

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 5 DECEMBER 2011 at 9.30 A.M.**

**PRESENT:** Councillors Alexander, Buchanan, Carleschi, Lemetti, Mahoney, McLuckie, Nicol, Oliver, Thomson and Turner.

**CONVENER:** Councillor Buchanan.

**APOLOGIES:** Councillors C Martin and McNeill.

**ATTENDING:** Director of Development Services; Chief Governance Officer; Head of Planning and Transportation; Development Manager; Roads Development Co-ordinator (B Raeburn); Environmental Health Officer (S Henderson); Team Leader, Legal Services (D Blyth); and Committee Officer (A Sobieraj).

**DECLARATION**

**OF INTEREST:** Councillor McLuckie declared a non financial interest in agenda items 12 and 13 (minute P119 and P120), as he had served on a Committee which had allocated funding to the organisation, and stated that he would take no part in consideration of these items of business.

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

- Councillors Mahoney, Nicol and Buchanan informed the Committee that as they had not attended the site visit they would not take part in consideration of planning application P/11/0156/MRL (minute P108).

**P107. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 2 November 2011; and
- (b) Minute of Meeting of the Planning Committee held On-Site on 14 November 2011.

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

**P108. EXTRACTION OF DIMENSION SANDSTONE AT DRUMHEAD QUARRY DENNY FOR MR AND MRS D GRAHAM - P/11/0156/MRL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 2 November 2011 (Paragraph P104 refers), Committee gave further consideration to Report (circulated) dated 25 October 2011 by the Director of Development Services and an additional Report (circulated) dated 24 November 2011 by the said Director on an application for mineral resource level permission for a local development for the phased extraction of dimension sandstone and aggregate stone and the associated phased restoration at a site at Drumhead Quarry, Denny.

**AGREED** to **CONTINUE** consideration for further information in relation to options for an alternative entry to and egress from the site due to concerns relating to road safety.

Councillor Buchanan resumed the Convenership of the meeting following consideration of the foregoing item of business.

**P109. REQUESTS FOR SITE VISITS**

Having heard requests by Members for site visits, the Committee agreed to the continuation of planning applications P/11/0482/PPP, P/11/0500/FUL, P/11/0131/FUL, P/11/0627/FUL and P/11/0621/PPP (minute P110, P111, P114, P115 and P116) to allow an inspection of the sites by the Committee.

In accordance with the immediately proceeding decision, **NOTED** that the following two items had been continued to a future meeting to allow inspections of the sites by Committee:-

**P110. ERECTION OF BED AND BREAKFAST AND GUESTHOUSE (CLASS 7) AT TIPPETCRAIG, BONNYBRIDGE FK4 2EU FOR MR STEVEN CAIRNS - P/11/0482/PPP**

**P111. CHANGE OF USE FROM SHOP (CLASS 1) TO HOT FOOD TAKE-AWAY AT THE VILLAGE SHOP REDHOUSE INDUSTRIAL ESTATE, SHIELDHILL ROAD, REDDINGMUIRHEAD, FALKIRK FK2 0DT FOR MR MARIO MORROCCO - P/11/0500/FUL**

**P112. CHANGE OF USE FROM PUBLIC HOUSE TO HOT FOOD TAKEAWAY AT THE CRITERION, 6 STIRLING STREET, DENNY FK6 6DU FOR SUNSHINE FOODS - P/11/0512/FUL**

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services on an application for full planning permission for the change of use from a public house to a hot food takeaway, including alterations at the Criterion, 6 Stirling Street, Denny.

**AGREED** to **REFUSE** planning permission on the basis that there would be an adverse impact on road safety.

**P113. AMEND AFFORDABLE HOUSING TENURE WITHIN LEGAL AGREEMENT - ERECTION OF 16 FLATTED DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING AT THE ROYAL BRITISH LEGION, PARK TERRACE, BRIGHTONS, FALKIRK FOR LINK GROUP - P/09/0866/FUL**

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services seeking an amendment to the legal agreement in relation to application P/09/0866/FUL approved on 24 March 2010 (the report by the said Director to that Committee being attached as an appendix) to the extent of amending the reference to 'social' housing rent to 'affordable' rent housing in respect of the 16 two bedroom flats to be erected at the Royal British Legion, Park Terrace, Brightons, Falkirk.

**AGREED** to **GRANT** the change of housing tenure from social rent to affordable rent.

In accordance with a decision taken at the start of the meeting, **NOTED** that the following three items had been continued to a future meeting to allow inspections of the sites by Committee:-

**P114. ERECTION OF OUTBUILDING, SITING OF TEMPORARY RESIDENTIAL CARAVAN AND FORMATION OF ALL WEATHER EQUESTRIAN SCHOOLING AREA (RETROSPECTIVE) AND ERECTION OF DWELLINGHOUSE ON LAND TO THE NORTH OF SALTERHILL FARM, SLAMANNAN ROAD, LIMERIGG FOR MR AND MRS D POLLOCK - P/11/0131/FUL**

**P115. CHANGE OF USE FROM BUILDERS STORAGE AREA (CLASS 6) TO SALE AND REPAIR OF MOTOR VEHICLES (RENEWAL OF PLANNING PERMISSION P/09/0862/FUL) AT MORVEN CONSTRUCTION LTD, GRANARY SQUARE, BANKSIDE, FALKIRK FK2 7XJ FOR MORVEN MOTORCYCLES - P/11/0627/FUL**

**P116. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES, ASSOCIATED ACCESS ROAD AND LANDSCAPING WORKS ON LAND TO THE NORTH WEST OF DENOVA COTTAGE, DENNY FOR MRS BRENDA MACCONNELL - P/11/0621/PPP**

**P117. DISCHARGE OF AGREEMENT ON PLANNING PERMISSION F/86/514, REMOVING THE RESTRICTION ON (A) THE OCCUPATION OF THE DWELLINGHOUSE TO A PERSON CONNECTED WITH OR EMPLOYED IN AGRICULTURE AND THE DEPENDENTS OF SUCH A PERSON; AND (B) THE SALE OF THE DWELLINGHOUSE TO A PERSON EMPLOYED IN OR CONNECTED WITH AGRICULTURE AT ALMONDHALL FARM, FALKIRK FK2 0YG FOR MR JAMES D SMITH - P/11/0551/75D**

There was submitted Report (circulated) dated 24 November 2011 by the Director of Development Services on a request to discharge an agreement made under the terms of Section 50 of the Town and Country Planning (Scotland) Act 1972 (now Section 75 of the Town and Country Planning (Scotland) Act 1997) relating to restrictions on the occupation and sale of the existing farmhouse at a site located to the east of Falkirk, on the southern end of the Union Canal and accessed directly from the A801 at Almondhall Farm, Falkirk.

**AGREED** to the discharge of the existing Section 50 Agreement restricting the occupancy and sale of Almondhall Farm, Falkirk.

**P118. SITING OF SNACK VAN AT FOUNDRY LOAN (EAST) CAR PARK, FOUNDRY LOAN, LARBERT FOR MISS DIMITRA PERROU - P/11/0619/FUL**

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services on an application for full planning permission for use of the area at Larbert train station car park for the siting of a snack van, measuring approximately 2.5 metres by 1.5 metres, at Foundry Loan (East) Car Park, Foundry Loan, Larbert.

The applicant, who was present as an observer at the meeting, was asked for further information by Members relating to the proposed hours of operation.

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

- (1) The permission shall be valid for a limited period until 31 December 2014 and, at that time, unless further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition.
- (2) The hours of operation will not be before 6 a.m. or after 6 p.m.

Reason:-

- (1) The proposal is not considered to be a suitable form of permanent development.

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 and 05.

Councillor McLuckie left the meeting prior to consideration of the following items of business.

**P119. SITING OF A STORAGE CONTAINER (RETROSPECTIVE) AT SHIELDHILL YOUTH COMMUNITY HALL, MAIN STREET, SHIELDHILL. FALKIRK FOR SHIELDHILL FLUTE BAND - P/11/0674/FUL**

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services on an application for full planning permission to regularise the

presence of a storage container adjacent to an existing modular building used as a band hall and youth/community hall on land to the north of 26 Elm Drive, Main Street, Shieldhill, Falkirk.

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

- (1) The permission shall be valid for a limited period until 1 December 2016 and, at that time, unless further permission is granted, the storage container shall be removed and the site reinstated to its original condition.
- (2) The external appearance of the container shall be maintained in a neat and tidy condition, with further information regarding maintenance to be submitted to and approved in writing by the Planning Authority.

Reason(s):-

- (1) The proposal is not considered to be a suitable form of permanent development.
- (2) To protect visual amenity.

**P120. ERECTION OF MODULAR BUILDING FOR USE AS BAND HALL AND YOUTH/COMMUNITY HALL - DELETION OF CONDITION 2 AT SHIELDHILL YOUTH COMMUNITY HALL, MAIN STREET, SHIELDHILL, FALKIRK FOR SHIELDHILL FLUTE BAND - P/11/0685/VRC**

There was submitted Report (circulated) dated 25 November 2011 by the Director of Development Services together with a Report (circulated) dated 17 September 2007 seeking modification of planning condition 2 relating to permission P/07/0432/FUL which restricted the time limit for erecting a modular building for use as a band hall and youth/community hall on land to the north of 26 Elm Drive, Main Street, Shieldhill, Falkirk.

**AGREED** that planning condition 2 relating to planning application P/07/0432/FUL be amended to read as follows:-

- (2) The permission shall be valid for a limited period until 1 December 2016 and, at that time, unless further permission is granted, the modular building shall be removed and the site reinstated to its original condition.

Reason:-

- (2) The proposal is not considered to be a suitable form of permanent development.

Informative:-

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