

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 19 MAY 2010 at 9.30 A.M.**

**PRESENT:** Councillors Buchanan, Carleschi, Constable, Lemetti, A MacDonald, McLuckie, McNeill, Mahoney, C Martin, Nicol and Thomson.

**CONVENER:** Councillor Buchanan.

**APOLOGY:** Councillor Oliver.

**ATTENDING:** Director of Development Services; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Development Manager; Roads Development Officer (B Raeburn); Transport Planning Co-ordinator; Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

**DECLARATION OF INTEREST:** Councillor Thomson declared a non-financial interest in item 6 (P27) as she had held discussions with the local residents' association, as a local Member, in relation to the application and consequently would take no part in consideration or discussion of this item of business.

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

- Councillor Carleschi informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/09/0790/PPP and P/10/0072/PPP (minute P24 and P25) as he was sufficiently familiar with the sites.
- Councillor Constable informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/09/0790/PPP, P/10/0072/PPP and P/09/0449/FUL (minute P24, P25 and P26).
- Councillor A MacDonald informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/09/0449/FUL (minute P26) but he would take part in consideration of planning applications P/09/0781/PPP, P/09/0790/PPP and P/10/0072/PPP (minute P23, P24 and P25) as he was sufficiently familiar with the sites.
- Councillor McNeill informed the Committee that, while he had not attended the site visit he would take part in consideration of planning application P/09/0449/FUL (minute P26) as he was sufficiently familiar with the site.
- Councillor Mahoney informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/09/0449/FUL (minute P26).

## **P22. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 21 April 2010; and

The Acting Director of Law and Administration Services provided clarification of the decision and associated conditions taken at the Planning Committee on 21 April 2010 in relation to application P/08/1012/OUT (minute P14) - Alteration and extension to hotel to provide approximately 200 additional bedrooms, erection of Spa and Leisure facilities, formation of new access junction, car parking facilities, associated roads and infrastructure including a sustainable urban drainage scheme, hard and soft landscaping and woodland planting at Glenbervie House, Larbert FK5 4SJ for Glenbervie House Hotel Ltd.

- (b) Minute of Meeting of the Planning Committee On Site held on 4 May 2010.

## **P23. ERECTION OF 10 DWELLINGHOUSES, FORMATION OF NEW ACCESS AND ROAD, PROVISION OF OPEN SPACE AND PAVILION, ASSOCIATED INFRASTRUCTURE INCLUDING A SUSTAINABLE URBAN DRAINAGE SCHEME AND LANDSCAPING ON LAND TO THE NORTH OF CASTLEWOOD GLEN ROAD, TORWOOD FOR MACLAREN PARK DEVELOPMENTS LTD - P/09/0781/PPP (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 21 April 2010 (Paragraph P16 refers), Committee gave further consideration to Report (circulated) dated 13 April 2010 by the Director of Development Services and an additional Report (circulated) dated 11 May 2010 by the said Director on an application for planning permission in principle for the erection of ten dwellinghouses, the formation of a new access and road, the provision of open space and a pavilion, associated infrastructure including a sustainable urban drainage scheme and landscaping on land, extending to 1.95 hectares, lying towards the north end of the village and consisting of an open field known as MacLaren Park to the north of Castlewood, Glen Road, Torwood.

Councillor Carleschi, seconded by Councillor Constable, moved that the application be refused in accordance with the recommendations in the Report.

By way of an Amendment, Councillor Nicol, seconded by Councillor McLuckie, moved that the application be continued pending consideration of the Local Plan Inquiry Report by Council in June 2010.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 11 Members present, with voting as undernoted :-

For the Motion (4) – Councillors Carleschi, Constable, A MacDonald and Thomson.

For the Amendment (7) – Councillors Buchanan, Lemetti, McLuckie, McNeill, Mahoney, C Martin and Nicol.

Accordingly, **AGREED** to **CONTINUE** consideration of this item of business pending consideration of the Local Plan Inquiry Report to Council in June 2010.

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

**P24. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT GREYRIGG RESERVOIRS, CALIFORNIA, FALKIRK FOR MR CHRISTOPHER FERRIE - P/09/0790/PPP (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 21 April 2010 (Paragraph P17 refers), Committee gave further consideration to Report (circulated) dated 13 April 2010 by the Director of Development Services and an additional Report (circulated) dated 11 May 2010 by the said Director on an application for planning permission in principle for the development of land for residential purposes on a site extending to 0.4 hectares, and bounding the road junction between the B8028 and the C53 Boxton Road incorporating a mini roundabout, at Greyrigg Reservoirs, California, Falkirk.

Councillor McLuckie, seconded by Councillor C Martin, moved that the Committee be minded to grant the application in principle, subject to (a) conclusion of a Section 75 Agreement in terms satisfactory to the Director of Development Services in relation to the conveyance to Falkirk Council of such land as is required by the Council to allow it to carry out road junction improvement works at the location of the development; and (b) a flood risk assessment being submitted in terms satisfactory to the said Director. Thereafter, and subject to purification of the foregoing conditions, it shall be remitted to the said Director to grant planning permission subject to (a) a condition limiting the number of housing units to be constructed on the site (expected to be no more than 6); and (b) such other appropriate conditions as determined by the said Director.

By way of an Amendment, Councillor A MacDonald, seconded by Councillor Thomson, moved that the application be refused in accordance with the recommendations in the Report.

On a division, 7 Members voted for the Motion and 3 voted for the Amendment.

Accordingly, **AGREED** that Committee is **MINDED** to **GRANT** planning permission in principle, subject to (a) conclusion of a Section 75 Agreement in terms satisfactory to the Director of Development Services in relation to the conveyance to Falkirk Council of such land as is required by the Council to allow it to carry out road junction improvement works at the location of the development; and (b) a flood risk assessment being submitted in terms satisfactory to the said Director. Thereafter, and subject to purification of the foregoing conditions, it shall be remitted to the said Director to grant planning permission subject to (a) a condition limiting the number of housing units to be constructed on the site (expected to be no more than 6); and (b) such other appropriate conditions as determined by the said Director.

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

**P25. SUB-DIVISION OF GARDEN GROUND AND ERECTION OF DWELLINGHOUSE AT SCHOOL HOUSE, WELLPARK TERRACE, BONNYBRIDGE FK4 1LR FOR MR DAVID MANGAN - P/10/0072/PPP (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 21 April 2010 (Paragraph P18 refers), Committee gave further consideration to Report (circulated) dated 13 April 2010 by the Director of Development Services and an additional Report (circulated) dated 11 May 2010 by the said Director on an application for planning permission in principle for the sub division of rear garden ground and the erection of an additional dwellinghouse at School House, Wellpark Terrace, Bonnybridge.

**AGREED** that Committee is **MINDED** to **GRANT** planning permission in principle, subject to the Director of Development Services being satisfied that an appropriate right of access to the development has been secured. On the Director being so satisfied, it shall be remitted to her to grant planning permission subject to such conditions as she shall consider appropriate, which failing the matter will require to be reported to Committee for further consideration.

Councillors Constable and Mahoney left the meeting prior to consideration of the following item of business.

Councillor Carleschi left and returned during consideration of the following item of business.

**P26. ERECTION OF DWELLINGHOUSE AT 2 SCOTT AVENUE, POLMONT, FALKIRK FK2 0PN FOR MR E SOMERVILLE - P/09/0449/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 21 April 2010 (Paragraph P13 refers), Committee gave further consideration to Reports (circulated) dated 17 March and 20 April 2010 by the Director of Development Services and an additional Report (circulated) dated 11 May 2010 by the said Director on an application for full planning permission for the erection of a two storey detached dwellinghouse located on the southern part of former garden ground at 2 Scott Avenue, Polmont, Falkirk

Councillor McLuckie abstained from making a decision on this item.

**AGREED** to **REFUSE** planning permission on the ground that the development was detrimental to road safety due to the position of the driveway at the road bend.

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

**P27. PARTIAL CHANGE OF USE OF EXISTING SHOP TO ALLOW LIMITED HOT FOOD TAKEAWAY SALES (RETROSPECTIVE) AT 12A BLINKBONNY ROAD, FALKIRK FK1 5DA FOR MR KALEEM RASHID - P/09/0740/FUL**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on an application for full planning permission, in retrospect, for a partial change of use of the existing shop unit operating as a general store/newsagent to allow limited hot food takeaway sales at 12a Blinkbonny Road, Falkirk.

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

**P28. SITING OF THREE CARAVANS FOR USE AS HOMELESS ACCOMMODATION (RETROSPECTIVE) AT GARTH, DENNY, FK6 5HH FOR DIANA FERGUSON & PENNY RITSON (P/09/0624/FUL)**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on an application for the renewal of temporary planning permission, in retrospect, for the siting of three caravans for use as homeless accommodation at a site at Garth Farm, Denny comprising a dwellinghouse, farm and stable buildings, kennels and three caravans.

**AGREED** to **GRANT** temporary planning permission subject to the following condition:-

- (1) The permission shall be valid for a limited period until 30 June 2013 and at that time, unless further permission is granted, the caravans shall be removed from the site and the site re-instated to its original condition.

Reason:-

- (1) The proposed is not considered a suitable form of permanent development.

Informative:-

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

**P29. SUB-DIVISION OF GARDEN GROUND AND ERECTION OF ONE AND A HALF STOREY DWELLINGHOUSE AT 2A PRETORIA ROAD, LARBERT FK5 4NB FOR MR AND MRS F ADRIAN - P/10/0066/FUL**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on an application for full planning permission for the erection of an additional single storey dwellinghouse in the side garden at 2A Pretoria Road, Larbert.

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

**P30. ERECTION OF DWELLINGHOUSE ON LAND TO THE EAST OF CARRIGBEG, FALKIRK FOR MR ALAN ROY - P/10/0021/PPP**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on an application for planning permission in principle for the erection of one dwellinghouse on the site of a ruined cottage on land to the east of Carrigbeg, Falkirk and west of the B825.

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

**P31. SITING OF TWO STATIC CARAVANS AND FOUR TOURING CARAVANS (RETROSPECTIVE) ON LAND TO THE WEST OF GREENWELLS FARM, BELLEVUE, RUMFORD FOR MICHAEL MCEWAN AND WALTER MCEWAN - P/09/0685/FUL**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on an application for full planning permission, in retrospect, for the siting of two static caravans and four touring caravans to accommodate travelling persons on a brownfield site to the west of Greenwells Farm, Bellevue, Rumford.

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

Councillor Constable re-entered the meeting during consideration of the following item of business.

**P32. ERECTION OF 99 DWELLINGHOUSES AND FLATTED DWELLINGS AND ASSOCIATED LANDSCAPING AND ROAD AND DRAINAGE INFRASTRUCTURE ON LAND TO THE NORTH WEST OF COCKBURN WORKS, GOWAN AVENUE, FALKIRK FOR KONON LTD - P/07/0518/FUL**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on an application for full planning permission for the erection of 99 dwellings consisting of 12 terraced houses and 87 flatted dwellings with associated access, parking spaces, open space and SUDS infrastructure on vacant industrial land to the north west of Cockburn Works, Gowan Avenue, Falkirk.

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

The Convener agreed a 15 minute recess prior to consideration of the following item of business. The meeting reconvened with all Members present as per the sederunt.

**P33. ERECTION OF FARM SHOP, STABLES, BUNK HOUSE, CHALETs, TOILET BLOCK, FORMATION OF CARAVAN SITE AND ERECTION OF MANAGER'S HOUSE ON LAND TO THE EAST OF BONNYHILL FARM DAIRY, BONNYHILL ROAD, FALKIRK FOR THE DEANSTOUN PARTNERSHIP - P/09/0409/FUL**

There was submitted Report (circulated) dated 11 May 2010 by the Director of Development Services on a major application for full planning permission for the erection of a manager's house for the existing farm, a farm shop, horse riding stables, a bunkhouse and chalets for rent, the formation of touring caravans, pitches and associated toilet facilities and infrastructure on land to the east of Bonnyhill Farm, Bonnyhill Road, Falkirk.

**AGREED** to **CONTINUE** consideration of this item of business to the next Committee meeting to enable factual aspects of the report to be clarified.

**P34. CLOSING REMARKS**

Following consideration of business on the agenda, the Convener invited the Development Manager to provide updates as detailed below:-

(1) Darnbogue Farm Kennels, Plean.

It was confirmed that the Committee on 4 November 2009 granted temporary planning permission until 30 November 2010 or one calendar year from the date of the decision, whichever was the later, and by that time the use should cease and the buildings and fencing be removed from the site. As part of the approval conditions were attached in relation to the upgrading of Moss Road including access and visibility. Difficulties had arisen in completing this work as the site entrance lies within the boundaries of Stirling Council and there is a conflict in the design standards used by both planning authorities. In addition, the access bellmouth does not lie within the applicant's control. Notwithstanding these issues, it was understood that work on the access was about to commence in implementation of the planning condition. Enforcement action will be taken if there is any further delay in this matter; and

(2) West Carron Landfill, Stenhouse Road, Carron.

Albeit invited to attend this meeting of the Committee, SEPA had advised that they were unable to do so but would be able to attend the following meeting. Members expressed disappointment at the delay. It was therefore agreed that the SEPA representative would be asked to attend a meeting with Members following the next meeting of the Committee on 16 June 2010, which failing a special meeting, to provide information on the enforcement action the organisation was taking. Agreed also that the meeting would be open to all Members with an interest in the matter.