RECOMMENDATION

- 8.1 It is therefore recommended that the Planning Committee refuse the planning application for the following reason:-**

1. The proposed development generates an additional parking requirement of 14 in-curtilage spaces which cannot be adequately provided. The application site is located at a challenging road junction, where increased vehicular movements and demand for on-street parking would have a detrimental impact on road safety and unacceptably impact the residential amenity of surrounding residential properties. This is contrary to policies BUS01 'Business and Tourism' and BUS04 'Business Development outwith Designated Business Areas' of the Falkirk Local Development Plan and the National Roads Development Guide (SCOTS 2015).

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A and 03 - 10.

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pp Director of Development Services

Date: 9 March 2018

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. National Roads Development Guide (SCOTS 2015)
3. Objection received from Mr Gordon Waddell, 343 Glasgow Road, Longcroft, Bonnybridge, FK4 1QR on 4 January 2018.
4. Objection received from Mrs Susan Storrar, 2, Cumbernauld Road, Longcroft, Stirlingshire, FK4 1QJ on 2 February 2018.
5. Objection received from Mr John Bell, 341 Glasgow Road, Longcroft, FK4 1QR on 3 January 2018.

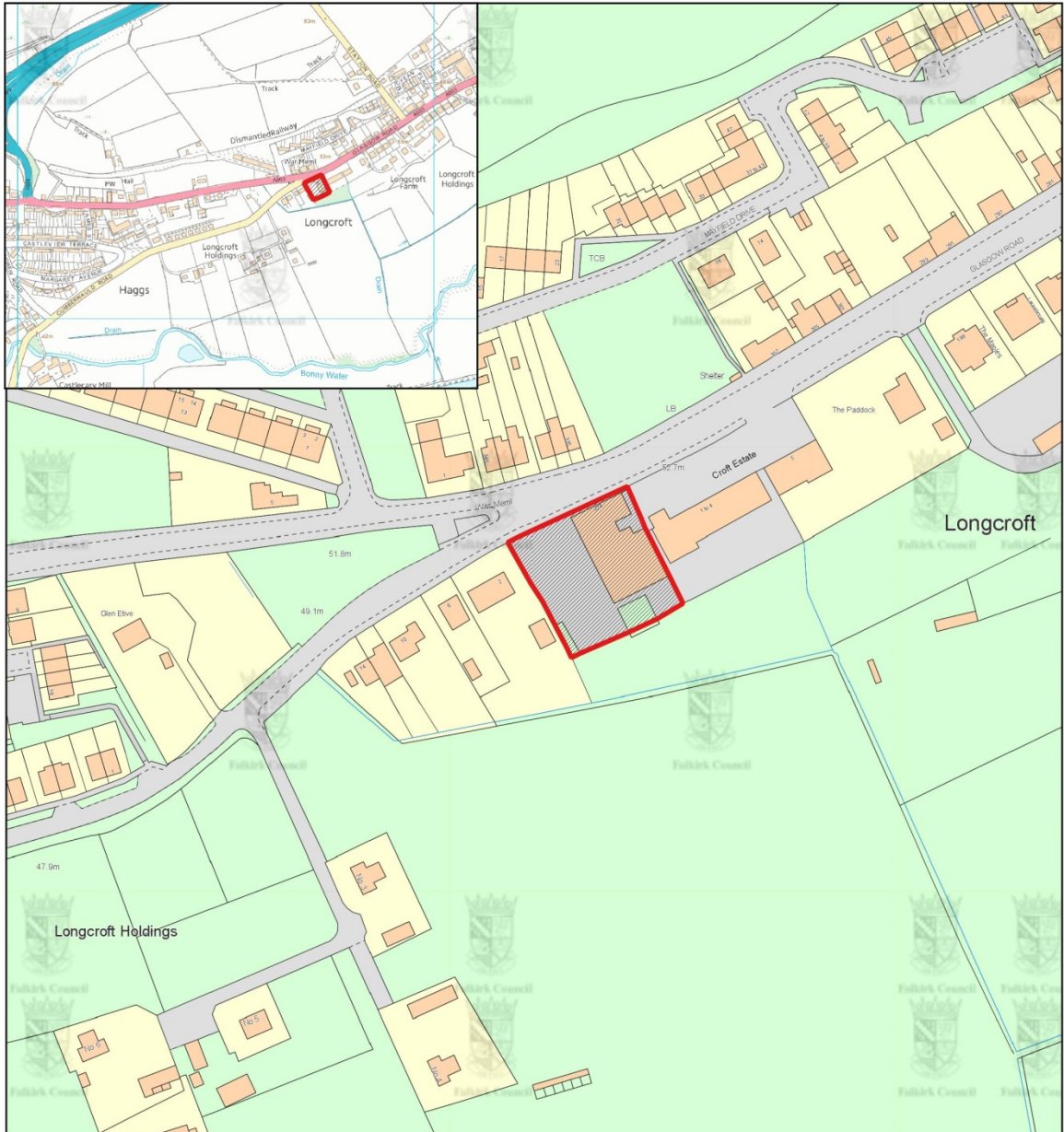
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

Planning Committee

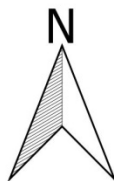
P/17/0783/FUL

Planning Application Location Plan

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



Falkirk Council
Development Services



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