

**DRAFT AGENDA ITEM 1(a)**

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 22 SEPTEMBER 2010 at 9.30 A.M.**

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

**CONVENER:** Councillor Buchanan.

**ATTENDING:** Director of Development Services; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Development Manager; Development Management Co-ordinator (D Campbell); Transport Planning Officer; Roads Development Officer (R Mackenzie); Network Officer (J Allan); Senior Forward Planning Officer; Senior Environmental Health Officer; Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

**DECLARATIONS OF INTEREST:** Councillor Buchanan declared a non-financial interest in agenda items 19 and 20 (P111 and P112) as an official objector to the applications and stated that he would take no part in consideration or discussion of these items of business.

Councillor Mahoney declared a non-financial interest in agenda items 15, 16 and 17 (P106, P107 and P108) as a Director of the Helix Trust and stated that he would take no part in consideration or discussion of these items of business.

Councillor Nicol declared a non-financial interest in agenda item 15 (P106) in consequence of his wife's ownership of a shop in Grangemouth Town Centre and having regard to the issue of public perception in relation to the application stated that he would take no part in consideration or discussion of this item of business.

Councillor Oliver declared a non-financial interest in agenda items 19 and 20 (P111 and P112) as he had a personal interest in this subject but stated that he would take part in consideration and discussion of this item of business.

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

- 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/10/0065/FUL and P/09/0526/FUL (minute P96 and P97) but that he would take part in consideration of the application for a disabled parking space (No 151) (Order 2010) and planning application P/09/0386/FUL (minute P92 and P98) as he was sufficiently familiar with the sites.

- Councillor Oliver informed the Committee that as he had not attended the site visits he would not take part in consideration of the application for a disabled parking space (No 151) (Order 2010) and planning applications P/10/0382/FUL, P/10/0305/PPP and P/10/0114/FUL (minute P92, P93, P94 and P95) but that he would take part in consideration of planning applications P/10/0065/FUL and P/09/0526/FUL (minute P96 and P97) as he was sufficiently familiar with the sites.
- Councillor Thomson informed the Committee that as she had not attended the site visits she would not take part in consideration of planning applications P/10/0305/PPP, P/10/0114/FUL, P/10/0065/FUL, P/09/0526/FUL and P/09/0386/FUL (minute P94, P95, P96, P97 and P98) but that she would take part in consideration of the application for a disabled parking space (No 151) (Order 2010) and planning application P/10/0382/FUL (minute P92 and P93) as she was sufficiently familiar with the sites.
- Councillor Nicol informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/09/0386/FUL (minute P98).
- 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/10/0382/FUL, P/10/0305/PPP, P/10/0114/FUL and P/09/0386/FUL (minute P93, P94, P95 and P98) but that he would take part in consideration of the application for a disabled parking space (No 151) (Order 2010) (minute P92) as he was sufficiently familiar with the site.
- 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/09/0386/FUL (minute P98).

## **P91. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 25 August 2010; and
- (b) Minute of Meeting of the Planning Committee On Site held on 6 September 2010.

## **P92. THE FALKIRK COUNCIL (ON-STREET PARKING SPACES FOR DISABLED PERSONS) (No 571) ORDER 2010 (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P76 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director seeking a decision on an application for a disabled person's parking space from a resident of Duncan Avenue, Carronshore, Falkirk and bringing to the attention of Committee objections submitted in relation thereto.

**AGREED** to **REFUSE** the application on the basis that the location was contrary to road safety due to its close proximity to the busy nearby junction with Main Street, Carronshore, Falkirk.

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

**P93. EXTENSION TO FLATTED DWELLING (DORMER) AT 50A STEWART AVENUE, BO'NESS EH51 9NL FOR MS K MCCAFFREY - P/10/0382/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P80 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for an extension to the first floor flatted dwelling (dormer), in the form of a box dormer on the front elevation, to accommodate an additional bedroom at 50A Stewart Avenue, Bo'ness.

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

**P94. ERECTION OF DWELLINGHOUSE (RENEWAL OF PLANNING PERMISSION P/07/0262/OUT) AT GARTHLAND, 49 GRAHAMSDYKE ROAD, BO'NESS EH51 9ED FOR MRS MCCULLOCH - P/10/0305/PPP (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P81 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for planning permission in principle (for the renewal of formerly outline planning permission P/07/0262/OUT) for the erection of one dwellinghouse at Garthland, 49 Grahamsdyke Road, Bo'ness.

Councillor Constable, seconded by Councillor Nicol, moved that the application be refused on the ground that it was contrary to road safety due to the inadequacy of the road for heavy traffic, including the double bends and one sided pavement, and contrary to the Structure and Local Plans.

By way of an Amendment, Councillor Mahoney, seconded by Councillor McLuckie, moved that the application be approved in accordance with the recommendations within the Report.

By way of a further Amendment, Councillor Buchanan, seconded by Councillor McNeill, moved that the application be continued to request further information from Roads Services on the possibility of an alternative access to the site from the south.

In accordance within Standing Order 19.8, and with the unanimous consent of the meeting, Councillor Constable withdrew his Motion together with his seconder Councillor Nicol to request further information from Roads Services on the possibility of

an alternative access to the site from the south. In light of this, Councillor Mahoney together with his seconder Councillor McLuckie also withdrew their Amendment.

Accordingly, **AGREED** to **CONTINUE** consideration of this item of business to request further information from Roads Services on the possibility of an alternative access to the site from the south.

Councillor C Martin entered the meeting during consideration of the following item of business.

**P95. ERECTION OF STEEL FRAMED BUILDING FOR TIMBER PROCESSING INCLUDING CONCRETE HARD STANDING YARD ON LAND TO THE EAST OF 1 HANEYS WAY, BRIDGENESS ROAD, BO'NESS FOR A ANDERSON - P/10/0114/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P82 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for the erection of steel framed building for timber processing including a concrete hard standing on a site measuring 1.73 hectares, adjacent to the existing timber processing yard, on land to the east of 1 Haneys Way, Bridgeness Road, Bo'ness.

**AGREED** to **GRANT** planning permission subject to:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Notwithstanding any details previously submitted, parking shall be provided at a rate of 29 spaces for the factory and 8 spaces for the office building. The site shall not be brought into use until such time as the parking spaces have been provided with the written approval of the Planning Authority.
- (3) Notwithstanding any details previously submitted, the access to the site shall be a minimum of 7.3 metres in width, and the site shall not be brought into use until such time as the access has been formed, with the written approval of the Planning Authority.
- (4) Notwithstanding any details previously submitted, there shall be no work on site until such time as a detailed drainage strategy has been approved in writing by the Planning Authority. The drainage strategy shall include details of the means to discharge foul waste and treat surface water run-off, which should reflect sustainable drainage principles.
- (5) No timber shall be stored externally above a height of 4 metres.
- (6) Notwithstanding any details previously submitted, the development shall not commence until such time as additional landscaping at the southern boundary of the site, within the site boundary, has been approved in writing by the Planning Authority.

- (7) Landscaping at the southern boundary of the site, shall be completed by the end of the first planting season following the site being brought into use. The planting season is to be considered as October to April. Any specimens not becoming established, being removed or becoming terminally damaged within 2 years of the completion of the planting shall be replaced with the written approval of the Planning Authority.
- (8) Notwithstanding any details previously submitted, and prior to the commencement of development on site, existing planting within the perimeter of the application site at the eastern boundary shall be removed, and the Planning Authority shall approve in writing the position and extent of the area to be used for external storage of timber. Thereafter, there shall be no planting, or any structure erected, between the external timber storage area and the eastern boundary of the application site.
- (9) The development shall be implemented in accordance with the approved drawings and any other submitted details which have been approved in writing by the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure that adequate car parking is provided.
- (3) To safeguard the interests of the users of the highway.
- (4) To ensure that adequate drainage is provided.
- (5-7) In the interests of visual amenity.
- (8) To ensure against any risk to the property adjacent to the east of the application site.
- (9) To ensure that the development is carried out to the satisfaction and approval of the Planning Authority.

Informative: -

- (1) For the avoidance of doubt, the plans to which the consent refers bear the reference 01B, 02B, 03B, 04B, 05B, 06B, 07B and 08B.

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

Councillor Oliver re-entered the meeting prior to consideration of the following item of business.

**P96. ERECTION OF AGRICULTURAL WORKERS DWELLINGHOUSE ON LAND TO THE WEST OF 2 PYETREE COTTAGE, DUNMORE FOR MR AND MRS WILLIAM AND GINNY SUTHERLAND - P/10/0065/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P77 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for the erection of a detached two storey dwellinghouse, consisting of 3 bedrooms, external terrace, study, sitting room, living area, dinning area, kitchen, utility room, garage and store room with internal lift provision on land to the west side of 2 Pyetree Cottage, Dunmore Home Farm, Airth.

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

By way of an Amendment, Councillor Nicol, seconded by Councillor C Martin, moved that the application be approved subject to the siting of the house being brought forward in line with the existing residential properties, the retention of the existing tree belt separating the existing properties and the proposed site, that the access track is blocked off by bollards to ensure that all construction traffic comes from the farm direction and not through the village of Dunmore and that the development will ensure its' own water supply.

In terms of Standing Order 21.4 (i) a vote was taken by roll call, there being 10 Members present, with voting as undernoted:-

For the Motion (4) – Councillors Carleschi, A MacDonald, Mahoney and Oliver.

For the Amendment (6) – Councillors Buchanan, Lemetti, McLuckie, McNeill, Nicol and C Martin.

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

- (1) That the site of the house should be brought forward in line with the existing residential properties all to the satisfaction of the Director of Development Services and in accordance with plans submitted to and approved by the Director of Development Services;
- (2) The retention of the existing tree belt separating the existing properties and the proposed site;
- (3) That the access track is blocked off by bollards to ensure that all construction traffic comes from the farm direction and not through the village of Dunmore;
- (4) That the development will ensure its own water supply; and
- (5) Other appropriate conditions as determined by the Director of Development Services.

**P97. ERECTION OF 14 DWELLINGHOUSES AND ASSOCIATED WORKS AT GAMEKEEPERS COTTAGE, CASTLE VIEW, AIRTH, FALKIRK FK2 8JG FOR MULHOLLAND CONTRACTS - P/09/0526/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P79 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for the erection of 14 houses over 3.6 hectares at Gamekeepers Cottage, Castle View, Airth.

**AGREED** that Committee is **MINDED** to **GRANT** planning permission, subject to completion of a legal agreement securing the sum of £40,950 for Education provision and thereafter, on satisfactory conclusion of the legal agreement to remit to the Director of Development Services to grant planning permission subject to the following conditions:-

- (1) That construction traffic enter the site from the back road and not through the existing adjacent housing estate.
- (2) That a boundary fence be added separating off the site, all to the satisfaction of the Director of Development Services.
- (3) That screening and planting be provided to separate the site from the existing adjacent housing estate, all to the satisfaction of the Director of Development Services.
- (4) The development to which the permission relates must be begun within three years of the date of the permission.
- (5) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the restoration of the well and well-head, including timescales for completion and maintenance schedule.
- (6)
  - (i) Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites;
  - (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination;
  - (iii) Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No

part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority; and

- (7) Before any work is commenced on the site a notice stating "PRESERVED" shall be placed on the trunk of all trees to be retained and this notice shall not be removed until all construction work on the site is completed.
- (8) All approved landscaping works shall be implemented to the satisfaction of the Planning Authority by the end of the first planting and seeding season following the occupation of the last house on the development.
- (9) Prior to any works on site, details of the Mental Play facilities - including maintenance arrangements - shall be submitted to and approved in writing by the Planning Authority.
- (10) Samples of roof tile, wall finishes and hard surface materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.
- (11) Prior to any works on site, further details of the specification and route of the path accessing the water attenuation (SUDS) pond shall be submitted to and approved in writing. For the avoidance of doubt, the specification and route shall be considered as to minimise the impact on tree root spread on the area covered by a Tree Preservation Order.
- (12) All road and footway construction shall be carried out in accordance with the "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, as amended January 2000".
- (13) Prior to any work on site, further details as to the siting of storage compound or materials and access route for construction vehicles shall be submitted to and approved by the Planning Authority.
- (14) Prior to the occupation of any dwellinghouse, the applicant shall submit, in writing, details and distribution of a Travel Pack to the Planning Authority for agreement.
- (15) Prior to occupation of any dwellinghouse, works to the junction of the A905 and Castle View, including installation of priority signage and "Give Way" markings, shall be installed all to the satisfaction of the Planning Authority in consultation with the Roads Authority.
- (16) For the avoidance of doubt, pedestrian access along the existing Right of Way shall be accommodated, through temporary diversion, details and timetable to be agreed in writing by the Planning Authority prior to works on site.
- (17) All road and footway construction shall be carried out in accordance with the "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, as amended January 2000".
- (18) Any access gates shall only open inwards.



- (19) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the Sustainable Urban Drainage System to be employed.
- (20) No building, structure, tree, shrub or other obstruction to visibility over 0.6m metres in height above carriageway level shall be allowed within 2.5m metres of the carriageway edge over the site's frontage with the public road.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure that any archaeological remains are safeguarded.
- (3) To ensure the ground is suitable for the proposed development.
- (4, 8) To ensure that the existing trees are retained and protected during construction work.
- (5) To safeguard the environmental amenity of the area.
- (6) To ensure that adequate play facilities are provided.
- (7) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (9, 12, 14, 15, 17) To safeguard the interests of the users of the highway.
- (10) To safeguard the residential amenity of the area.
- (11) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (13) To protect existing rights of way and ensure they are not adversely affected by the development
- (16) To ensure that adequate drainage is provided.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03a, 04a, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15a, 16a, 17, 18, 19, 21, 22, 23, 24, 25 and 26.
- (2) The applicant should consult with Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.

- (3) The permission for the development requires notice to be given before any works commence on site so as to allow archaeological monitoring and recording to take place. If the applicant had not already done so, notice should be given.
- (4) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal in respect of noise legislation which may affect the development.
- (5) It is recommended that the applicant should consult with the Coal Authority concerning the proposal because of the possibility of disused mine workings under the site.

**NOTED** concern over current surface water and flooding problems experienced by householders on the site. It was reported that the position should be improved by this development but this should be monitored by the applicant.

Councillors Constable and Thomson re-entered the meeting prior to consideration of the following item of business, although Councillor Thomson was not taking part in consideration thereof.

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

Councillors A MacDonald and Nicol left and re-entered the meeting during consideration of the following item of business, although they were not taking part in consideration thereof.

**P98. ERECTION OF 30 DWELLINGHOUSES AND ASSOCIATED WORKS ON LAND TO THE EAST OF 53 HAZEL ROAD, AUCHINCLOCH DRIVE, BANKNOCK FOR LINK GROUP - P/09/0386/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P78 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for the erection of 28 two storey terraced and semi detached dwellinghouses and two single storey dwellinghouses with wheelchair access, on land to the east of 53 Hazel Road, Auchincloch Drive, Banknock.

The Convener read a letter from Councillor Blackwood, local member in relation to the application.

**AGREED to REFUSE** planning permission on the basis that:-

- (1) There would be an adverse impact on road safety in particular in relation to young children;
- (2) There would be parking congestion and parking provision was inadequate for the development;
- (3) The unsuitability and overdevelopment of the site; and

- (4) The unacceptable loss of green space to the area.

The Convener agreed a 5 minute adjournment prior to consideration of the following item of business. The meeting reconvened with all Members present as per the sederunt, with the exception of Councillor Constable.

## **P99. REQUESTS FOR SITE VISITS**

Prior to consideration of the following items of business, and having heard requests by Members for site visits, the Committee agreed to the continuation of planning applications P/10/0558/FUL and P/10/0130/FUL (minute P104 and P105) to allow inspections of the sites by the Committee.

## **P100. ERECTION OF 13 FLATTED DWELLINGS AT BLYTHSWOOD, QUARROLHALL CRESCENT, CARRONSHORE, FALKIRK FOR MICHAEL MCLAUGHLIN - P/10/0235/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 August 2010 (Paragraph P83 refers), Committee gave further consideration to Report (circulated) dated 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for the erection of 13 flatted dwellings, on the site of a vacant children's nursery and associated grounds, bounded by 2 storey housing to the north and west, a health clinic to the east and open space directly adjacent to the south, at Blythswood, Quarrollhall Crescent, Carronshore, Falkirk.

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

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Prior to the commencement of development, details of a tree planting scheme for the linear planting of eight heavy standard trees, of an agreed species, along the site's frontage of Kincardine Road should be submitted for the assessment and written approval of the Planning Authority.
- (3) Unless otherwise agreed in writing, no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites:-
  - (i) Where contamination (as defined by Part 11A of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its

intended use by the removal of any unacceptable risks caused by the contamination;

- (ii) Prior to the commencement of development, the remediation works shall be carried out in accordance with the terms and conditions of the remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority; and
  - (iii) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminations land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority; and
- (4) Prior to commencement of development, a noise survey to determine the impact of transportation noise on the development shall be submitted. The survey shall be conducted in terms of PAN 56. The survey shall identify the noise exposure category within which the development will fall. If it falls within Category B or C then a scheme for protecting the proposed dwellings from transportation noise should be included as part of the noise survey and the scheme shall ensure that the internal levels, with the windows closed, do not exceed 45dB daytime and 35dB night-time when measured as LAeq, T, and permanent ventilation be provided in order that windows can be kept closed without loss of ventilation. The survey shall be submitted to, and approved by, the Planning Authority. Construction shall not commence until the aforementioned survey has been approved by the Planning Authority.
- (5) Parking spaces shall be formed with the dimensions of 6x3 metres.
- (6) Prior to commencement of development details of surface water drainage (SUDs) calculations for a 1 in 200 year flood event shall be submitted for the assessment and approval of the Planning Authority.
- (7) The existing footways along the site's frontage with Quarrollhall Crescent and Gairdoch Drive shall be reconstructed in accordance with Falkirk Council Design Guidelines and Construction Standards 2000 to a minimum width of two metres and with pedestrian dropped kerbs at the proposed site access from Quarrollhall Crescent and at the junction of Gairdoch Drive with Quarrollhall Crescent.
- (8) Prior to the commencement of development details of a traffic calming feature, designed in accordance with Falkirk Council Design Guidelines and Construction Standards, 2000, shall be provided for the assessment and written approval of the Planning Authority. The traffic calming shall thereafter be constructed prior to the occupation of any of the approved flats.
- (9) Prior to the commencement of the development a method statement for the repair of existing boundary wall and erection of a metal railing enclosure along the frontage of the site with Quarrollhall Crescent, shall be submitted for the assessment and written approval of the Planning Authority.

- (10) Prior to the commencement of development details and specifications of proposed render, stone and slate roof construction materials shall be submitted for the written approval of the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To provide an improved setting for the site.
- (3) To ensure that the site is suitable for development.
- (4) To protect residents of the proposed dwellings from the potential impact of transportation noise.
- (5) To ensure parking space dimensions accord with Falkirk Council Roads Construction Guidelines.
- (6) To ensure satisfactory drainage is provided.
- (7,8) In the interests of road safety.
- (9,10) In the interests of visual amenity.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 03, 04, 05, 06 and 07.

Councillor C Martin left the meeting during consideration of the following item of business.

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

**P101. ERECTION OF FARM SHOP, STABLES, BUNK HOUSE, CHALETs, TOILET BLOCK, FORMATION OF CARAVAN SITE AND ERECTION OF MANAGER'S HOUSE ON LAND TO THE NORTH OF GREENRIGG FARM, BONNYHILL ROAD, FALKIRK FOR THE DEANSTOUN PARTNERSHIP - P/09/0409/FUL (CONTINUATION)**

With reference to Minutes of Meetings of the Planning Committee held on 16 June and 25 August 2010 (Paragraphs P49 and P67 refer), Committee gave further consideration to Reports (circulated) dated 8 June and 18 August 2010 by the Director of Development Services and an additional Report (circulated) dated 15 September 2010 by the said Director on an application for full planning permission for the erection of a manager's house, 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 located to the south of Bonnyhill Road, Falkirk.

**AGREED** that Committee is **MINDED to GRANT** planning permission, subject to the satisfactory conclusion of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 to:-

- (a) Ensure the farm manager's house is retained and occupied by a manager for the continued operation of Rough Castle Farm; and
- (b) Ensure the approved chalets and caravan site are occupied for tourism use only and on a seasonal basis.

And thereafter on conclusion of the Section 75 Agreement to remit to the Director of Development Services to grant planning permission subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Within three months of the date of the permission detailed Sustainable Urban Drainage (SUDs) calculations and discharge rates for a 1:200 year storm flood return period shall be submitted for the written approval of the Planning Authority.
- (3) All drainage shall comply with the requirements of the Scottish Environmental Protection Agency and Scottish Water and evidence of such compliance shall be exhibited to the Planning Authority on demand.
- (4) Prior to the occupation of, or initiation of, approved uses a new access road to the site shall be formed to the west of the existing site access on the B816, at a position to be agreed in writing with the Planning Authority. The new access shall take the form of a bellmouth junction of a minimum 6 metres in width for the first 20 metres of length and with a minimum 10.5 metre junction radii.
- (5) Within three months of the date of this permission a detailed landscaping scheme including provision for subsequent maintenance shall be submitted for the written approval of the Planning Authority. No work shall commence on site until written approval has been provided.
- (6) Parking facilities shall be provided in accordance with Falkirk Council Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, as amended January 2000 and completed prior to occupation of the development.
- (7) Details of the location and specification for the formation of additional vehicle passing places to allow the passing of car and caravan traffic shall be provided for the consideration of the Planning Authority. Development shall not commence until written approval of these details has been provided. Noted that the applicant's agent confirmed on behalf of the applicant an undertaking to widen the access path to a width of 4 metres.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

- (2,3) To ensure that adequate drainage is provided.
- (4,6) To ensure adequate access and parking is provided.
- (5) In the interest of visual amenity.
- (7) To safeguard the interests of the users of the highway.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03, 04A, 05, 06, 07, 08, 09, 10, 11 and 12.

Members requested that the Director of Development Services examine the option to reduce the speed limit to 30 m.p.h. on the road from Tamfourhill to the site for road safety reasons and that appropriate signage to the site be installed. The Director undertook to approach Roads Services in this regard.

**P102. INSTALLATION OF EXTERIOR LIGHTING ON NORTH AND SOUTH ELEVATION, ROOF LINE AND TOP OF TOWER AT ST MODANS AND FALKIRK OLD PARISH CHURCH, MANSE PLACE, FALKIRK, FK1 1JN FOR GILLIAN SMITH - P/10/0409/FUL**

There was submitted Report (circulated) dated 15 September 2010 by the Director of Development Services on an application for full planning permission for the installation of exterior lighting on the north and south elevation, the roof line and the top of the tower at St Modans and Falkirk Old Parish Church, Manse Place, Falkirk.

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

- (1) The development to which the permission relates must be begun within three years of the date of the permission.

Reason:-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03 and 04.
- (2) The property is a category B Listed Building. Formal Listed Building Consent may also be required for alterations to the building. It is a criminal offence not to have obtained Listed Building consent before starting work on site. For advice contact should be made to Development Management, Development Services, Falkirk Council, Abbotsford House, David's Loan, Falkirk, FK2 7YZ (telephone: 01324 504748).

- (3) When fixing the cables necessary for any lighting scheme, the surface of the historic stone must not be damaged in any way. To ensure this the PLANNING Authority would recommend that where running cables across the stone surface of St Modans is unavoidable, the cable should be fixed into the mortar joints between the stones using non-ferrous fixing screws, so that they can be removed at a later date without damage to the historic fabric. This method should also be applied to the fixing of the proposed floodlight housing units on the stone elements of the church. When drilling any holes for fixing the wiring and electrical equipment or for passing cables through historic fabric, the electrical contractor should use an electric drill with an efficient vacuum cleaner attachment to ensure that all the dust is sucked away and does not settle. Cartridge fixing tools should not be used. Where the cables must pass through the walls, holes should be made using a diamond core drill (again with a vacuum attachment to remove the dust) so that a hole is neatly made with the minimum of damage to the historic masonry.

**P103. DEVELOPMENT OF LAND FOR MIXED USE PURPOSES (RESIDENTIAL, EQUESTRIAN CENTRE AND ASSOCIATED PARKING) AT FORRESTER QUARTER, BONNYBRIDGE FK4 2HA - MR GEORGE LAWRENCE - P/10/0196/PPP**

There was submitted Report (circulated) dated 15 September 2010 by the Director of Development Services on an application for planning permission in principle for the development of land for a mixed use development, comprising of an equestrian centre, associated parking and residential accommodation at Forrester Quarter, Bonnybridge.

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

In accordance with decisions taken at minute reference P99, **NOTED** that the following two items of business had been continued to a future meeting to allow an inspection of the sites by Committee:-

**P104. ALTERATIONS AT REAR OF PREMISES TO REMOVE EXISTING GARAGE, FORM NEW ACCESS WITH STEPS AND FORM LOADING BAY AT 3 PRETORIA PLACE, STATION ROAD, BRIGHTONS, FALKIRK FOR GIANNI CROLLA – P/10/0558/FUL**

**P105. PART CHANGE OF USE FROM AGRICULTURAL LAND TO OPERATE A FORESTRY/TREE SURGEON BUSINESS AND PROCESSING TIMBER AT 8 CAULDCOATS HOLDINGS, LINLITHGOW EH49 7LX FOR MR SANDY CROOK - P/10/0130/FUL**

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

**P106. CHANGE OF CLASS USE FROM RETAIL UNIT TO OFFICE/SHOWROOM SPACE TO HOUSE GRANGEMOUTH TRANSITION TOWN PROJECT**



**(RETROSPECTIVE) AT 78 LA PORTE PRECINCT, GRANGEMOUTH FK3 8BG FOR THE HELIX TRUST - P/10/0498/FUL**

There was submitted Report (circulated) dated 15 September 2010 by the Director of Development Services on an application for full planning permission (retrospective) for a change of use for class 2 office use of a former retail shop unit located on the north side of Kerse Road, Grangemouth at the west side of at 78 La Porte Precinct, Grangemouth.

**AGREED** to **GRANT** planning permission.

Informative:-

- (1) For the avoidance of doubt, the plan to which the consent refers bears the reference number 01.

**P107. CONSTRUCTION OF NEW FOOTPATHS AND ENHANCEMENT OF EXISTING FOOTPATHS AND ASSOCIATED LIGHTING, DRAINAGE; HANDRAILS, SIGNAGE, SEATING, A FOOTBRIDGE, STOCK PROOF FENCING AND TREE PLANTING ON LAND AT THE HELIX TO THE WEST OF THE M9 FROM JUNCTION 5 TO JUNCTION 6, FALKIRK FOR THE HELIX TRUST – P/10/0580/FUL**

There was submitted Report (circulated) dated 16 September 2010 by the Director of Development Services on an application for full planning permission for the formation of public access footpaths and cycleways for the Helix environmental improvements proposal on land to the west of the M9 from junction 5 to junction 6, Falkirk.

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

- (1) The development to which the permission relates must be begun within three years from the date of the permission.

Reason:-

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative:

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08 and 09.

**P108. CONSTRUCTION OF NEW FOOTPATHS AND ENHANCEMENT OF EXISTING FOOTPATHS AND ASSOCIATED LIGHTING, DRAINAGE, SIGNAGE, SEATING, A FOOTBRIDGE, INFILL WORKS RAMP TO A9, STOCK PROOF FENCING AND PLANTING ON LAND AT THE HELIX TO THE WEST OF THE M9 FROM JUNCTION 5 TO JUNCTION 6, FALKIRK FOR THE HELIX TRUST - P/10/0581/FUL**

There was submitted Report (circulated) dated 16 September 2010 by the Director of Development Services on an application for full planning permission for the formation of public access footpaths and cycleways for the Helix environmental improvements proposal on land to the west of the A9 from junction 5 to junction 6, Falkirk.

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

- (1) The development to which the permission relates must be begun within three years from the date of the permission.

Reason:-

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08 and 09.

Councillor Nicol re-entered the meeting following consideration of the foregoing items of business.

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

**P109. MIXED DEVELOPMENT COMPRISING OFFICES, LIGHT INDUSTRIAL UNITS AND GENERAL MANUFACTURING (CLASSES 4,5 & 6), ON LAND TO THE NORTH WEST OF GRANGEMOUTH TECHNOLOGY PARK, EARLS ROAD, GRANGEMOUTH FOR KEMFINE UK LTD PER IRONSIDE FARRAR LTD - P/08/0615/OUT**

There was submitted Report (circulated) dated 20 September 2010 by the Director of Development Services on an application for outline planning permission (now planning permission in principle) for a mixed use development comprising offices, light industrial units and general manufacturing (classes 4, 5 and 6) on a site extending 18 hectares and located to the south of Forth Clyde Way, east of Glenburgh Road and north east of Earls Road, in close proximity to junctions 5 and 6 of the M9 motorway on land to the north west of Grangemouth Technology Park, Earls Road, Grangemouth.

Councillor A MacDonald abstained from taking a decision on this item.

**AGREED** to **CONTINUE** consideration to a future meeting to allow further information to be obtained.

**P110. PROCEDURES FOR SITE VISITS**

Prior to consideration of the following items of business, the Committee agreed that the Acting Director of Law and Administration Services undertake a review of the

procedures relative to meetings of the Committee On Site. The Acting Director of Law and Administration Services indicated that following the review, a Report would be submitted to a future meeting of the Committee for Members' consideration.

Councillor Buchanan left the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

Councillor Carleschi left and re-entered the meeting during consideration of the following item of business.

**P111. ERECTION OF 3 WAREHOUSE BUILDINGS AT BONDED WAREHOUSES, GLASGOW ROAD, DENNYLOANHEAD, BONNYBRIDGE, FK4 1QR FOR DIAGEO SCOTLAND LTD - P/07/1185/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 25 March 2009 (Paragraph P44 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 September 2010 by the said Director on an application for detailed planning permission (now full planning permission) for the erection of three warehouse buildings at Bonded Warehouses, Glasgow Road, Dennyloanhead, Bonnybridge.

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

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Notwithstanding the approved plans, before any work starts on site, details of the specification and colour of the proposed external finishes shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (3) Before any work starts on the site, a contaminated land assessment shall be submitted to and approved in writing by the Planning Authority. Before the proposed development is brought into use, any necessary remedial works to make the ground safe shall be completed in accordance with an approved remediation strategy and any necessary remediation completion reports/validation certificates shall be submitted to and approved in writing by the Planning Authority.
- (4) Before any work starts on site, the following details shall be submitted to and approved in writing by the Planning Authority:-
  - (i) The precise details for the height, profile and location of the proposed berm indicated on the approved plans.
  - (ii) A schedule of the plants to be planted on the proposed berm, to comprise the species, plant sizes and proposed numbers/density.
  - (iii) A maintenance schedule for all planting.

- (5) All approved bunding and landscaping works shall be completed by the end of the first planting and seeding season following the completion of the first building.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2,4-5) To safeguard the visual amenity of the area and the setting of scheduled monuments (the Antonine Wall and the Forth and Clyde Canal).
- (3) To ensure the ground is suitable for the proposed development.

Informative:-

- (1) For the avoidance of doubt, the plans to which the decision refers bear the online reference numbers 01, 02, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21.

**P112. STORAGE OF HAZARDOUS SUBSTANCES IN THE FOLLOWING QUANTITIES: ETHANOL, 180,170 TONNES AT BONDED WAREHOUSES, GLASGOW ROAD, DENNYLOANHEAD, BONNYBRIDGE FK4 1QR (PART RETROSPECTIVE) FOR DIAGEO SCOTLAND LTD - P/09/0085/HAZ**

There was submitted Report (circulated) dated 15 September 2010 by the Director of Development Services on an application for planning consent for the consolidation of existing permitted storage of 90,000 tonnes of ethanol granted in 2000 and the additional storage of a further 90,170 tonnes of ethanol on a site at Bonded Warehouses, Glasgow Road, Dennyloanhead, Bonnybridge. This application was in part retrospective as 35,000 tonnes of the quantities being requested for consent were currently stored on the site

**AGREED to REFUSE** planning permission on the basis that there would be an increased level of hazardous materials in the vicinity of and closer to nearby housing, some of which is located within the existing and proposed hazard consultation zones and grant of the application would be contrary to the interests of public health and safety.