

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 7 MARCH 2011 commencing at 9.30 a.m.

PRESENT: Councillors Buchanan, Constable (for application P/10/0630/PPP); Lemetti (except for application P/10/0621/FUL); McLuckie, McNeill, Mahoney, Nicol and Thomson (for applications P/10/0621/FUL and P/10/0553/FUL).

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors A MacDonald and Oliver.

ATTENDING: Development Manager; Development Management Co-ordinator (B Whittle) (for applications P/10/0774/FUL and P/10/0630/PPP); Roads Development Co-ordinator; Planning Officer (K Brown) (for applications P/10/0776/FUL and P/10/0630/PPP); Planning Officer (J Seidel) (for applications P/10/0553/FUL and P/10/0774/FUL); Assistant Planning Officer (G Clark) (for application P/10/0621/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

**DECLARATION
OF INTEREST:**

Councillor Lemetti declared a non financial interest in agenda item 2 (P201) in consequence of his own business interests in Camelon and having regard to the issue of public perception in relation to the application and stated that he would take no part in consideration or discussion of this item of business.

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

P201. CHANGE OF USE OF EXISTING PUBLIC HOUSE TO HOT FOOD TAKEAWAY, ALTERATIONS TO SHOPFRONT AND INSTALLATION OF FLUE AT MAGPIE, MAGGIE WOODS LOAN, FALKIRK, FK1 5HR FOR OBAN BAY PROPERTIES LTD - P/10/0621/FUL

With reference to Minutes of Meetings of the Planning Committee held on 26 January and 23 February 2011 (Paragraphs P168 and P191 refer), Committee gave further consideration to Reports (circulated) dated 18 January and 16 February 2011 on an application for full planning permission for the change of use of a public house to a hot food take away at the Magpie, Maggie Woods Loan, Falkirk.

Neither the applicant nor their agent was present on site. The applicant had prior to the site visit emailed the Council's Law and Administration Services to indicate that no representative from the applicant would be in attendance. No response was received from the agent. Following further communication by email with Law and Administration Services, the applicant agreed to contact the tenant to allow access to the premises. Mr McBride, the tenant's father, was in attendance for this purpose.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Ms Findlay, on behalf of the objector Bantaskine Tenants and Residents Association, was heard in relation to the application.

Ms McAngus, an objector, was heard in relation to the application.

Mrs Napier, an objector, was heard in relation to the application.

Mr Napier, an objector, was heard in relation to the application.

The objectors highlighted the following issues:-

- The proliferation of hot-food takeaways in the surrounding area and concern about the operating hours;
- The size of the premises;
- The lack of suitable access for wheelchair users;
- The cooking odours; and
- The traffic generation, parking, noise, anti social behaviour and litter problems.

Questions were then asked by Members of the Committee.

Mr McBride, the tenant's father responded briefly to Members' questions but indicated that he had little knowledge of the application.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 23 March 2011.

P202. CHANGE OF USE FROM PUBLIC HOUSE TO HOT FOOD TAKEAWAY, ALTERATIONS TO SHOPFRONT AND INSTALLATION OF FLUE AT THE CRITERION, 6 - 10 STIRLING STREET, DENNY FK6 6DU FOR SUNSHINE FOODS - P/10/0553/FUL

With reference to Minute of Meeting of the Planning Committee held on 23 February 2011 (Paragraph P195 refers), Committee gave further consideration to Report (circulated) dated 15 February 2011 on an application for full planning permission for the change of use from a public house to a hot food take away and the installation of a flue at the Criterion public house at 6 to 10 Stirling Street, Denny.

The Convener introduced the parties present.

The Planning Officer (J Seidel) outlined the nature of the application.

Mr Thomson, the applicant's agent, was heard in relation to the application.

Ms Gardner, an objector, was heard in relation to the application.

Ms Henderson, an objector, was heard in relation to the application.

Mrs Henderson, an objector, was heard in relation to the application.

Councillor McNally, an objector and local member, was heard in relation to the application.

The objectors highlighted the following issues:-

- The noise nuisance as a result of customers and late opening hours;
- The cooking odour in adjacent flats;
- The location on a dangerous bend at traffic lights with customers and goods vehicles stopping on the road and causing an accident or obstructing the road;
- The importance of maintaining the frontage of the building as at present and the internal design;
- The view that Roads Officers would oppose the application;
- The overprovision of hot food take aways in the area;
- The associated litter issues within common areas within the community and the location of bins and opening hours;
- The importance of the restriction to property owners only, including William Hill, to prevent unsocial behaviour by customers;
- The lack of consideration of the interests of the local community and the regeneration of the Town Centre;
- The lack of enhancement of the town and the effect on the character of the shopping area; and
- The undesirable use of the premises.

Questions were then asked by Members of the Committee.

Councillor Blackwood, as local Member for the area, was heard in relation to the application.

Members thereafter visited the rear of the building to view where the flue would be located and the car park to be used for deliveries.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 23 March 2011.

P203. DEVELOPMENT OF LAND FOR HOUSING PURPOSES AT GLEN ROMA, SHIELDHILL ROAD, REDDINGMUIRHEAD, FALKIRK FK2 0DU FOR IAIN GIFFEN - P/10/0776/PPP

With reference to Minute of Meeting of the Planning Committee held on 23 February 2011 (Paragraph P174 refers), Committee gave further consideration to Report (circulated) dated 18 January 2011 on an application for planning permission in principle for the development of land for housing purposes at Glen Roma, Shieldhill Road, Reddingmuirhead, Falkirk.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Giffen, the applicant, was heard in relation to the application.

Mr Callaghan, on behalf of Reddingmuirhead and Wallacestone Community Council, an objector, was heard in relation to the application.

Mr Mitchell, an objector, was heard in relation to the application.

Mr McGovern, an objector, was heard in relation to the application.

Ms Whyte, an objector, was heard in relation to the application.

Ms Muir, an objector, was heard in relation to the application.

The objectors highlighted the following issues:-

- The overdevelopment of the site from the construction of two houses and the small size;
- The overshadowing of neighbouring properties and the impact on privacy;
- The road safety issues including access and egress from the site and parking;
- The flooding from surface water run off;
- The concern at the demolition of the bungalow previously at the site;
- The asbestos in the previous building (now demolished);
- The disturbance associated with construction;
- That the development was contrary to the Local Plan;
- The future of the hedging on the site; and
- The adverse impact on the character of the area.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 23 March 2011.

P204. USE OF CARPARK FOR OVERNIGHT PARKING OF BUSES AT LITTLE KERSE LEISURE LTD, GRANGE ROAD, GRANGEMOUTH FK3 9UY FOR STEPHEN BARR - P/10/0774/FUL

With reference to Minute of Meeting of the Planning Committee held on 2011 (Paragraph P174 refers), Committee gave further consideration to Report (circulated) dated 18 January 2011 on an application for full planning permission for the use of a car

park for overnight parking of buses at Little Kerse Leisure Ltd, Grange Road, Grangemouth.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Barr, the applicant, was heard in relation to the application.

Questions were then asked by Members of the Committee.

Councillor , as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 23 March 2011.

P205. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT LOCKUPS, GRAHAMSDYKE ROAD, BO'NESS FOR BENJAMIN CADELL - P/10/0630/PPP

With reference to Minute of Meeting of the Planning Committee held on 2011 (Paragraph P174 refers), Committee gave further consideration to Report (circulated) dated 18 January 2011 on an application for planning permission in principle for the development of land for residential purposes at lockups, Grahamsdyke Road, Bo'ness.

The Convener introduced the parties present.

The Planning Officer (K Brown) outlined the nature of the application.

Mr Cadell, the applicant's agent, was heard in relation to the application.

Mrs Robertson, although indicating support, was concerned about the narrow access to the site.

Mr Thomson, although indicating support, was concerned about the narrow access to the site.

The supporters highlighted the improvement of area of land from the development but with the reservations detailed above.

Mrs Sugden, an objector, was heard in relation to the application.

Mrs Maher, an objector, was heard in relation to the application.

Ms Williamson, an objector, was heard in relation to the application.

Mr Anderson, an objector, was heard in relation to the application.

Mrs Anderson, an objector, was heard in relation to the application.

Ms Melville, an objector, was heard in relation to the application.

Mr Murray, an objector, was heard in relation to the application.

Mr McGuire, an objector, was heard in relation to the application.

Mr Lawrie, an objector, was heard in relation to the application.

The objectors highlighted the following issues:-

- The overshadowing and overlooking of neighbouring properties and the impact on privacy;
- The overbearing height of the development;
- The disturbance due to traffic movements;
- The limited access and potential damage to boundary of 40 Grahamsdyke Road during construction;
- The road safety issues and parking provision;
- The narrowness of the site;
- The loss of a view for neighbouring properties;
- The drain on the local infrastructure including drainage and sewerage; and
- The problem of access by emergency vehicles.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by the Planning Committee on 23 March 2011.