

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 22 APRIL 2009 at 9.30 A.M.**

**PRESENT:** Councillors Buchanan, Carleschi, H Constable, J Constable, Lemetti, A MacDonald, Mahoney, McLuckie, McNeill, Nicol and Oliver.

**APOLOGY:** Councillor C Martin

**CONVENER:** Councillor Buchanan.

**ATTENDING:** Director of Development Services; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Development Manager; Acting Legal Services Manager (D Blyth); Senior Forward Planning Officer; Senior Planning Officer (J Milne); Development Management Co-ordinator (D Campbell); Transport Planning Co-ordinator; Roads Development Officer (C Russell) and Committee Officer (H Oliver).

**DECLARATIONS OF INTEREST:** Councillor J Constable declared a non-financial interest in agenda item P15 (planning application P/08/0278/FUL) due to his connection with the Bo'ness Chemical Workers Social Club. Councillor J Constable left the meeting during consideration of this item of business.

Councillor H Constable declared a non-financial interest in agenda item P15 (planning application P/08/0278/FUL) due to his connection with the Bo'ness Chemical Workers Social Club. Councillor H Constable left the meeting during consideration of this item of business.

Councillor Mahoney declared a non-financial interest in agenda item P22 (planning application P/07/1229/FUL) due to his family relationship with the applicant. Councillor Mahoney left the meeting during consideration of this item of business.

Councillor Lemetti declared a non-financial interest in agenda item P18 (planning application P/08/0999/FUL) due to its close proximity to his business in Main Street, Camelon, and having regard to issues of public perception. Councillor Lemetti left the meeting during consideration of this item of business.

Councillor McLuckie declared a non-financial interest in agenda Item P10 (planning application P/08/0353/FUL) due to his prior knowledge of the application. Councillor McLuckie left the meeting during consideration of this item of business.

Prior to consideration of business, the Members below made the following statements:-

- Councillor J Constable informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0353/FUL, P/08/0799/FUL and P/08/0086/FUL (minutes P10, P14 and P17) but that he would take part in consideration of planning application P/08/0888/FUL (minute P16) as he was sufficiently familiar with the site.
- Councillor H Constable informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0353/FUL, P/08/0799/FUL and P/08/0086/FUL (minutes P10, P14 and P17) but that he would take part in consideration of planning application P/08/0888/FUL (minute P16) as he was sufficiently familiar with the site.
- Councillor Mahoney informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0799/FUL, P/08/0888/FUL and P/08/0086/FUL (minutes P14, P16 and P17) but that he would take part in consideration of planning application P/08/0915/OUT and P/08/0278/FUL (minute P9 and P15) as he was sufficiently familiar with the sites.
- Councillor Carleschi informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0915/OUT and P/08/0278/FUL (minutes P9 and P15), but that he would take part in consideration of planning applications P/08/0799/FUL, P/08/0888/FUL and P/08/0086 (minutes P14, P16 and P17) as he was sufficiently familiar with the sites.
- Councillor MacDonald informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0353/FUL and P/08/0086/FUL (minutes P10 and P17) but that he would take part in consideration of planning applications P/08/0915/OUT, P/08/0799/FUL, P/08/0278/FUL and P/08/0888/FUL (minutes P9, P14, P15 and P16) as he was sufficiently familiar with the sites.
- Councillor McNeill informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0353/FUL, P/08/0995/FUL and P/09/0005/FUL (minutes P10, P11 and P12) but that he would take part in consideration of planning applications P/08/0915/OUT, P/08/0657/FUL, P/08/0799/FUL, P/08/0278/FUL, P/08/0888/FUL and P/08/0086/FUL (minutes P9, P13, P14, P15, P16 and P17) as he was sufficiently familiar with the sites.
- Councillor Nicol informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0353/FUL, P/08/0995/FUL and P/09/0005/FUL (minutes P10, P11 and P12) but that he would take part in consideration of planning applications P/08/0915/OUT, P/08/0657/FUL, P/08/0799/FUL, P/08/0278/FUL, P/08/0888/FUL and P/08/0086/FUL (minutes P9, P13, P14, P15, P16 and P17) as he was sufficiently familiar with the sites.

**P7. ADDITIONAL ITEM OF BUSINESS – CONVERSION OF PIGGERY TO FORM 3 DWELLINGS (DETAILED) AT 45 MANNERSTON HOLDINGS, LINLITHGOW, EH49 7ND FOR MR RUSSELL – P/07/1229/FUL**

The Convener advised that, in terms of Standing Order 9.1, he had **AGREED** to accept an additional item of business onto the agenda having regard to the special circumstances thereof, viz, the length of time the application had been under consideration and that no new planning considerations had emerged since the last occasion when the application had been considered by Committee.

This item of business would be considered at the end of the meeting.

**P8. MINUTES**

There were submitted and **APPROVED**:-

- (a) Minute of Meeting of the Planning Committee held on 25 March 2009; and
- (b) Minute of Meeting of the Planning Committee held On Site on 6 April 2009, subject to correction that Councillor Carleschi had submitted his apologies for the site visits.

**P9. MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL, BUSINESS, HOTEL, LEISURE FACILITIES AND ANCILLARY WORKS (RENEWAL OF OUTLINE CONSENT REF: F/2004/0063) AT DRUM FARM, GRAHAMSDYKE ROAD, BO'NESS EH51 9SY FOR GRANGE ESTATE - P/08/0915/OUT (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 March 2009 (Paragraph P47 refers), Committee gave further consideration to Report (circulated) dated 17 March 2009 by the Director of Development Services and an additional Report (circulated) dated 15 April 2009 by the said Director on an application to renew existing outline planning permission (F2004/0063) granted on 24 November 2004.

Councillor J Constable, seconded by Councillor H Constable, moved refusal of the application due to its prominent location and that it was not in the best interests of the public to allow continued uncertainty regarding the development of the site.

By way of an Amendment, Councillor Mahoney, seconded by Councillor Buchanan moved that outline planning permission be renewed, as detailed in the report.

On a division, 5 Members voted for the Motion and 5 Members voted for the Amendment.

In accordance with Standing Order 21.6, in the case of equality of votes, the Convener used his casting vote for the Amendment.

Accordingly, **AGREED** to **RENEW** planning permission, subject to the following conditions:-

- (1) Before development commences, written approval from the Planning Authority must be obtained for the details of the siting, design and external appearance of any buildings, the means of access and the landscaping (collectively) termed 'reserved matters'. The quality of siting, design, external appearance and landscaping of the business use area shall be the subject of a design brief, to be submitted for the written approval of the Planning Authority. The brief shall reflect the gateway and prestige concepts referred to in the submissions accompanying the planning application. Details of recreation facilities within the residential areas shall also be included in the details submitted.
- (2) Plans and particulars of the reserved matters shall be submitted for consideration by the Planning Authority and no work shall begin until the written approval of the Planning Authority has been given.
- (3) Application for the approval of reserved matters shall be made to the Planning Authority within 3 years from the date of this permission.
- (4) The development hereby permitted shall commence within 5 years from the date of this permission, or within 2 years from the date of approval by the Planning Authority of the last of the reserved matters to be approved.
- (5) The hotel element of the development as proposed is not permitted.
- (6) No building or structure exceeding 180 metres AOD shall be constructed within the site.
- (7) The business uses shall be confined to Class 4 of the Town and Country Planning (Use Classes) (Scotland) Order 1997, as amended.
- (8) No development shall commence until a Traffic Impact Assessment has been submitted to and agreed in writing with the Planning Authority. The measures recommended in the agreed study shall be implemented thereafter.
- (9) No development shall commence until a management regime for Kinnigars Wood has been submitted to and approved in writing by the Planning Authority. That regime shall be implemented thereafter.
- (10) No existing trees on the site shall be removed without the written approval of the Planning Authority.
- (11) The Iron Age enclosure within the site shall be fenced off for the duration of construction works on adjacent land.
- (12) Drainage shall be on the separate system.
- (13) No development shall commence until a comprehensive and detailed SUDS scheme for the site (or such sub-division of the site as the

Planning Authority agree), in accordance with the relevant CIRIA design manual, has been submitted to and approved in writing by the Planning Authority (in consultation with SEPA and Scottish Water).

- (14) There shall be no culverting of watercourses. The possibility of de-culverting and restoring the top end of Carriden Burn at the site shall be investigated; those works shall be implemented unless the Planning Authority agrees in writing that this is not feasible or desirable.
- (15) Drainage from domestic sewage, service yards, loading bays and waste skip storage areas shall be connected to the public foul sewer. Work shall not commence on any phase of the development until the Planning Authority is satisfied (after consultation with Scottish Water), and has agreed in writing, that there is sufficient capacity in the public foul sewerage system for that phase.
- (16) No development shall commence until details of facilities to be provided for the separation and recycling of waste have been submitted to the Planning Authority and (in consultation with SEPA), agreed in writing.
- (17) A method statement regarding the protection of watercourses and SUDS features from pollution during the construction works shall be submitted to the Planning Authority for written approval (in consultation with SEPA) and implemented thereafter.
- (18) No development on any phase shall commence until the Planning Authority has expressed its satisfaction in writing that the stability of the land has been investigated and any necessary remedial works are to be undertaken.

Reasons(s):

- (1-4) To comply with Section 59(2) of the Act and the masterplan.
- (5,7) To ensure that the Planning Authority can control the future use of the premises.
- (6) So that Obstacle Limitation Surfaces detailed in CAA publication CAP 168 are not breached, and to avoid endangering the safe operation of aircraft through interference with navigational aids.
- (8) In the interests of the safety and control of traffic movement.
- (9-10) To reinforce the landscape setting of the development, contribute to neighbourhood amenity, and improve wildlife habitat.
- (11) To protect the archaeological interest of the site.
- (12-13) To ensure that adequate drainage is provided.
- (14) To enable the Planning Authority to consider this/these aspect(s) in detail.

- (15) The capacity of the existing sewer network downstream of the proposed development may not be able to support a development of this size without prior upgrading.
- (16) To ensure that adequate facilities are provided.
- (17) To protect watercourses and SUDS features from pollution.
- (18) To check that the developer takes appropriate steps to ensure the stability of the land for development.

In accordance with his declaration of interest in the following item of business, Councillor McLuckie left the meeting and took no part in the discussion on this matter.

**P10. ERECTION OF DWELLINGHOUSE (DETAILED) AT 39A AND 39B WAGGON ROAD, BRIGHTONS, FALKIRK FK2 0EL FOR MR AND MRS MACDONALD - P/08/0353/FUL (CONTINUATION)**

With reference to Minutes of Meetings of the Planning Committee held on 25 February and 25 March 2009 (Paragraphs P17 and P35 refer), and of the Planning Committee held On-Site on 19 March 2009 (Paragraph P27 refers), Committee gave consideration to Report (circulated) dated 15 April 2009 by the Director of Development Services to which were attached, as appendices, copies of the Reports to the aforementioned Committees by the said Director on an application for detailed planning permission for the erection of a one and a half storey detached dwellinghouse at 39A and 39B Waggon Road, Brightons, Falkirk.

**AGREED** to **GRANT** planning permission, subject to the following conditions:-

- (1) The development to which this permission relates must be begun within five years from the date of this permission.
- (2) The driveway shall be constructed with a maximum gradient of 1:10 and shall be constructed to ensure that no surface water or loose material is discharged onto the access road.
- (3) Any access gates shall only open inwards.
- (4) A 2.0 metre wide footway shall be constructed over the site's frontage to Waggon Road in accordance with Falkirk Council's Design Guidelines and Construction Standards and the existing dropped kerbs shall be extended to suit the width of the proposed driveway; the footway shall be constructed and completed prior to the occupancy of the dwellinghouse hereby approved.
- (5) There shall be no obstruction to visibility over 1 metre in height above carriageway level within 2.5 metres of the road edge over the site frontage to Waggon Road.
- (6) All of the windows on both gable elevations at both ground and first floor level shall be obscure glazing.

- (7) In accordance with the details on the approved plans, the garage roof shall not be used as a roof terrace or sitting area and the proposed 1.1m high railings shall be retained in perpetuity. At no time shall the garage roof area be accessible to the occupants / visitor of the dwellinghouse unless solely for maintenance purposes.

Reason(s):

- (1) To comply with section 58 of the town and country planning (Scotland) act 1997.
- (2-5) to safeguard the interests of the users of the highway.
- (6-7) to safeguard the privacy of the occupants of adjacent properties.

Councillor McLuckie re-entered the meeting following consideration of the foregoing item of business.

Councillor McNeill left and re-entered the meeting during consideration of the foregoing item of business.

**P11. INSTALLATION OF 3 NO. 3G ANTENNAS, EQUIPMENT CABINET, EXTENDED COMPOUND AND ANCILLARY DEVELOPMENT AT TELEPHONE EXCHANGE, BORROWSTOUN CRESCENT, BO'NESS EH51 0PN FOR ARQIVA SERVICES LTD - P/08/0995/FUL (CONTINUATION)**

With reference to Minutes of Meetings of the Planning Committee held on 25 February and 25 March 2009 (Paragraphs P21 and P37 refer), Committee gave consideration to Report (circulated) dated 15 April 2009 by the Director of Development Services to which were attached, as appendices, copies of the reports to the aforementioned Committees by the said Director on an application for detailed planning permission for the installation of three 3G antennas, an equipment cabinet, an extended compound and ancillary development at the telephone exchange, Borrowstoun Crescent, Bo'ness.

Councillor J Constable, seconded by Councillor H Constable, moved refusal on health and safety grounds, the cumulative effect of emissions on children attending local schools, and having regard to the failure of the applicant to produce information to ameliorate these concerns.

By way of an Amendment, Councillor McLuckie, seconded by Councillor Mahoney, moved to grant the application, as detailed within the Report.

Following discussion and in accordance with Standing Order 19.8 and with the unanimous consent of the meeting, Councillors H and J Constable agreed to withdraw their Motion and Councillors McLuckie and Mahoney agreed to withdraw their Amendment.

Accordingly, **AGREED** to **CONTINUE** consideration of this item of business to allow information to be obtained from ICNIRP on cumulative emissions.

**P12. ERECTION OF 17.2 METRE HIGH MONOPOLE TELECOMMUNICATIONS MAST, 3 NO. ANTENNAS, 1 NO. 600MM AND 1 NO. 300MM TRANSMISSION DISHES, FORMATION OF COMPOUND WITH 1.8 METRE HIGH PALISADE FENCING, SITING OF OUTDOOR EQUIPMENT CABINET AND ANCILLARY DEVELOPMENT AT SITE TO THE WEST OF UNIT 2, BO'MAINS INDUSTRIAL ESTATE, LINLITHGOW ROAD, BO'NESS FOR VODAFONE LTD - P/09/0005/FUL (CONTINUATION)**

With reference to Minutes of Meetings of the Planning Committee held on 25 February and March 2009 (Paragraphs P22 and P38 refers, Committee gave consideration to Report (circulated) dated 15 April 2009 by the Director of Development Services to which were attached, as appendices, copies of the reports to the aforementioned Committees by the said Director on an application for detailed planning permission for the erection of a 17.2 high monopole telecommunications mast, three antennas, one 600mm and one 300mm transmission dish, formation of a compound with 1.8 metre high palisade fencing, siting of an outdoor equipment cabinet and ancillary development at the site to the west of Unit 2, Bo'mains Industrial Estate, Linlithgow Road, Bo'ness.

**AGREED** to **CONTINUE** consideration of this item of business to allow information to be obtained from ICNIRP on cumulative emissions.

**P13. ERECTION OF 14.2 METRE HIGH MONOPOLE TELECOMMUNICATIONS MAST WITH 1 NO. 300MM TRANSMISSION DISH, EQUIPMENT CABINETS AND ANCILLARY WORKS, SITE TO THE WEST OF 71 BRECHIN DRIVE, GILSTON CRESCENT, POLMONT, FALKIRK FOR VODAFONE - P/08/0657/FUL (CONTINUATION)**

With reference to Minutes of Meetings of the Regulatory Committee held on 3 December 2008 and 28 January 2009 (Paragraphs R111 and R126 refer) and of the Planning Committee held on 25 February and 25 March 2009 (Paragraphs P12 and P40 refers), Committee gave consideration to Report (circulated) dated 15 April 2009 by the Director of Development Services to which were attached, as appendices, copies of the reports to the aforementioned Committees by the said Director on an application for detailed planning permission for the erection of a 14.2 metre high monopole telecommunications mast with a 300mm transmission dish, equipment cabinets and ancillary works on a site to the west of 71 Brechin Drive, Gilston Crescent, Polmont, Falkirk.

**AGREED** to **REFUSE** planning permission as the proposed structure would have a detrimental impact on the visual amenity of the area.

Councillor J Constable left the meeting prior to consideration of the following item of business.



**P14. MIXED USE DEVELOPMENT COMPRISING 54 FLATS AND RETAIL UNITS ON LAND TO THE SOUTH EAST OF 1 WILLIAMSON STREET, WILLIAMSON STREET, FALKIRK FOR PALISADE ESTATES - P/08/0799/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 March 2009 (Paragraph P48 refers), Committee gave further consideration to Report (circulated) dated 17 March 2009 by the Director of Development Services and an additional Report (circulated) dated 15 April 2009 by the said Director on an application for mixed commercial and residential development comprising 54 flats and retail units on land to the south east of 1 Williamson Street, Falkirk.

**AGREED** that Committee is **MINDED** to **GRANT** planning permission subject to the successful completion of an appropriate Legal Agreement requiring the payment of £102,600 and £97,500 to mitigate development impacts on education provision and car parking respectively.

On completion of the Legal Agreement, it is remitted to the Director of Development Services to grant planning permission, subject to the following conditions:-

- (1) The development to which this permission relates must be begun within five years from the date of this permission.
- (2) Development shall not commence until a written scheme of archaeological investigation and programme of work has been submitted to and approved in writing by the Planning Authority.
- (3) Development shall not begin until details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.
- (4) Development shall not commence until additional contaminated land remediation information has been submitted to and approved in writing by the Planning Authority. The additional information sought is in the memorandum from Falkirk Council's Environmental Protection Unit (Ref: 85055) dated 28 October 2008.
- (5) Development shall not commence until details of all hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:-
  - i. Location and design, including materials, of walls, fences and gates.
  - ii. Soft and hard landscaping works.
  - iii. Other artefacts and garden structures.
  - iv. A programme for completion and subsequent maintenance.

- (6) Development shall not commence until details of the phasing of the development have been submitted to and approved in writing by the Planning Authority. Following approval, the development shall be implemented in accordance with the approved scheme.

Reason(s):

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure that any archaeological remains are safeguarded.
- (3) To safeguard the interests of the users of the highway.
- (4, 6) To safeguard the environmental amenity of the area.
- (5) To safeguard the visual amenity of the area.

Informative:-

All drainage should comply with the requirements of the Scottish Environment Protection Agency and Scottish Water.

In accordance with their declarations of interest in the following item of business, Councillors H and J Constable left the meeting and took no part in the discussion on this matter.

**P15. EXTENSION TO SOCIAL CLUB, BO'NESS CHEMICAL WORKERS SOCIAL CLUB, 69 LINLITHGOW ROAD, BO'NESS EH51 0DS FOR BO'NESS CHEMICAL WORKERS SOCIAL CLUB - P/08/0278/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 March 2009 (Paragraph P43 refers), Committee gave further consideration to Report (circulated) dated 17 March 2009 by the Director of Development Services and an additional Report (circulated) dated 15 April 2009 by the said Director on an application for detailed planning permission for the erection of a single storey extension to the existing Social Club at Bo'ness Chemical Workers Social Club, 69 Linlithgow Road, Bo'ness.

**AGREED** to **GRANT** planning permission, subject to appropriate conditions, as determined by the Director of Development Services.

Councillors H and J Constable re-entered the meeting following consideration of the foregoing item of business.

**P16. ERECTION OF 14 FLATTED DWELLINGHOUSES ON LAND TO EAST OF 50 STATION ROAD, WHITECROSS FOR LAND 4 LEISURE LTD (DETAILED) - P/08/0888/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 March 2009 (Paragraph P46 refers), Committee gave further consideration to

Report (circulated) dated 17 March 2009 by the Director of Development Services and an additional Report (circulated) dated 15 April 2009 by the said Director on an application for detailed planning permission for the erection of 14 flats in a single block, three and four storeys in height at 50 Station Road, Whitecross.

**AGREED** that Committee is **MINDED** to **GRANT** planning permission subject to the referral to Scottish Ministers and subject also to appropriate conditions, as determined by the Director of Development Services.

Councillor Mahoney left and re-entered the meeting during consideration of the foregoing item of business.

Councillor Carleschi left the meeting during consideration of the foregoing item of business.

**P17. FORMATION OF WASTE RECYCLING FACILITY AT CRAIGEND WORKS, STANDBURN, FALKIRK FK1 2HY FOR RESTORATION AND DEVELOPMENTS LIMITED - P/08/0086/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 March 2009 (Paragraph P45 refers), Committee gave further consideration to Report (circulated) dated 17 March 2009 by the Director of Development Services and an additional Report (circulated) dated 15 April 2009 by the said Director on an application for detailed planning permission for the formation of a waste recycling facility at Craigend Works, Standburn, Falkirk.

**AGREED** to **GRANT** planning permission subject to the following conditions:-

- (a) that prior to the commencement of works, surveys are carried out in respect of badgers and water voles;
- (b) that mitigation measures be put in place on commencement of demolition works with regards to bats;
- (c) Operational hours will be Monday to Friday - 08.00 until 17:00, Saturday - 08.00 until 13:00, Sunday and public holidays – no operations works to be undertaken, and no operations to take place outwith the forementioned times; and
- (d) to remit to the Director of Development Services to agree an appropriate condition to safeguard the retention and upkeep of the chimney.

and subject also to the following conditions:-

- (1) The development to which this permission relates must be begun within five years of the date of this permission.
- (2) All vehicles exiting the site shall use the wheel washing equipment.
- (3) The proposed development shall not be brought into use until such time as the wheel washing equipment has been installed and is in operation.

Thereafter, the wheel washing equipment shall be kept operational at all times when the site is in operation.

- (4) The proposed development shall not be operational at any time the wheel washing equipment is not in operation, whether for maintenance, repair or any other reason.
- (5) Prior to the commencement of any work on site the form and construction of the proposed alternative footpath connection along the northern and eastern boundaries of the site, as shown on the approved plan (SAP 1085/002 Rev B), shall be approved in writing by the Planning Authority.
- (6) Prior the development being brought into use, the footpath connection referred to in Condition 5 of this permission shall be formed and completed in accordance with a specification to be approved in writing by the Planning Authority.
- (7) Prior to the development being brought into use, the perimeter fence shall be completely erected using green coloured materials, or painted green, the shade to be approved in writing by this Planning Authority.
- (8) The proposed development shall be operated to process, recycle and treat concrete, bricks, tiles, ceramics, soils and stones and road base material and plannings only. No other material shall be processed or stored at the site without the written approval of this Planning Authority.
- (9) The development shall be implemented in accordance with the approved drawings and any other submitted details which have been approved in writing by this Planning Authority.
- (10) Prior to the recycling facility being brought into operation the site access road shall be widened to a width of 7.3 metres for a distance of 15 metres from its junction with the C53 Boxton Road.
- (11) Prior to the commencement of work on site the junction of the B825 Linlithgow to Avonbridge road and the C53 Boxton Road shall be widened at the applicants expense to a width of 6.5 metres to a minimum distance of 20 metres back from the junction. The junction widening shall be kerbed with new concrete kerbs showing 100mm upstand. Alternatively, prior to the commencement of work on site, works to improve visibility to the east of the junction of the B825 and the C53 Boxton Road shall be carried out. Works to improve visibility at the east side of the junction shall have the prior written approval of the Planning Authority and shall be carried out at the applicant's expense.
- (12) Prior to the commencement of work on site two passing places shall be formed, at the applicant's expense, on the C53 Boxton Road between the site entrance and the B825. The position and details of the passing places shall have the prior written approval of the Planning Authority. The passing places shall be a minimum of 2.5 metres in width and 15 metres in length.

- (13) Notwithstanding any details previously submitted, any vehicle entering or leaving the site at any time which is carrying any material for recycling shall have its load fully covered.
- (14) Notwithstanding any details previously submitted, no work shall commence on site until such time as details have been submitted of litter catching fencing to be erected at the two lay bys to be formed at the C53 Boxtan Road.
- (15) The site shall not become operational until such time as the litter catching fencing, the details of which are approved in writing by the planning authority, has been erected at the two lay bys to be formed at the C53 Boxtan Road.
- (16) Prior to the commencement of work on site a survey of the existing condition of the road verges at the C53 Boxtan Road between the application site entrance and the B825 shall be approved in writing by the planning authority. The survey shall include a statement of measures to be taken to maintain and repair road verges which sustain damage arising from the intrusion of vehicles.

Reason(s):

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2-4) To safeguard the interests of the users of the highway.
- (5-6) To ensure that public countryside access is maintained.
- (7-8,13-15) To safeguard the environmental amenity of the area.
- (9) To ensure that the development is carried out to the satisfaction and approval of this Planning Authority.
- (10) In the interests of road safety.
- (11-12) To safeguard the interests of the users of the highway.
- (16) To safeguard the condition of road verges at the C53 Boxtan Road between the site entrance and the B825 Linlithgow to Avonbridge Road.

Councillor Carleschi re-entered the meeting during consideration of the foregoing item of business.

In accordance with his declaration of interest in the following item of business, Councillor Lemetti left the meeting and took no part in the discussion on this matter.

**P18. ERECTION OF 2 RETAIL UNITS, 4 FLATTED DWELLINGS AND ASSOCIATED PARKING ON LAND TO THE EAST OF 320 MAIN**

**STREET, CAMELON, FALKIRK FOR GEORGIAN FINANCE CO LTD - P/08/0999/FUL**

There was submitted Report (circulated) dated 15 April 2009 by the Director of Development Services on an application for detailed planning permission for the erection of two retail units, 4 flatted dwellings and associated parking on land to the east of 320 Main Street, Camelon, Falkirk.

**AGREED** to **CONTINUE** consideration of this item of business to allow an inspection of the site by Committee.

Councillor Lemetti re-entered the meeting following consideration of the foregoing item of business.

**P19. ERECTION OF 5 DWELLINGHOUSES ON LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD FOR ROY MITCHELL DESIGN LIMITED - P/08/0377/FUL**

There was submitted Report (circulated) dated 15 April 2009 by the Director of Development Services on an application for detailed planning permission for the erection of five one and a half storey dwellinghouses on land to the south east of Byways, Glen Road, Torwood.

Councillor Buchanan, seconded by Councillor Nicol, moved that consideration of this item of business be **CONTINUED** to allow an inspection of the site by Committee.

By way of an Amendment, Councillor J Constable, seconded by Councillor H Constable, moved that the application be refused, for the following reasons:-

- (1) that the proposed development was contrary to the Development Plan;
- (2) that there was no discernable housing need to justify a departure from the Development Plan;
- (3) that the proposal would result in destruction of an area which is an amenity to the local community in terms of active and passive leisure; and
- (4) that the development would destroy woodland of traditional value to the local community and would destroy wildlife and habitats in the locality.

On a division, 7 Members voted for the Motion and 4 for the Amendment.

Accordingly, **AGREED** to **CONTINUE** consideration of this item of business to allow an inspection of the site by Committee.

**P20. FORMATION OF ROUNDABOUT ON LAND TO THE SOUTH WEST OF ALMONDHALL FARM, FALKIRK FOR LAND OPTIONS WEST - P/08/0844/OUT**

There was submitted Report (circulated) dated 15 April 2009 by the Director of Development Services on an application for outline planning permission for the

formation of a roundabout on land on the A801 roadway to the south west of Almondhall Farm, Falkirk.

**AGREED** to **CONTINUE** consideration of this item of business to allow an inspection of the site by Committee.

**P21. ERECTION OF 72 FLATS AND PROVISION OF ANCILLARY CAR PARKING, LANDSCAPING AND INFRASTRUCTURE AT LORNE ROAD, LARBERT FOR CARRONVALE HOMES LTD - P/08/0827/FUL**

There was submitted Report (circulated) dated 15 April 2009 by the Director of Development Services on an application for detailed planning permission for the erection of 72 flats and the provision of ancillary car parking, landscaping and infrastructure at Lorne Road, Larbert.

**AGREED** to **REFUSE** planning permission, as detailed within the Report.

In accordance with his declaration of interest in the following item of business, Councillor Mahoney left the meeting and took no part in the discussion on this matter.

**P22. CONVERSION OF PIGGERY TO FORM 3 DWELLINGS (DETAILED) AT 45 MANNERSTON HOLDINGS, LINLITHGOW EH49 7ND FOR MR RUSSELL – P/07/1229/FUL**

With reference to Minute of Meeting of the Regulatory Committee held on 28 January 2009 (Paragraph R137 refers) and of the Planning Committee held on 25 March 2009 (Paragraph P41 refers), Committee gave consideration to Report (circulated) dated 21 April 2009 by the Director of Development Services to which were attached, as appendices, copies of the reports to the aforementioned Committees by the said Director on an application for detailed planning permission for the restoration and conversion of part of a disused piggery to form three dwellinghouses at 45 Mannerston Holdings, Linlithgow.

**AGREED** to **GRANT** planning permission, subject to appropriate conditions, as determined by the Director of Development Services.