

P85. Development of Land for Residential Purposes at Land to the East of 8 - 10 Main Street, Main Street, Bo'ness for CCG (Scotland) Ltd - P/18/0424/PPP

The committee considered a report by the Director of Development Services on an application for planning permission for the development of Land to the east of 8-10 Main Street, Main Street, Bo'ness.

Decision

The committee agreed that it is Minded to Grant Planning Permission subject to:-

- (a) Notification of the application to Scottish Ministers in relation to the HSE objection, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009;**
- (b) Conclusion of a Legal Agreement in terms satisfactory to the Director of Development Services within 6 months of the date of a Minded to Grant decision and index linked from that date, as follows:**
 - A financial contribution of £955.50 per flat and £1911.00 per house towards open space provision in the Bo'ness area; and**
 - The provision of a minimum of 15% of affordable housing (social rented accommodation to be accommodated on site).**
- (c) Thereafter, remit to the Director of Development Services, to approve the application subject to the following condition(s):-**
 - 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; and**
 - (f) details of proposed boundary treatments.**
 - 2. As part of the first application for the approval of Matters Specified in Conditions, a contaminated land assessment shall be submitted for the written approval of this Planning Authority. Before each dwellinghouse or flat is occupied (1) any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy and (2) any necessary remediation completion report/ validation certificate**

shall be submitted to and approved in writing by this Planning Authority.

3. As part of the first application for the approval of Matters Specified in Conditions, the proposed surface water drainage strategy and associated design detail (as appropriate) shall be submitted for the written approval of this Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
4. No development shall commence on site until an appropriate scheme of intrusive site investigation works has been undertaken to confirm coal mining conditions, including mine entries on site. The findings and details of any necessary remedial or other mitigation measures to ensure safety and stability of the proposed development shall be submitted to and approved in writing by the Planning Authority. The approved mitigation measures shall be implemented prior to the development commencing.
5. No development shall commence on site until a material schedule, of all external materials, has been submitted to and approved in writing by the Planning Authority. Thereafter, only the approved materials shall be used, unless otherwise agreed in writing.
6. No development shall commence on site until the following documents have been submitted to and approved in writing by the Planning Authority:
 - i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and
 - ii) a Statement of Conformity which confirms that 10%, of the required CO₂ emissions reduction is achieved through the installation of low and zero carbon generating technologies.

Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

7. The development shall be designed in accordance with the National Roads Development Guide.
8. For the avoidance of doubt, the development shall make provision for and shall include the existing vehicular and pedestrian access to 8-10 Main Street, Bo'ness.

Reason(s):-

- 1. To ensure that the matters specified are given full consideration and to accord with section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.**
- 2, 4. To ensure the ground is made suitable for the approved development.**
- 3. To ensure that adequate drainage is provided.**
- 5. To safeguard the visual amenity of the area.**
- 7. To ensure the development achieves the required CO₂ emission reduction as a result of development.**
- 7, 8. To safeguard the interests of the users of the highway.**

Informative(s):-

- 1. Plans and particulars of the matters listed above 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 Falkirk Council as planning authority has been given, and the development shall be carried out in accordance with that approval.**
- 2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 and Supporting Documents.**
- 3. The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:**

Monday to Friday	08:00 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday/Bank Holidays	No noise audible at site boundary

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Protection Unit.