

**P87. Erection of Dwellinghouse at Hareburn Hatchery, Falkirk, FK1 2JE for Mr & Mrs Gavin Haddow - P/18/0361/FUL**

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of a dwellinghouse at Hareburn Hatchery, Falkirk.

**Decision**

**The committee agreed to grant planning permission subject to the following condition(s):-**

- 1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this 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. i. No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.**
  - ii. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.**
  - iii. Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.**
  - iv. If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation**

**works, before development of the affected part of the site may continue.**

- 3. Prior to works commencing on site, the details of all external materials and finishes, including details of the proposed roof lights, exterior windows and doors shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall proceed in accordance with the approved details.**
- 4. The development hereby approved shall not be occupied or brought into use 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 CO<sub>2</sub> 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.**

- 5. Prior to works commencing on-site, a plan shall be submitted showing the finalised parking and turning arrangements within the confines of the site, which require to include a minimum of three car parking spaces 2.5m wide by 5m long, with the turning area allowing vehicles to enter and exit the site in a forward gear, with the finalised details being approved in writing by the Planning Authority.**
- 6. Prior to works commencing on-site, details of the proposed drainage strategy shall be submitted to and approved in writing by the Planning Authority.**
- 7. A residential caravan shall be sited in accordance with the approved plan (online reference No. 04) for a period not exceeding 2 years from the date of this permission unless otherwise agreed in writing with the Planning Authority. Thereafter all temporary residential accommodation shall be permanently removed from the site.**

**Reason(s):-**

- 1. As these drawings and details constitute the approved**

development.

2. To ensure the ground is suitable for the proposed development.
3. To safeguard the visual amenity of the area.
4. To ensure the development achieves the required CO<sub>2</sub> emission reduction as a result of development.
5. To ensure that adequate car parking is provided.
6. To ensure that adequate drainage is provided.
7. As the caravan is not a suitable permanent form of development.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03 and 04.
2. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
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.

4. The Coal Authority considers that the content and conclusions of the latest Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore withdraws its objection to the proposed development. However, further more detailed considerations of ground conditions, foundation design and gas protection measures may be required as part of any subsequent building warrant application.