

DRAFT**FALKIRK COUNCIL****MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 27 MARCH 2013 at 9.30 A.M.**

PRESENT: Councillors Black, Buchanan, Carleschi, Chalmers, Mahoney, C Martin, Meiklejohn, McLuckie, Nicol, Paterson and Turner.

CONVENER: Councillor Buchanan.

ATTENDING: Director of Development Services; Chief Governance Officer; Development Manager; Network Co-ordinator; Transport Planning Co-ordinator; Development Plan Co-ordinator; Senior Planning Officer (B Vivian); Environmental Health Officer (S Henderson); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

P218. APOLOGIES

Apologies were intimated on behalf of Councillor Alexander.

P219. DECLARATIONS OF INTEREST

Whilst having made no declaration at the commencement of business, Councillor Nicol however subsequently declared an interest detailed at item 7 (minute P224).

Councillor Mahoney declared a non-financial interest in Item 8 (minute P225) having submitted an objection to West Lothian Council in respect of the application but did not consider that this required him to recuse himself from consideration of the item, having regard to the objective test in the Code of Conduct.

Prior to consideration of business, the Member below made the following statement:-

- 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/12/0588/FUL, P/12/0611/FUL and P/12/0124/PPP (minute P221, P222 and P223).

P220. MINUTES

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 27 February 2013;
- (b) Minute of Meeting of the Planning Committee held On-Site on 11 March 2013; and
- (c) Minute of Special Meeting of the Planning Committee held on 11 March 2013.

P221. EXTENSION TO LOUNGE BAR AT REDDING AND WEST QUARTER UNITY CLUB, REDDING ROAD, REDDING, FALKIRK FK2 9TX FOR REDDING AND WEST QUARTER UNITY CLUB - P/12/0588/FUL (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 30 January and 27 February 2013 (Paragraphs P180 and P204 refer), Committee gave further consideration to Reports (circulated) dated 22 January and 19 February 2013 by the Director of Development Services and an additional Report (circulated) dated 19 March 2013 by the said Director on an application for full planning permission for the erection of a single storey extension to accommodate an additional lounge/bar and seating area within the Redding and West Quarter Unity Club, Redding, Falkirk.

AGREED to **CONTINUE** consideration of the application to allow the applicant to gather the requested information.

P222. CHANGE OF USE FROM CLASS 2 (FINANCIAL, PROFESSIONAL AND OTHER SERVICES) TO HOT FOOD TAKEAWAY (SUI GENERIS) AND INSTALLATION OF FAN AT 6 WAGGON ROAD, BRIGHTONS, FALKIRK FK2 0ES FOR NEW YORK PIZZA CO INC - P/12/0611/FUL (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 30 January and 27 February 2013 (Paragraphs P175 and P205 refer), Committee gave further consideration to Reports (circulated) dated 22 January and 19 February 2013 by the Director of Development Services and an additional Report (circulated) dated 19 March 2013 by the said Director on an application for full planning permission for a change of use from a class 2 (financial, professional and other services) to a sui generis (hot food takeaway use) at 6 Waggon Road, Brightons, Falkirk.

Councillor McLuckie, seconded by Councillor Buchanan, moved that the application be approved subject to appropriate conditions as determined by the Director of Development Services.

By way of an amendment, Councillor Nicol, seconded by Councillor Carleschi, moved that the application be refused in accordance with the recommendations in the Report.

On a division, 5 Members voted for the motion and 5 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 motion.

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

P223. DEVELOPMENT OF LAND FOR HOUSING PURPOSES ON LAND TO THE SOUTH OF THE STABLES, BRAEFACE ROAD, BANKNOCK FOR MR JOHN PENMAN - P/12/0124/PPP (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 19 September and 31 October 2012 and 30 January 2013 (Paragraphs P98, P111 and P169 refer), Committee gave further consideration to Reports (circulated) dated 12 September and 23 October 2012 and 22 January 2013 by the Director of Development Services and an additional Report (circulated) dated 19 March 2013 by the said Director on an application for planning permission in principle for the development of land for housing purposes on land to the south of the Stables, Braeface Road, Banknock.

Councillor Black, seconded by Councillor Paterson, moved that Committee be minded to grant the application in accordance with the recommendations in the Report.

By way of an amendment, Councillor Carleschi, seconded by Councillor Meiklejohn, moved that Committee be minded to grant the application in accordance with the recommendations in the Report subject to amendments to reflect (a) that the legal agreement or agreements can be a Section 75 Obligation and/or other suitable legal agreement; (b) that the number of dwellinghouses granted by the permission in principle shall be a maximum of six; and (c) that the Section 75 Obligation and/or other suitable legal agreement shall provide for the financial contributions detailed at paragraph 21 of the Report.

On a division, 4 Members voted for the motion and 6 for the amendment.

Accordingly, **AGREED** that Committee is **MINDED** to **GRANT** planning permission in principle subject to the following conditions:-

- (1) The provision of visibility at the entrance to the Estate to the satisfaction of the Director of Development Services; and
- (2) The satisfactory completion of an obligation, within the terms of the Section 75 of the Town and Country Planning (Scotland) Act 1997 and/or other suitable legal agreement or agreements to secure:-
 - (i) The reinvestment into the business of the income derived from the plot sales/house building;
 - (ii) The phased development of the housing linked to the phasing of completion of elements of the investment programme for the business; and
 - (iii) Developer contributions towards (a) increasing the future capacity of Bankier Primary School to be set at a rate of £2,600 per dwellinghouse; and (b) improving open space/play facilities in the local area to be set at a rate of £1,820 per dwellinghouse.

And thereafter, on satisfactory conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission in principle, subject to the inclusion of such conditions as the Director of Development Services deems appropriate to include a condition restricting the maximum number of dwellinghouses granted by planning permission in principle to six.

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

P224. CHANGE OF USE FROM SHOP (CLASS 1) TO FINANCIAL, PROFESSIONAL AND OTHER SERVICES (CLASS 2) AT 7 YORK LANE, GRANGEMOUTH FK3 8BD FOR THE LETTING CO - P/13/0034/FUL

Prior to commencement of this item of business, Councillor Nicol declared a financial interest in respect of the application in consequence of his wife's ownership of a shop in Grangemouth, but did not consider that this required him to recuse himself from consideration of the item, having had regard to the objective test in the Code of Conduct.

There was submitted Report (circulated) dated 19 March 2013 by the Director of Development Services on an application for full planning permission for a change of use from shop (class 1) to financial, professional and other services (class 2) at 7 York Lane, Grangemouth.

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

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the Informatives below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.

Reason:-

- (1) As these drawings and details constitute the approved development.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of 3 years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A.

P225. CONSULTATION ON PLANNING APPLICATION - MIXED USE DEVELOPMENT PROPOSAL AT BURGHMUIR, LINLITHGOW - (0095/P/12)

There was submitted Report (circulated) dated 19 March 2013 by the Director of Development Services on an application for planning permission submitted to West Lothian Council for a mixed use development at Burghmuir, Linlithgow and for consideration by Falkirk Council as a consultee.

AGREED that a response be submitted to West Lothian Council indicating that Falkirk Council maintains its objection to the proposed supermarket on the grounds that it would have a significant impact on the vitality and viability of Bo'ness Town Centre and undermine Falkirk Council's aspirations to improve it.

P226. CLOSING REMARKS

Following consideration of business on the agenda, the Convener invited the Development Manager to provide an update on the appointment of a specialist consultant and the organisation of a hearing in relation to planning application P/12/0521/FUL - Development for Coal Bed Methane Production, Including Drilling, Well Site Establishment at 14 Locations, Inter-Site Connection Services, Site Access Tracks, a Gas Delivery and Water Treatment Facility, Ancillary Facilities, Infrastructure and Associated Water Outfall Point at Letham Moss, Falkirk FK2 8RT for Dart Energy.

FALKIRK COUNCIL

**Subject: THE FALKIRK COUNCIL (LIDO LANE,
STENHOUSEMUIR)(PROHIBITION OF LEFT TURN) ORDER 2012**
Meeting: PLANNING COMMITTEE
Date: 1 MAY 2013
Author: DIRECTOR OF DEVELOPMENT SERVICES

Ward: Carse, Kinnaird and Tryst

**Local Members: Councillor Stephen Bird
Councillor Steven Carleschi
Councillor Charles MacDonald
Councillor Craig Martin**

Community Council: Larbert, Stenhousemuir and Torwood Community Council

Council Officer: Russell Steedman - Network Co-ordinator

1. INTRODUCTION

- 1.1 This report seeks a decision on The Falkirk Council (Lido Lane, Stenhousemuir)(Prohibition of Left Turn) Order 2012, the purpose of which is to prohibit the left turn manoeuvre from Lido Lane into James Street, Stenhousemuir to safeguard residential amenity from through traffic. In terms of the Council's Scheme of Delegation, this decision requires to be made by Committee as unresolved objections have been received to the making of the Order. In terms of the relevant legislation, the authority requires to consider all objections made and not withdrawn before making the Order.
- 1.2 Members should be aware that it is available to them to call for a hearing on the Order should they find themselves unable to determine whether the Order should be made or not at this stage. Such a hearing would be conducted by an independent party appointed by the Council from a list of persons compiled by the Scottish Ministers for that purpose. Members would then need to consider the report and recommendation of the Reporter before making a determination.

2. BACKGROUND

- 2.1 Following implementation of the Falkirk Council (Lido Lane, Stenhousemuir)(One-Way Traffic and Restricted Access) Order 2012, complaints have been received regarding taxis using the residential area of James Street, Stenhousemuir as a through route to avoid traffic signals on Main Street, Stenhousemuir. The proposed Traffic Regulation Order (TRO) prohibits the left turning manoeuvre from Lido Lane, Stenhousemuir into James Street, Stenhousemuir to address these concerns.

- 2.2 The location of the proposed prohibition is shown on the drawing numbered TRO/12/038 attached.
- 2.3 Planning consent was granted by Members of the Planning Committee on 27 July 2006 for the redevelopment of Stenhousemuir town centre. Lido Lane was constructed as a “one way bus link” to facilitate the introduction of a local bus service whilst safeguarding the adjacent residential communities as part of this redevelopment.
- 2.4 The decision to make The Falkirk Council (Lido Lane, Stenhousemuir)(One-Way Traffic and Restricted Access) Order 2012 and to permit taxi’s to use Lido Lane was made by Planning Committee at its meeting of 19 September 2012.

3. CONSULTATION

- 3.1 Forty five objections, dated 24 December 2012, were received to the proposed order by way of signatures on a pre-prepared objection letter.
- 3.2 The 45 signature objection, prepared by a local taxi company, bases its objection on two points. These are:
- a) Increased congestion along Park Drive towards the traffic signalised junction between Main Street, Stenhousemuir and King Street, Stenhousemuir.
 - b) Increased cost.
- 3.3 Development Services responded to objectors on 5 February 2012 explaining:-
- a) The volume of permitted vehicles (buses, taxis and cycles) using Lido Lane is low. As such, prohibiting the left turn manoeuvre at the junction between Lido Lane and James Street, would not cause significant congestion issues on Park Drive, Main Street, or at the junction between Main Street and King Street.
 - b) For destinations west of the junction between Main Street and McLachlan Street (McLachlan Street being the next street to access Main Street), prohibiting left turning vehicles adds approximately 40 metres (43 yards) to the total distance travelled which is unlikely to add significant cost to fares.
 - c) Development Services’ proposals to implement such restrictions are considered necessary to safeguard the local residential community from rat running vehicles. An increase in vehicle numbers within residential areas can pose safety concerns.
- 3.4 Objectors were asked, should they be minded to do so, to formally withdraw their objections.
- 3.5 To date, one objection has been withdrawn.
- 3.6 Central Scotland Police have advised that they have no additional comments to make in relation to the proposals.

4.0 CONCLUSION

- 4.1 The purpose of The Falkirk Council (Lido Lane, Stenhousemuir)(Prohibition of Left Turn) Order 2012 is to safeguard the adjacent residential streets from an increase in vehicular traffic caused by taxis using residential streets. An increase in vehicle numbers within residential areas can pose road safety concerns. Prohibiting left turning manoeuvres from Lido Lane to would minimise the potential of road safety issues caused by taxis in the James Street area.

5.0 RECOMMENDATIONS

- 5.1 **Members are asked to consider the terms of the report including the objections and determine whether the Order should be made.**

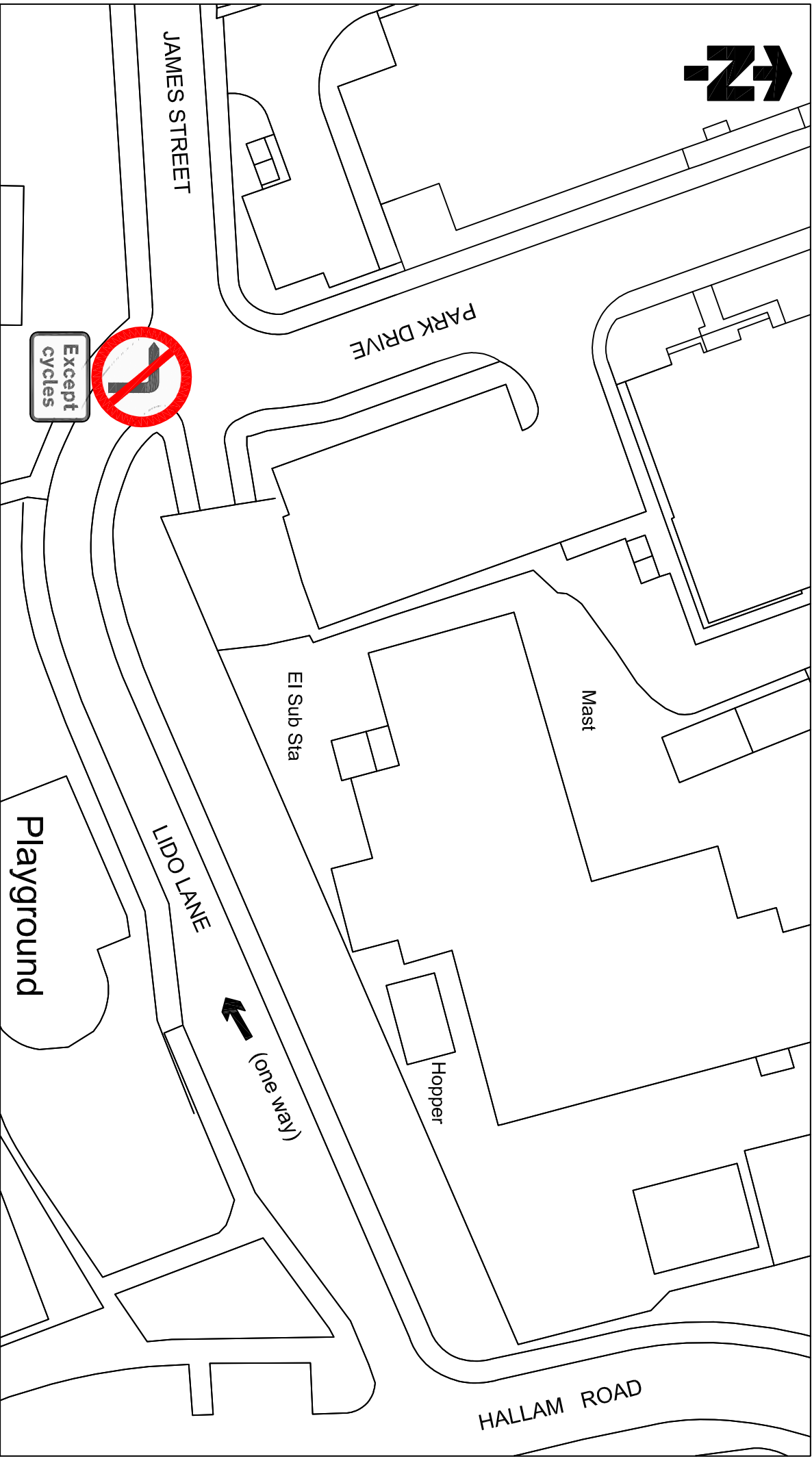
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Director of Development Services

Date: 26 March 2013

Contact Officer: Russell Steedman, Network Co-ordinator Tel: Ext 4830

LIST OF BACKGROUND PAPERS

1. The Falkirk Council (Lido Lane, Stenhousemuir)(Prohibition of Left Turn) Order 2012
2. The Falkirk Council (Lido Lane, Stenhousemuir)(One-Way Traffic and Restricted Access) Order 2012
3. Consultation responses
4. Letters of objection and correspondence.



This is the plan referred to in "The Falkirk Council (Lido Lane, Stenhousemuir) (Prohibition of Left Turn) Order 2013"

TITLE OF ORDER

THE FALKIRK COUNCIL (LIDO LANE, STENHOUSEMUIR)
(PROHIBITION OF LEFT TURN) ORDER 2013



Falkirk Council
Development Services (Roads)
Engineering Design
Abbotsford House, Dawds Loan
Falkirk, FK2 7YZ
Tel: 01324 504650 Fax: 01324 504650
Director: Rhona Galtier

SCALE

1:500@A4

DRAWN

JA

CHECKED

RS

APPROVED

RS

DATE	DATE	DATE
26/11/2012	26/11/2012	26/11/2012

DRAWING NO.

TRO/12/038

Head of Roads and Design

FALKIRK COUNCIL

**Subject: THE FALKIRK COUNCIL (ON-STREET PARKING SPACE FOR
DISABLED PERSONS)(No TRO/DB/12/053) ORDER 2012 – KEIR
HARDIE AVENUE, LAURIESTON**
Meeting: PLANNING COMMITTEE
Date: 1 May 2013
Author: DIRECTOR OF DEVELOPMENT SERVICES

Ward: Lower Braes

**Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo**

Community Council: Lower Braes Community Council

Council Officer: Russell Steedman – Network Co-ordinator

1. INTRODUCTION

- 1.1 This report seeks a decision on The Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/12/053) Order 2012, the purpose of which is to reserve a parking space on Keir Hardie Avenue, Laurieston for disabled persons. In terms of the Council's Scheme of Delegation, this decision requires to be made by Committee as an unresolved objection has been received to the making of the Order. In terms of the relevant legislation, the authority requires to consider all objections made and not withdrawn before making the Order.
- 1.2 Members should be aware that it is available to them to call for a hearing on the Order should they find themselves unable to determine whether the Order should be made or not at this stage. Such a hearing would be conducted by an independent party appointed by the Council from a list of persons compiled by the Scottish Ministers for that purpose. Members would then need to consider the report and recommendation of the Reporter before making a determination.

2. BACKGROUND

- 2.1 Falkirk Council currently provides on-street parking spaces in residential areas, enforceable by virtue of a traffic regulation order, for people with a disability who are in receipt of a Blue Badge and who meet the criteria as laid down in the Disabled Persons' Parking Places (Scotland) Act 2009 (the 2009 Act).
- 2.2 It should be noted that, although a disabled parking place is marked as a result of an application by an individual, any person who displays a Blue Badge on their vehicle may park in the bay.

- 2.3 On receipt of an application for a disabled bay, the 2009 Act requires Falkirk Council to decide whether it is possible to identify a suitable street parking place from which there is convenient access to the applicant's address. An assessment of the site determined that the applicant's vehicle was generally parked on Keir Hardie Avenue outside their house. In terms of road safety and congestion, there are no issues which would prevent a disabled bay being provided in this area of carriageway.
- 2.4 The applicant for the bay has agreed that the most convenient location for a proposed disabled bay for them is outside their house on Keir Hardie Avenue as indicated on the attached drawing numbered CR/001.

3. PROPOSAL

- 3.1 Following the necessary checks against the criteria laid down in the 2009 Act, the statutory procedure for promoting a traffic regulation order was initiated.
- 3.2 In accordance with Local Authorities Traffic Orders (Procedure) (Scotland) Regulations, 1999, notices of intention were posted on-street and in the local press in the prescribed manner in June 2012.

4. CONSULTATION

- 4.1 One letter of objection was received from a resident of Keir Hardie Avenue, and has not been withdrawn following explanatory correspondence.
- 4.2 The objection was based on 3 separate points:
- the first point of objection suggested that the proposed location for the disabled persons parking bay was too close to a corner and would therefore be dangerous for other drivers.
 - the second point of objection suggested that the provision of a disabled persons parking bay would cause disruption for other residents.
 - the third point of objection suggested that the applicant had a lockup which the applicant used thus leaving the disabled bay empty overnight.
- 4.3 Development Services responded to the objector on 16 November 2012 explaining the criteria for the provision of disabled person's parking places and advising that the applicant fully meets the criteria. The particular points of objection were addressed as follows:
- with respect to the proximity of the disabled bay to a corner, it was explained that the proposed location for the bay was approximately 15 metres from the corner and that this distance was considered adequate and did not raise road safety concerns.
 - the objector was advised that, although the disabled persons parking bay was marked in response to an application by an individual, any person who owns a Blue Badge and displays it on a vehicle can park in the bay. Furthermore it was explained that, in the event that a vehicle was parked in the bay without displaying a Blue Badge, the former Central Scotland Police (now Police Scotland) could take enforcement action as they deemed appropriate.
 - following receipt of the objection, the application was reviewed. The review included monitoring the use of the advisory disabled bay marked in response to the application and as required by the Disabled Persons' Parking Places (Scotland) Act

2009. The review confirmed that a vehicle kept by the household was parked in the disabled bay overnight. The lockup was used to garage another vehicle owned by the household.

- 4.4 The objector was asked to formally withdraw their objection, if minded to do so.
- 4.5 The objection has not been withdrawn and hence a Committee decision is required in accordance with paragraph 1.1.

5. CONCLUSION

- 5.1 The purpose of Falkirk Council's policy and of this particular Order is to provide a parking space for a disabled person who meets the requirement of impaired mobility and has difficulties parking near their house. The 2009 Act requires local authorities to consider road safety and congestion as part of the application process. The proposed location is considered satisfactory bearing in mind these considerations.
- 5.2 The applicant for whom this Order was promoted meets the current assessment criteria for obtaining a disabled person's parking space in accordance with the 2009 Act.

6. RECOMMENDATION

- 6.1 **Members are asked to consider the terms of the report including the objections and determine whether the Order should be made.**

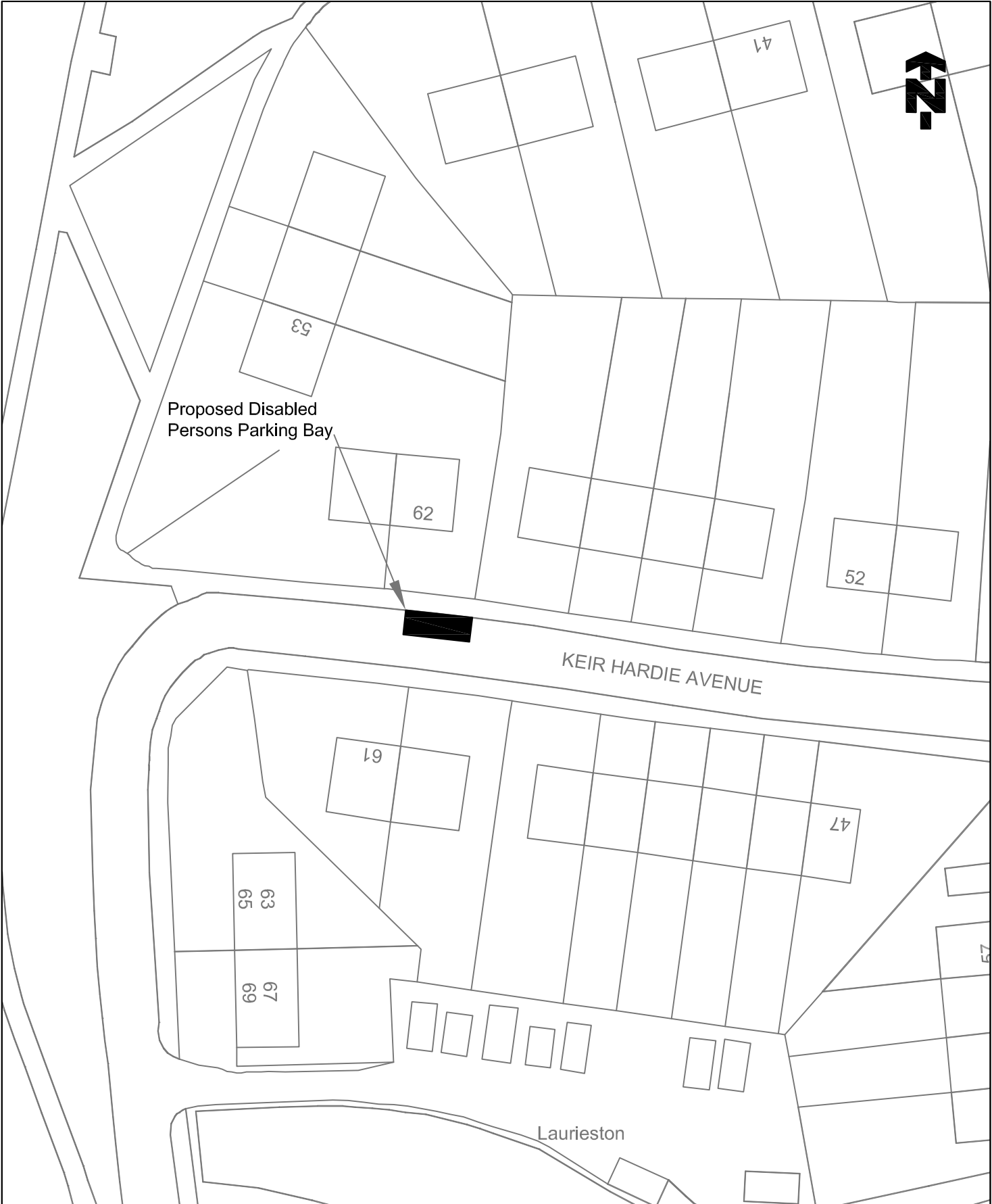
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Director of Development Services

Date: 16 April 2013

Contact Officer: Russell Steedman, Network Co-ordinator Tel: Ext 4830

LIST OF BACKGROUND PAPERS

1. The Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/12/053) Order 2012
2. Letter of objection and correspondence



TITLE OF ORDER

THE FALKIRK COUNCIL (ON-STREET
PARKING SPACE FOR DISABLED PERSONS)
(No. TRO/DB/12/053) ORDER 2012



Falkirk Council
Development Services (Roads)
Engineering Design
Abbotsford House, David's Loan
Falkirk FK2 7YZ
Tel: 01324 504950 Fax: 01324 504850
Director: Rhona Gelsler

SCALE 1:500@A4	DRAWN DEHG	CHECKED DEHG	APPROVED DEHG
	DATE 12/03/13	DATE 12/03/13	DATE 12/03/13

DRAWING NO.
CR/001

FALKIRK COUNCIL

Subject: EXTENSION TO LOUNGE BAR AT REDDING & WEST
QUARTER UNITY CLUB, REDDING ROAD, REDDING,
FALKIRK FK2 9TX FOR REDDING & WESTQUARTER UNITY
CLUB - P/12/0588/FUL

Meeting: PLANNING COMMITTEE

Date: 1 May 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Lower Braes

Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Lower Braes

Case Officer: Kirsty Hope (Assistant Planning Officer), Ext. 4705

UPDATE REPORT FOLLOWING CONTINUATION

1. Members will recall that this application was considered at the meeting of the Planning Committee on 30 January 2013 when it was agreed to continue the application for a site visit. This visit took place on Friday 15 February 2013. The application was considered at the meeting of the Planning Committee on 27 February 2013 when it was agreed to continue the application to allow the applicant an opportunity to provide additional information to seek to address the concerns raised by the Coal Authority.
2. The parking layout was submitted on 15 February 2013 and has been assessed by the Roads Development Unit and they have confirmed that the proposed parking layout is acceptable. The application was considered at the meeting of the Planning Committee on 27 March 2013 when it was agreed to continue the application to allow the applicant time to gather requested details by the Coal Authority.
3. The applicant has confirmed on 9 April 2013 that the Coal Risk Assessment Report is being undertaken and is expected to be completed within the next two/three weeks. Therefore a further continuation is considered appropriate to allow the applicant the opportunity to resolve the outstanding matters of a Coal Risk Assessment.

4. RECOMMENDATION

- 4.1 It is therefore recommended that Committee continue the application to allow the applicant time to gather the requested information, namely the submission of a Coal Risk Assessment.**

Informative(s):-

- 1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14 and 15.**

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Director of Development Services

Date: 23 April 2013

LIST OF BACKGROUND PAPERS

- 1. Falkirk Council Structure Plan.**
- 2. Falkirk Council Local Plan.**
- 3. Letter of representation received from Network Rail, Town Planning, 4th Floor, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0LQ on 23 October 2012.**

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for Kirsty Hope, Assistant Planning Officer.

FALKIRK COUNCIL

Subject: EXTENSION TO LOUNGE BAR AT REDDING & WEST QUARTER UNITY CLUB, REDDING ROAD, REDDING, FALKIRK FK2 9TX FOR REDDING & WESTQUARTER UNITY CLUB - P/12/0588/FUL

Meeting: PLANNING COMMITTEE

Date: 27 March 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Lower Braes

Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Lower Braes

Case Officer: Kirsty Hope (Assistant Planning Officer), Ext. 4705

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was considered at the meeting of the Planning Committee on 30 January 2013 (copy of report appended), when it was agreed to continue the application for a site visit. This visit took place on 15 February 2013. The application was considered at the meeting of the Planning Committee on 27 February 2013 when it was agreed to continue the application to allow the applicant time to gather the requested information.
2. The parking layout that was submitted on site on 15 February has now been assessed by the Roads Development Unit and the Unit has confirmed that they consider the proposed parking layout to be acceptable. The additional information requested from the applicants to seek to address the objection from the Coal Authority has not yet been received.
3. A verbal update will be provided at the Committee meeting on 27 March 2013. On the basis that the applicants have now started to address the matters outlined in the recommended refusal reasons it is suggested that a further continuation would be appropriate to allow the applicants opportunity to resolve the outstanding matters.
4. **RECOMMENDATION**
 - 4.1 It is therefore recommended that the Committee continue the application to allow the applicant time to gather the requested information.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12 and 13.

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Director of Development Services

Date: 19 March 2013

LIST OF BACKGROUND PAPERS

4. Falkirk Council Structure Plan
5. Falkirk Council Local Plan
6. Letter of representation received from Network Rail, Town Planning, 4th Floor, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0LQ on 23 October 2012.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for Kirsty Hope, Assistant Planning Officer.

FALKIRK COUNCIL

Subject: EXTENSION TO LOUNGE BAR AT REDDING & WEST
QUARTER UNITY CLUB, REDDING ROAD, REDDING,
FALKIRK FK2 9TX FOR REDDING & WESTQUARTER UNITY
CLUB - P/12/0588/FUL

Meeting: PLANNING COMMITTEE

Date: 27 February 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Lower Braes

Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Lower Braes

Case Officer: Kirsty Hope (Assistant Planning Officer), Ext. 4705

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was considered at the meeting of the Planning Committee on 30 January 2013 (copy of report appended), when it was agreed to continue the application for a site visit. This visit took place on Friday 15 February 2013.
4. The proposal was summarised by the case officer who advised that, despite reminders being sent to the applicant, no details of the parking layout requested by the Roads Development Unit had been submitted. Members were informed by the case officer that the applicant had submitted a Coal Mining Report on 12th February 2013. The Coal Authority had been consulted on the new information received and had responded maintaining their objection on the grounds that the information submitted is inadequate.
5. Mr Smith (Club Secretary) was heard in support of the application and advised that Network Rail have been advised with regard to the proposed ground works. Mr Nicol (Club Vice Chairman) was heard in support of the application and advised Members that a Coal Mining Report was submitted to the Council the previous week as well as Parking Layout Plans.
6. The case officer confirmed that a Mining Report had been received on Tuesday 12th February 2013 but no parking plan layout had been received.
7. A plan showing a proposed parking layout for 46 vehicles was handed to Members/case officer at the site visit on Friday 15th February 2013 by Mr Yanowicz, a club member, who was also heard in support of the application.

8. Following the site visit the Roads Development Unit has been consulted in relation to the proposed parking layout that was submitted by the applicants on site. Also, the applicants have been formally advised of the further comments received from the Coal Authority and their continued objection to the proposal. Additional information has been requested from the applicants to seek to address the concerns raised by the Coal Authority.
9. A verbal update will be provided at the Committee meeting on 27 February. On the basis that the applicants have now started to address the matters outlined in the recommended refusal reasons it is suggested that a further continuation would be appropriate to allow the applicants an opportunity to resolve these matters.

6. RECOMMENDATION

- 6.1 It is therefore recommended that the Committee continue the application to allow the applicant time to gather the requested information.

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12 and 13.

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Director of Development Services

Date: 19 February 2013

LIST OF BACKGROUND PAPERS

7. Falkirk Council Structure Plan
8. Falkirk Council Local Plan
9. Letter of representation received from Network Rail, Town Planning, 4th Floor, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0LQ on 23 October 2012.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for Kirsty Hope, Assistant Planning Officer.

FALKIRK COUNCIL

Subject: EXTENSION TO LOUNGE BAR AT REDDING & WEST QUARTER UNITY CLUB, REDDING ROAD, REDDING, FALKIRK FK2 9TX FOR REDDING & WESTQUARTER UNITY CLUB - P/12/0588/FUL

Meeting: PLANNING COMMITTEE

Date: 30 January 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Lower Braes

Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Lower Braes

Case Officer: Kirsty Hope (Assistant Planning Officer), Ext. 4705

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The Unity Club is a single storey detached premises located on a wedge of land adjacent to the main railway line and below the level of the adjacent Redding Road which is located north of the site.
- 1.2 The proposed development is for the erection of a single storey extension of approximately 89 square metres to accommodate an additional lounge/bar and seating area.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called in by Councillor Malcolm Nicol.

3. SITE HISTORY

- 3.1 P/10/0214/FUL - Change of use of land to form outside drinking area was granted planning permission on 27th October 2010.
- 3.2 P/09/0285/FUL - Formation of External Smoking Area (Retrospective) was granted planning permission on 28th May 2009.
- 3.3 P/09/0098/FUL - Siting of Snack Van (Retrospective) was granted planning permission on 30th April 2009.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has requested a total of 55 incurtilage parking spaces be provided within the confines of the site and manoeuvring space to serve the existing building and the proposed extension. No details have been received from the applicant.
- 4.2 Scottish Water has no objection to the application.
- 4.3 The Environmental Protection Unit has no objection to the proposal. It has requested that if the application is granted consent, two informatives be attached, one in relation to contaminated land and the other in relation to the hours of construction.
- 4.4 The Coal Authority has requested that the applicant submits a Coal Mining Risk Assessment Report as the site falls within the defined Coal Mining Development Referral Area. No response has been received from the applicant. The Coal Authority objects to the planning application.

5. COMMUNITY COUNCIL

- 5.1 No comments have been received from the Community Council.

6. PUBLIC REPRESENTATION

- 6.1 During consideration of the application, one letter of representation was received from Network Rail. The comments raised can be summarised as follows:-
 - Whilst Network Rail has no objection in principle to the proposal, due to its close proximity to the operational railway, construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development. The developer should contact Network Rail's Asset Protection Engineers regarding all changes in ground levels, laying of foundations and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to any works commencing on site.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

7a.2 Policy SC7 - "Established Residential Areas" states:-

Within established residential areas, there will be a general presumption against the introduction of uses which would be incompatible with the residential character and amenity of the area. Proposals for appropriate community services (e.g. surgeries, day nurseries and neighbourhood shops), homeworking or other compatible business uses (e.g. guest houses) will be supported where it can be demonstrated that the quality of the residential environment would be safeguarded, the type and location of the property is suitable, and satisfactory access and parking can be provided.

7a.3 The existing social club use has been well established within this residential area. The proposed extension in terms of scale and design is considered to be in keeping with the original building. However, it has not been demonstrated that there is satisfactory parking provided within the site. The applicant has been given advice with regards to what details are required to assess the application, as well as being advised of the comments received from the Roads Development Unit; however the applicant has not made any contact or comment, despite a number of requests and reminders. It therefore has not been demonstrated by the applicant that the proposal is satisfactory in terms of access and parking provision.

7a.4 Policy SC10 - "Existing Community Facilities" states:

- (1) There will be a presumption against the loss of existing community facilities unless the Council is satisfied that there is no longer a need for the facility or an acceptable alternative facility is available; and*
- (2) The provision of new community facilities, including churches and places of worship, will generally be supported provided that:*
 - *The proposal is compatible in terms of scale, character and design with the surrounding area;*
 - * There is no adverse impact on local amenity*
 - * There is good access by public transport, on foot and by cycle; and*
 - * It complies with other Local Plan policies.*

7a.5 The proposed extensions to the property are considered to be compatible in terms of the scale and design of the proposed extension. It has not been demonstrated that there will be no adverse impact on the local amenity, as sufficient details in respect of parking requirements have not been submitted by the applicant, despite a number of requests and reminders. Therefore it has not been demonstrated that parking and access requirements can be fulfilled.

7a.6 Accordingly, the proposal does not accord with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations in respect of this application are the consultation responses and the public representations received.

Consultation Responses

- 7b.2 The Roads Development Unit has requested a total of 55 incurtilage parking spaces be provided within the confines of the site and manoeuvring space to serve the existing building and the proposed extension. Despite several requests and reminders being sent to the applicant seeking information, the details requested have not been provided and the applicant has declined to contact officers to discuss these matters.
- 7b.3 The Coal Authority has requested that the applicant submits a Coal Mining Risk Assessment Report because the site falls within an area where their records indicate there are coal mining features and hazards which need to be considered in relation to the determination of this application; specifically likely unrecorded underground coal mining at shallow depth and the presence of a recorded mine entry. No response has been received from the applicant, despite a number of requests and reminders. The Coal Authority has therefore formally objected to the planning application.

Assessment of Public Representations

- 7b.4 The comments are noted from Network Rail given the close proximity to the operational railway. An informative could be attached to this affect if the application were to be consented.

7c Conclusion

- 7c.1 The proposal is contrary to the Development Plan and insufficient details have been provided to warrant a recommendation to grant planning permission. In the light of the concerns raised by the Roads Development Unit and the Coal Authority, the applicant has been requested to provide further information to address these outstanding issues, but despite a number of requests and reminders has not made contact with officers.

8. RECOMMENDATION

- 8.1 It is therefore recommended that planning permission be refused for the following reason(s):-
- (1) The applicant has failed to submit a Coal Mining Report as well as details of the proposed parking requirements and, as such, the proposal is therefore contrary to Policy SC 07 'Established Residential Areas' and Policy SC10 'Existing Community Facilities' within the Falkirk Council Local Plan which seek to ensure suitable parking can be provided and there will be no impact on the character of the surrounding area.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12 and 13.

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Director of Development Services

Date: 22 January 2013

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Letter of Representation received from Network Rail, Town Planning, 4th Floor, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0LQ on 23 October 2012.

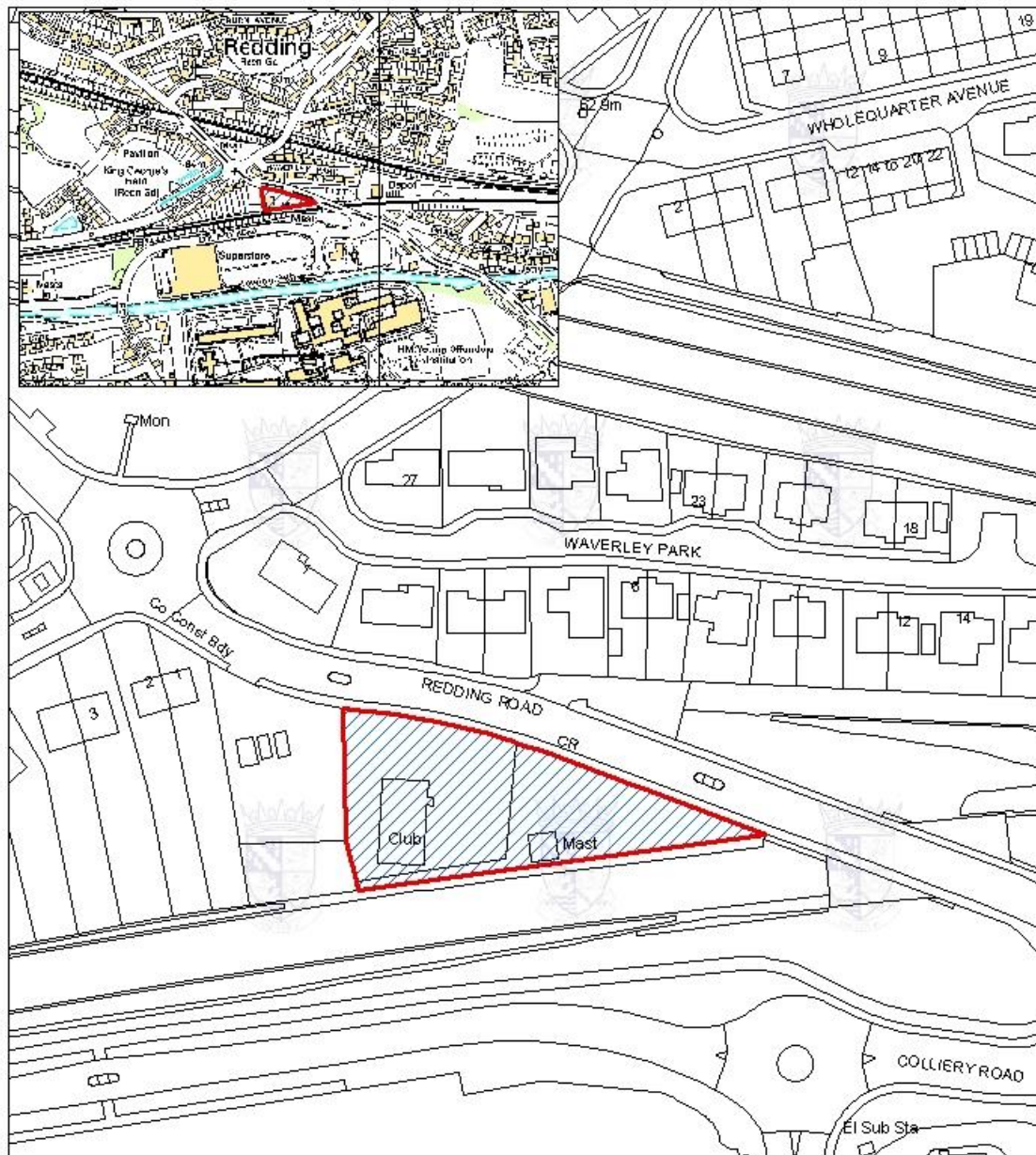
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504705 and ask for Kirsty Hope, Assistant Planning Officer.

Planning Committee

Planning Application Location Plan

P/12/0588/FUL

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FALKIRK COUNCIL

Subject: **ALTERATIONS TO SHOPFRONT AND INSTALLATION OF
AIR CONDITIONING UNITS AT 332 MAIN STREET,
CAMELON, FALKIRK FK1 4EG FOR GREGGS PLC –
P/12/0822/FUL**

Meeting: **PLANNING COMMITTEE**
Date: **1 May 2013**
Author: **DIRECTOR OF DEVELOPMENT SERVICES**

Local Members: **Ward - Falkirk South**

Depute Provost John Patrick
Councillor Colin Chalmers
Councillor Dennis Goldie
Councillor Gerry Goldie

Community Council: **No Community Council**

Case Officer: Katherine Chorley (Assistant Planning Officer), Ext. 4704

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site consists of the ground floor unit of a two storey building, located within the Camelon Local Retail Centre. The building is stone built with a slate roof and the ground floor was previously occupied by a pharmacy. The first floor appears to be in commercial use.
- 1.2 The applicant seeks planning permission to alter the shopfront, erect air conditioning units on the roof of the existing rear extension and secure the frontage with shutters.
- 1.3 A separate application was recently submitted for advertisement consent and this was granted in February 2013.
- 1.4 The property was previously in use as a pharmacy which is a Class 1 shop use. This class encompasses uses which are based on the retail sale of goods. This class also covers a variety of other similar uses where a service is provided principally to visiting members of the public e.g. post offices, travel agents, retail sale of goods, hairdressing and pharmacies. Shops selling cold food, such as sandwiches, for consumption off the premises also fall within Class 1.

- 1.5 A sandwich bar/bakers shop does not necessarily cease to be in the shops class merely because, for example, it also sells a limited amount of hot drinks, hot soup or food that is heated up. The proposed occupants have confirmed that the hot food sales are to be ancillary to the main use as a Class 1 shop unit. At this time no change of use has occurred. The assessment of this application is therefore limited to the proposed alterations to the frontage, including the roller shutter and air conditioning units.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The property is owned by Falkirk Council and the Council are therefore considered to have an interest in the land.

3. SITE HISTORY

- 3.1 P/12/0823/ADV - Advertisement consent was granted on 8 February 2013 for the display of illuminated advertisements.
- 3.2 P/09/0753/ADV - Advertisement consent was granted on 5 November 2009 for the display of illuminated and non-illuminated advertisements.
- 3.3 F/98/0354 - Conditional temporary consent was granted on 16 July 1998 for the display of illuminated advertisements.
- 3.4 F/92/0638 - Conditional temporary consent was granted on 14 August 1992 for the display of illuminated advertisements.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has raised no objections to the proposed development, advising that the scheme would generally be acceptable and there are no roads related conditions proposed.
- 4.2 The Environmental Protection Unit has no objections to the proposal but requests an informative relating to hours of work on the alterations.

5. PUBLIC REPRESENTATION

- 5.1 In the course of the application, 5 contributors submitted letters to the Council. The salient issues are summarised below;
- Concerns over type of use proposed, including questions over how a change of use is determined.
 - Increased litter and parking problems.
 - Concerns in relation to competition for other retailers and loss of jobs.

- Concerns in relation to obesity problems.
- Position of air conditioning units on roof is acceptable.

6. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

6a The Development Plan

Falkirk Council Structure Plan.

6a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

6a.2 The main policy under consideration is policy EQ11 'Shopfronts' and states:

- “(1) *The design of new or altered shopfronts should be well-proportioned and sympathetic to the character of the building of which they are part. The retention and restoration of existing traditional shopfront features such as stallrisers, pilasters, cornices, friezes and mouldings will be required; and*
- (2) *External security measures should not detract from the character of the building or the area in general. Where such measures are necessary, there will be a presumption in favour of perforated shutters and grilles, as opposed to solid roller shutters.”*

6a.3 This policy requires that the design of shopfronts should be well-proportioned and sympathetic to the character of the building. The retention and restoration of existing features is required. External security measures should not detract from the character of the building or the area generally. Further guidance on appropriate works is provided in detail in the Council's 'Supplementary Guidance Note on Shop Fronts' (SGN).

6a.4 There are a wide variety of shopfronts on Main Street and there is no distinct character. The proposal would relocate the entrance door to the centre of the shopfront and create double doors. The stall riser is also proposed to be replaced with a smaller stall riser. The new shopfront would be constructed of aluminum with a timber effect film across the fascia.

6a.5 The wide variety of shopfronts on this street allows more flexibility with the design of the new shop front. The retention of the stall riser ensures that some of the original style is retained. For the above reasons the alterations to the shopfront are considered acceptable.

- 6a.6 Policy EQ11 requires that, where security measures are necessary, there will be a presumption in favour of perforated shutters and grilles, as opposed to solid roller shutters. The proposed development includes micro perforated lath roller shutters which would allow limited views in to the shop when closed. Shutter housings can often be bulky and unattractive, in this case the housing would be hidden behind the approved fascia sign and not therefore impact on street views. The roller shutters are considered to comply with policy EQ11.
- 6a.7 The proposed air conditioning units would be located to the rear of the site and would not therefore be highly visible from public viewpoints. The units would be located next to existing extraction equipment and are acceptable in design terms. The Council's Environmental Protection Team have advised that noise need not be a determining factor in the assessment of the application. However, if over time, complaints regarding noise levels are received then they would be investigated under Environmental Protection legislation.
- 6a.8 Accordingly, the proposal accords with the Development Plan.

6b Material Considerations

- 6b.1 The material considerations to be assessed are consultation responses and the assessment of public representations.

Consultation Responses

- 6b.2 The Roads Development Unit and Environmental Protection Unit have raised no objections to the alterations. The Environmental Protection Unit have however recommended an informative on hours of work.

Assessment of Public Representations

- 6b.3 Concerns over the type of use proposed have been discussed in the report. The application is for alterations to the shop front and air conditioning units, therefore possible litter, parking, competition issues, loss of jobs and obesity problems cannot be considered in relation to the determination of this application.

6c Conclusion

- 6c.1 The proposed alterations are considered sympathetic to the original building and the varied style of the area. The air conditioning units would be located to the rear of the property and would not have a detrimental impact on the appearance of the area. The proposal therefore complies with policy EQ11 of the Falkirk Local Plan and the associated SPG.

7. RECOMMENDATION

- 7.1 It is therefore recommended that the Committee grant planning permission subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.

Reason(s):

- (1) As these drawings and details constitute the approved development.

Informative(s):

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02 and 03B.
- (3) The builder shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:
- | | |
|------------------------|---------------------|
| Monday to Friday | 08:00 - 18:00 Hours |
| Saturday | 09:00 - 17:00 Hours |
| Sunday / Bank Holidays | 10:00 - 16:00 Hours |

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Unit.

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Director of Development Services

Date: 23 April 2013

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.
2. Falkirk Council Supplementary Planning Guidance Note: Shop Fronts.
3. Letter of objection from Mr Michael Lemetti, 338 Main Street, Falkirk FK1 4EG on 7 January 2013.
4. Letter of objection from Mathiesons Bakery Ltd, 2 Central Park Avenue, Larbert FK5 4RX on 11 January 2013.
5. Letter of objection from Kevin Russell, Bites and PC's, 344 Main Street, Camelon FK1 4EG on 8 January 2013.
6. Letter of objection from Mr Robert Faulds, Unit 3, 350 Main Street, Camelon FK1 4EG on 8 January 2013 and 14 February 2013.
7. Letter of representation from Mr Robert Patrick, on 14 February 2013.

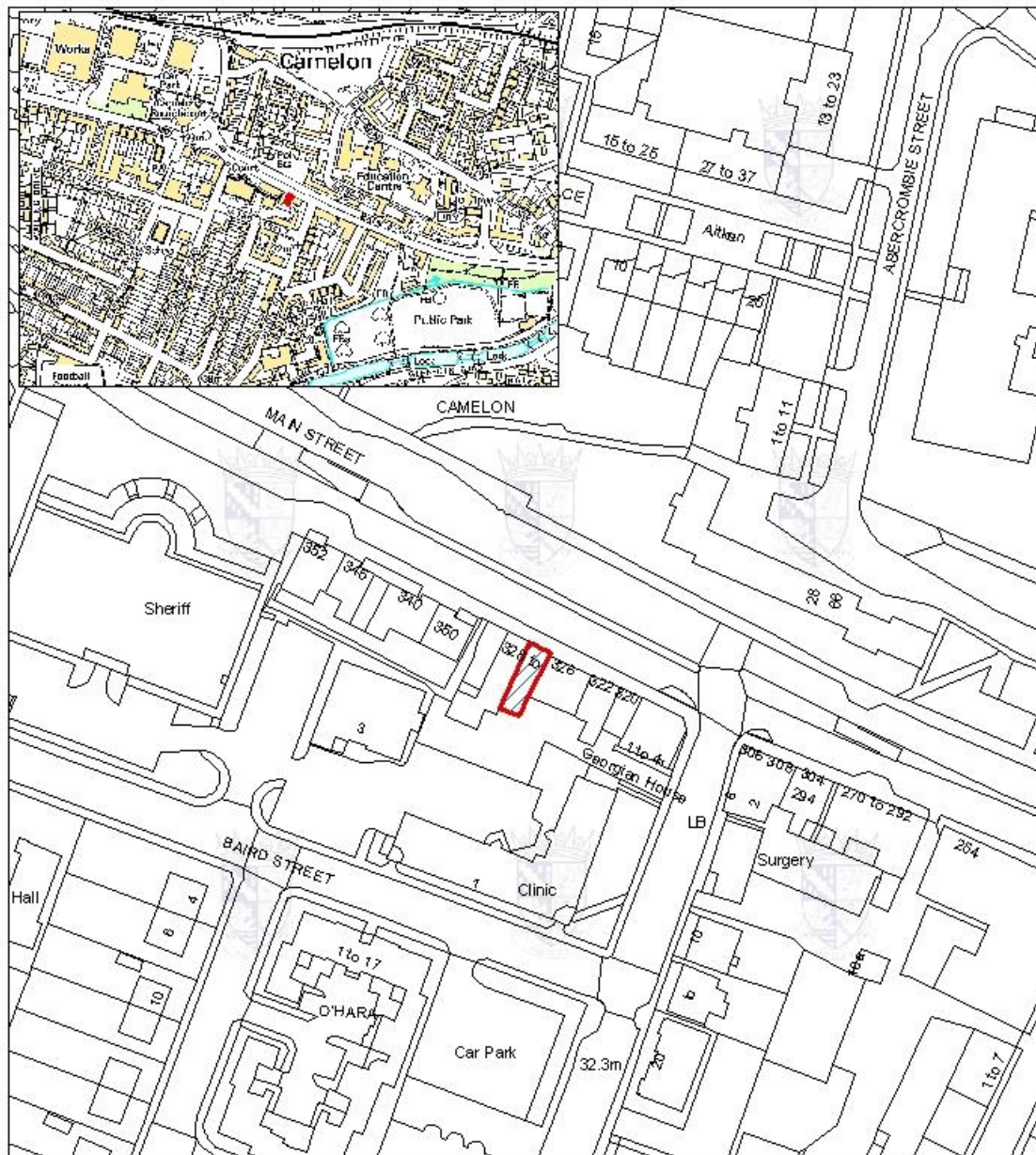
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504704 and ask for Katherine Chorley, Assistant Planning Officer.

Planning Committee

Planning Application Location Plan

P/12/0822/FUL

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FALKIRK COUNCIL

Subject: SITING OF SNACK BAR (RETROSPECTIVE) AT SITE TO THE WEST OF ST MUNGOS HIGH SCHOOL, FALKIRK FOR TERESA'S TREATS - P/13/0020/FUL

Meeting: PLANNING COMMITTEE

Date: 1 May 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk North

Provost Pat Reid
Councillor David Alexander
Councillor Dr C R Martin
Councillor Cecil Meiklejohn

Community Council: No Community Council

Case Officer: Katherine Chorley (Assistant Planning Officer), Ext. 4704

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site consists of a 7.3m by 3m area within the designated parking area for the Sunnyside playing fields. The parking area has an informal layout with no designated spaces and there is also a small area used for the storage of recycling facilities. The location is adjacent to the A9, a principal transport route.
- 1.2 The applicant seeks planning permission for the siting of a snack van measuring 7.3m by 3m within the car park. The building is already in place and as such the application is retrospective.
- 1.3 Planning permission was originally granted for a small snack van in 2000, for a limited period of time. This permission was renewed a further three times and the 2008 permission has now expired. The previous permissions allowed for a small, mobile snack van measuring 3m by 2m. The applicant now seeks retrospective planning permission for a larger snack bar and seeks permanent planning permission.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The snack bar is situated on land leased from Falkirk Council. The application therefore requires consideration by the Planning Committee because the Council has a land ownership and financial interest.

3. SITE HISTORY

- 3.1 F/99/0699 Conditional Temporary Permission - 7 February 2000 - Use of Land for Siting of Mobile Snack Van.
- 3.2 F/2001/0858 Conditional Temporary Permission - 21 March 2002 - Use of Land for Siting of Mobile Snack Van [Renewal of Planning Permission F/99/0699].
- 3.3 F/2004/1103 Conditional Temporary Permission - 19 January 2005 - Siting of Snack Bar.
- 3.4 P/08/0038/FUL Detail – Granted 27 March 2008 - Siting of Snack Bar

4. CONSULTATIONS

- 4.1 The Roads Development Unit have no objections to the proposal.
- 4.2 The Environmental Protection Unit have no objections to the proposal.

5. COMMUNITY COUNCIL

- 5.1 There is no Community Council for this area.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, there was one letter of objection received and the salient issues are summarised below:
 - Litter concerns.
 - Commercial use should not be allowed in public facility.
 - Building is considered ugly and unsuitable.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan.

- 7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

7a.2 Policy EP10- Mobile Snack Bar Outlets states:

Proposals for mobile snack bar vans will not be permitted as permanent uses. Temporary consent may be granted within the Urban or Village Limits where:

- (1) A specific need is demonstrated, which cannot be met by existing permanent facilities;*
- (2) There is no adverse affect on local amenity or the visual quality of the area, particularly as viewed from major transport routes; and*
- (3) Parking and access requirements are satisfied.*

7a.3 Policy EP10 of the Local Plan advises that proposals for mobile snack bar vans will not be permitted as permanent uses. Temporary permission may be granted within the Urban or Village Limits where the above criteria can be met.

7a.4 A specific need must be demonstrated, which cannot be met by existing permanent facilities. The applicant has not provided evidence of a specific need, however, the facility has been in place for in excess of 10 years and remains a successful business. The site is some distance from local facilities in Camelon and as such the provision of a snack bar facility is considered acceptable in accordance with this element of policy EP10.

7a.5 The policy also requires that there be no adverse impact on the local amenity or visual quality of the area, particularly as viewed from major transport routes. The building is large and flat roofed and does not give the appearance of being particularly mobile. It has limited design merit with a flat roof, blank elevations and an industrial appearance, adjacent to an attractive area of open space. The building is also highly visible from a major transport route into and out of the town. The design is quite different from the smaller vans approved previously on this site. The design could be seen to be contrary to policy EP10 in this regard. However it is considered to be acceptable on a temporary basis. This would allow the applicant the opportunity to investigate a more permanent solution with an improved design.

7a.6 The final requirement is compliance with parking and access arrangements. The building is set well back from the A9 and would not impact on visibility splays associated with the access. The building would also reduce the level of parking available. The Council's Roads Development Unit has advised that there would be no objections to the scheme and the proposal is therefore considered acceptable in this regard.

7a.7 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The letter of representation forms a material consideration in the determination of the planning application. The majority of issues raised have been dealt within the main body of the report. In addition to this, the dropping of litter by school children and use of the facilities by children are not matters to be controlled through planning legislation. The site does appear to be well maintained.

7c Conclusion

- 7c.1 There is a history of temporary planning permissions for the siting of a snack bar on this Council owned site dating back to the year 2000. However, the snack bar for which retrospective planning permission is now sought is bigger than the previous snack vans and, due to its size, appearance and prominent location close to a busy route through the town there are some concerns about the visual impact of the structure. Accordingly, taking into account the planning history of the site it is recommended that only a further 3 year temporary permission should be permitted and that the applicant should be encouraged to seek a more appropriate permanent design solution.

8. RECOMMENDATION

- 8.1 It is therefore recommended that the Planning Committee grant planning permission subject to the following conditions:-

- (1) This permission shall be valid for a limited period, the building shall be removed and the land restored to its former condition on or before 31 May 2016, unless a further permission is granted.

Reason(s):

- (1) The proposal is not considered to be a suitable form of permanent development in accordance with policy EP10 of the Adopted Falkirk Council Local Plan.

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Director of Development Services

Date: 23 April 2013

LIST OF BACKGROUND PAPERS

1. Letter of objection received from Mr Danny Callaghan 2 Nobel View, Reddingmuirhead Falkirk, FK2 0EF on 5 February 2013.
2. Falkirk Council Structure Plan
3. Falkirk Council Local Plan.

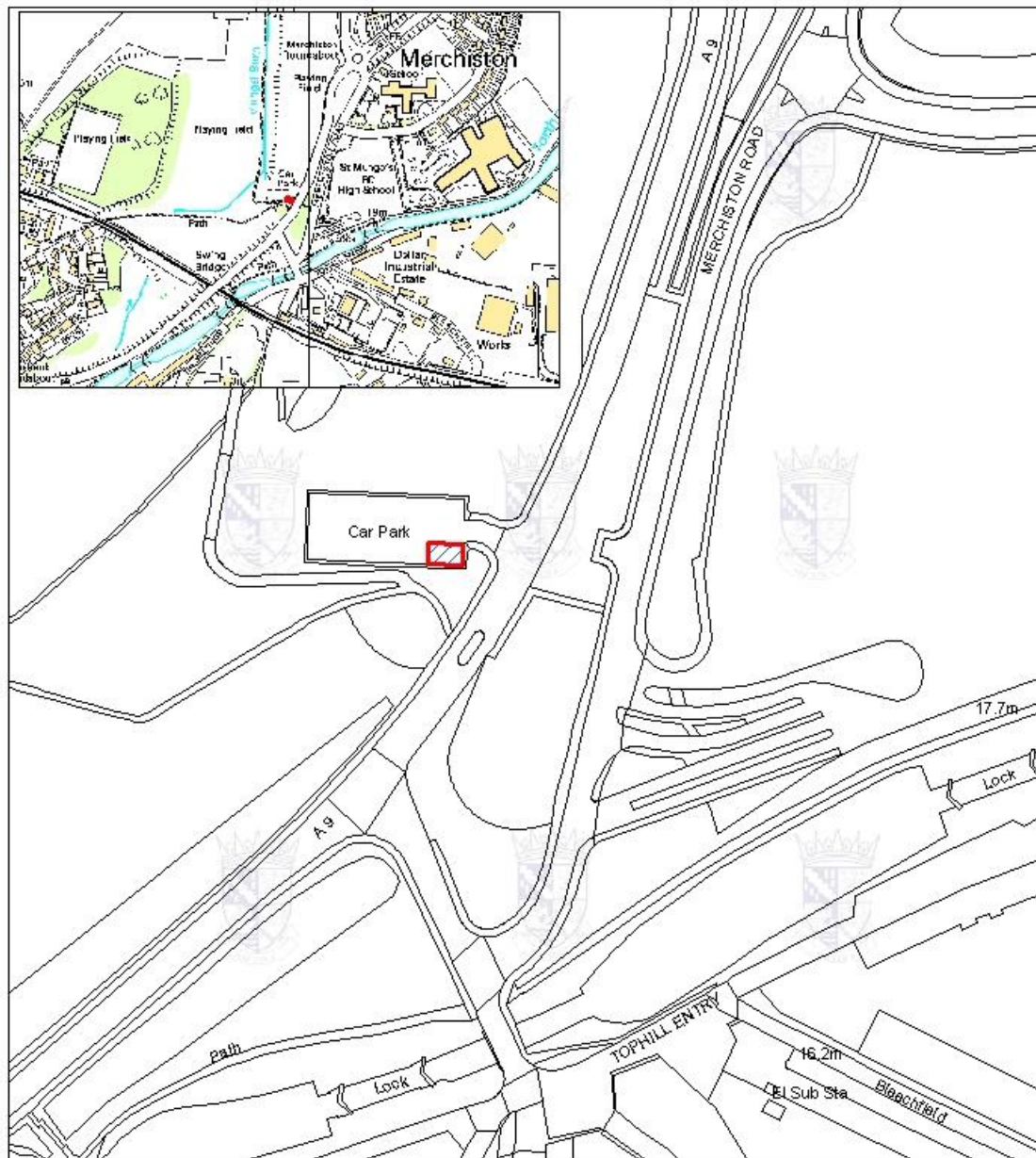
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504704 and ask for Katherine Chorley, Assistant Planning Officer.

Planning Committee

Planning Application Location Plan

P/13/0020/FUL

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FALKIRK COUNCIL

Subject: ERECTION OF A SINGLE WIND TURBINE (225KW, 45.9 METRES IN HEIGHT TO TIP) WITH TEMPORARY ACCESS TRACK AT SITE TO THE SOUTH WEST OF THE LEYS, DENNY FOR INTELLIGENT LAND INVESTMENTS LTD – P/12/0208/FUL

Meeting: PLANNING COMMITTEE

Date: 1 May 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Denny and Banknock

Councillor Jim Blackwood
Councillor Brian McCabe
Councillor John McNally
Councillor Martin David Oliver

Community Council: Denny and District

Case Officer: Brent Vivian (Senior Planning Officer), Ext. 4935

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application seeks full planning permission to erect a 45.9 metre high (to blade tip) mono pole wind turbine. The ground level at the site of the proposed turbine is 195 metres above Ordnance Datum (AOD). Proposed ancillary works include a temporary access track and substation. The proposed turbine and construction access would be positioned along existing field boundaries to minimise the loss of productive land. Existing tracks to access the site would be used where possible. The proposed turbine would be connected to the national grid.
- 1.2 The application site lies to the north of Banknock, ranging in height from 155 metres AOD to a high point of 215 metres AOD. The site sits lower than the hills to the north, which rise to 350 metres AOD. The land uses of the area are mainly arable/grazing land with large forested areas to the immediate north and west.
- 1.3 The applicant proposes to make a payment of £5000 per megawatt of installed capacity to a local community organisation i.e. £1125 per year for each year the turbine operates. The process for disbursing the payments would be arranged with a relevant community organisation.
- 1.4 The following information has been submitted in support of the application:-
 - A Supporting Turbine Statement;

- Noise Emission Information;
- A Landscape and Visual Assessment; and
- An assessment by DKM Aviation Partners Limited in response to an objection by Cumbernauld Airport.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires consideration by the Planning Committee as it has been called in by Councillor McCabe.

3. SITE HISTORY

- 3.1 There is no relevant planning history for the application site.

4. CONSULTATIONS

- 4.1 The Council's Roads Development Unit have advised that an informative should be attached to any grant of planning permission requesting the undertaking of pre and post construction road surveys and a culvert condition survey (if necessary). This is due to the possibility of damage to Myothill Road during the infrastructure delivery stage due to the restricted horizontal and vertical alignment of this road.
- 4.2 The Council's Environmental Protection Unit have noted that the noise information accompanying the application indicated that the resultant noise levels at the closest sensitive receptor should be well below the guidance limits and should not cause any nuisance. They advise that a competent assessment of noise emissions would be required if noise complaints are received. They note that a Contaminated Land Assessment would be required if made ground, suspect substances or odours are encountered during construction works.
- 4.3 Scottish Water have no objection in relation to the application.
- 4.4 The Civil Aviation Authority (CAA), National Air Traffic Services (NATS) Safeguarding and the Ministry of Defence (MOD) have not raised any aviation related concerns. The MOD have requested that they be notified if planning permission is granted.
- 4.5 The British Airports Authority (BAA) have no objection to the application subject to conditions requiring the submission of a Radar Navigation Scheme to prevent the impairment of the performance of aerodrome navigation aids and/or the efficiency of air traffic control services, and implementation of the approved Radar Navigation Scheme prior to the turbine being erected.

- 4.6 Cumbernauld Airport have objected to the application as they consider the proposed development to represent an unacceptable hazard to aviation within the 0.5 kilometre Safeguarding Boundary of Cumbernauld Aerodrome, the 6 nautical mile Wind Vortex radius of Cumbernauld Aerodrome, the Air Traffic Zone Boundary of Cumbernauld Aerodrome and the Circuit Pattern Boundary of Cumbernauld Aerodrome. They refer to CAA Policy and Guidance document CAP 764 in support of their objection. They indicate that the CAA are in the process of conducting a survey on the effects of wind turbine wakes on light aircraft. They consider that there are no mitigating factors included in the application.
- 4.7 Wind Farms Support (Atkins) have advised that the application has been examined in relation to communications used by the Telecommunications Association of the UK Water Industry (TAUWI) and they have no objections. The Joint Radio Company (JRC) does not foresee any problems with interference to any radio systems operated by the UK Fuel and Power Industry.
- 4.8 Stirling Council have no issue with the proposed development in terms of visual impact or other environmental interests within the Stirling Council area. Given the location of the proposed turbine and its comparatively modest height, they agree with the comments of the Supporting Planning Statement that it would be obscured from view to the north and west by local topography.
- 4.9 Falkirk Community Trust (Museum Services) have no objection to the application as the nearest known historic/archaeological site is approximately 200 metres to the south.

5. COMMUNITY COUNCIL

- 5.1 The Denny and District Community Council have not made any representations.

6. PUBLIC REPRESENTATION

- 6.1 No public representations were received in relation to the application.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

- 7a.1 The proposed development does not raise any strategic issues and has therefore been assessed against the Falkirk Council Local Plan alone.

7a.2 Policy EQ19 - ‘Countryside’ states:

“(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:

- it can be demonstrated that they require a countryside location;*
- they constitute appropriate infill development; or*
- they utilise suitable existing buildings.*

(2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:

- the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council’s ‘Design Guide for Buildings in the Rural Areas’; and*
- boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.3 This policy provides for development proposals in the countryside where there is an essential need for a countryside location. Due to the nature of the proposal, and the need for generous buffer distances to protect residential amenity, the essential need for a countryside location is accepted. In addition, the scale and siting of the proposed wind turbine are considered to be acceptable within the countryside setting (see paragraphs 7a.5 and 7a.9), and the proposed design is typical of wind turbines found within the countryside. The application is therefore considered to accord with this policy.

7a.4 Policy EQ23 - ‘Areas Of Great Landscape Value’ states:

“The Council will protect Areas of Great Landscape Value from development which would be detrimental to its amenity and distinctive landscape quality. In addition to satisfying other relevant countryside policies, proposals within these areas will only be permitted where accompanied by a landscape and visual assessment demonstrating that the development can be accommodated without adverse impact on the landscape quality.”

7a.5 This policy protects Areas of Great Landscape Value from development that would be detrimental to their amenity and distinctive landscape quality. The proposed turbine is generally within an area of medium landscape sensitivity to wind energy development and the extent of the overall Area of Great Landscape Value within which the turbine would be visible is confined predominantly to the south. The landscape impact of the proposal is considered to be acceptable and the application is therefore considered to accord with this policy.

7a.6 Policy ST20 - 'Renewable Energy Development' states:

"The Council will support development required for the generation of energy from renewable sources, and the utilisation of renewable energy sources as part of new development, subject to assessment of proposals against other Local Plan policies. Renewable energy development will be viewed as an appropriate use in the countryside where there is an operational requirement for a countryside location."

7a.7 This policy supports development required for the generation of energy from renewable sources. Renewable energy development will be viewed as appropriate in the countryside where there is an operational need for a countryside location. The application is considered to accord with this policy.

7a.8 Policy ST21 - 'Wind Energy' states:

"Wind energy developments will be assessed in relation to the following factors:

- (1) The visual impact of the development, having regard to the scale and number of turbines, existing landscape character, and views from settlements, main transport corridors and other key vantage points. Development will not necessarily be excluded from Green Belts or Areas of Great Landscape Value, but must demonstrate particular sensitivity in terms of scale and design where these designated areas are affected;*
- (2) The ecological impact of the development, having regard to Policies EQ24 and EQ25, including impacts on both designated sites and protected species. In particular, developers will be required to demonstrate that there will be no adverse impact on migratory birds;*
- (3) The impact on the cultural heritage and the landscape setting of cultural features, having regard to Policies EQ12, EQ14, EQ16, EQ17 and EQ 18;*
- (4) The impact on aviation and telecommunications, with particular regard to the safeguarding zones and operational needs associated with Edinburgh, Glasgow and Cumbernauld airports;*
- (5) The impact on settlements and residential properties by virtue of noise and 'shadow flicker'; and*
- (6) Cumulative impacts in relation to the above factors, where there are existing developments in the area, or the development is one of a number of proposals for an area."*

7a.9 This policy outlines the considerations that wind energy developments will be assessed against. These considerations relate to visual and landscape impacts, ecology, cultural heritage, aviation, telecommunication, noise, shadow flicker and cumulative impacts. The matters have been assessed in the supporting information accompanying the application and the findings are generally accepted. The visual and landscape impacts are considered to be acceptable as the proposed turbine would not, overall, be a dominant feature in the setting. Contributing factors in that regard are the existence of blocks of woodland and topographical features which would limit visibility. The proposal includes a bridge crossing of a burn but no significant ecological impacts are anticipated subject to compliance with an approved Construction Method Statement. No loss of amenity to the nearest receptors is anticipated in relation to noise and shadow flicker. No objections have been made by telecommunication interests or the majority of aviation interests. Impacts on Cumbernauld Airport are considered to be acceptable for the reasons detailed in paragraphs 7b.10 to 7b.14 of this report. No significant cumulative impacts are anticipated.

7a.10 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations to be assessed are National Planning Policy and Guidance and the consultation responses.

National Planning Policies and Guidance

- 7b.2 The Scottish Government has set ambitious targets to meet Scottish energy needs from renewable energy sources.
- 7b.3 Scottish Planning Policy states that planning authorities should support the development of a diverse range of renewable energy technologies. Planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed.
- 7b.4 Planning Circular 2/2003 (Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas) provides details of the system of official safeguarding of aerodromes and technical sites. The Circular contains a list of the current officially safeguarded civil aerodromes.
- 7b.5 CAP 393 (Air Navigation: The Order and the Regulations), CAP 738 (Safeguarding of Aerodromes) and CAP 764 (Policy and Guidelines for Wind Turbines) are guidance documents prepared by the Civil Aviation Authority (CAA).
- 7b.6 CAP 393 specifies the minimum height at which aircraft are normally flown. It specifies that an aircraft shall not be flown closer than 500 feet to any person, vessel, vehicle or structure.
- 7b.7 CAP 738 describes the regulatory framework for safeguarding aerodromes. It outlines a safeguarding assessment procedure which includes a requirement to calculate if an obstruction infringes the Obstacle Limitation Surface (OLS). If a proposed development does not infringe the OLS and there are no associated issues, a response should be sent to the planning authority indicating that there is no safeguarding objection. Associated issues detailed in the guidance include birdstrike hazard, lighting and impacts on aeronautical systems and radar.
- 7b.8 CAP 764 provides CAA policy and guidance on a range of issues associated with wind turbines and their effect on aviation. The document considers the effects of turbulence caused by the wake of a turbine which extends stream wise behind the blades and the tower. The dissipation of the wake intensity depends on the convection, the turbulence diffusion and the topology (obstacles, terrain etc). The document recognises that aircraft wake vortices can be hazardous to other aircraft, and that wind turbines produce wakes of similar but not identical characteristics to aircraft. The CAA have received anecdotal reports of aircraft encounters with wind turbine wakes but there are a wide variety of views as to the significance of the turbulence and the CAA is currently investigating the effects of wind turbine wakes on aircraft. The document advises that, until the results of further research are known, analysis of turbulence can only be undertaken on a case by case basis, taking into account the proximity of the development and the type of aviation activity conducted. Turbulence is of particular concern to those involved in very light sport aviation such as gliding, parachuting, hang-gliding, paragliding or microlight operations.

Responses to Consultation

- 7b.9 The consultation responses are summarised in section 4 of this report. Cumbernauld Airport have objected to the application, whilst the matters raised in other consultation responses could be the subject of conditions or informatives of any grant of planning permission. The BAA have stipulated conditions in relation to the preparation of a Radar Navigation Scheme.
- 7b.10 The applicant requested DKM Aviation Partners Ltd to review the Cumbernauld Airport objection. DKM have queried some of the terms used by the Airport, in particular they consider that there is no particular significance to a 5km radius of the aerodrome for the purposes of obstacle limitation. They note the requirement (in CAP 738) to calculate if an obstruction infringes the Obstacle Limitation Surface (OLS). They cannot find any CAA or international reference to a Wind Turbine Vortex for an airport. They consider that the (legally defined) Aerodrome Traffic Zone (ATZ) is relevant, and that the circuit pattern of aircraft would normally be expected to remain within the Cumbernauld ATZ.
- 7b.11 DKM Aviation Partners Ltd note that the Cumbernauld ATZ extends to 2 nautical miles (3.704km) from the aerodrome. They advise that the application site is 3.72km from the aerodrome therefore it is reasonable to assume that it is on the boundary of the ATZ. They advise that aircraft flying in the circuit pattern at Cumbernauld are instructed by local flying procedures to fly at 1000 feet above the aerodrome elevation (1350 feet above mean sea level [amsl]). The proposed turbine to tip height would be 789 feet amsl, therefore the 1000 foot rule would be able to be satisfied for aircraft overflying the turbine, whilst also satisfying the requirement under CAP 393 for aircraft to be flown no closer than 500 feet to a structure. In addition, they note that Cumbernauld Airport have not suggested that the OLS is penetrated by the proposed turbine. In such circumstances, in accordance with CAP 738, there is no safeguarding objection on the grounds of physical obstruction unless there is an associated issue.
- 7b.12 DKM Aviation also note the existence of higher aerodrome obstacles in the area and higher ground rising to 1506 feet amsl. Taking account all of the above matters, they have difficulty in reconciling the Cumbernauld Airport objection that the proposed turbine, at 789 feet amsl and 3.72km from the aerodrome, would represent any significant hazard to aviation.

- 7b.13 DKM Aviation have considered the issue of wind turbine wakes and accept that turbine wakes can generate vortices and the amount of vortex is not clearly understood and is a matter of research. They note that Cumbernauld Airport quote extensively from CAA Safety Sense Leaflet 15C which relates to aircraft wake vortex. Whilst turbines produce wakes of similar but not identical characteristics to aircraft, some relevant facts can be read or deduced from the leaflet. These facts include: that wake vortex can be very significant in near still conditions; decay of turbulence is usually sudden and occurs more quickly in windy conditions; and vortices will always descend and dissipate. In considering the proposed development, DKM Aviation advise that the prevailing wind is from the west and south-west, therefore in the majority of days any short range turbulence would be blowing away from Cumbernauld Airport. They consider that a pilot would have to be flying below 167 feet (the height of the proposed turbine) and very close to the downwind side of the turbine to even come into contact with turbulence from the turbine. They consider that such a low flight would be almost impossible to conduct legally or safely given the high ground in the vicinity of the application site and the distance from Cumbernauld Airport. CAP 393 specifies that aircraft shall not be flown closer than 500 feet to any structure. DLM Aviation conclude that there is no evidence to support the suggestion by Cumbernauld Airport that there would be an unacceptable erosion of the current safety margin with a 6 nautical mile radius of Cumbernauld Airport, and on the periphery of the ATZ.
- 7b.14 Cumbernauld Airport have reviewed the DKM Aviation response but have not provided an opinion on the DKM submission as a means to support and substantiate their objection to the application. However, in their further comments they do quote from CAP 764 which considers the effects of turbulence caused by the wake of turbines. Whilst the responsibility of Cumbernauld Airport to safeguard the flying operation of their aerodrome is understood, CAP 764 advises that there is a wide variety of views on the significance of turbulence and that, until the results of further research are known, analysis of turbulence can only be undertaken on a case by case basis. In this case, the applicant's consultant would appear to have provided a site-specific assessment of the aviation risks taking into account the distance of the proposed turbine to the aerodrome, the height of the turbine above ground level, the surrounding topography and legal and safe flying height at the location. In contrast, Cumbernauld Airport appear to rely on general guidance and in effect promote a moratorium on most sites of wind turbine development within 6 nautical miles of the aerodrome until the results of further research is known. This appears to be contrary to the advice in CAP 764 which supports a case by case assessment. In addition, Cumbernauld Airport have not advised of any encroachment of the OSL. The conclusions of DKM Aviation, that there is no safeguarding issue to consider, and there are no valid reasons for considering turbulence from the proposed turbine as a safety concern to operations at Cumbernauld Airport, are therefore accepted.

7c Conclusion

- 7c.1 The application is considered to comply with the Development Plan for the reasons detailed in this report. The application is therefore recommended for approval subject to appropriate conditions. There are not considered to be any material considerations to justify a contrary recommendation.
- 7c.2 The report considers the objection to the application by Cumbernauld Airport. A decision to grant the application despite the objection by Cumbernauld Airport would not require notification of the application to the CAA as Cumbernauld Aerodrome is not an officially safeguarded aerodrome (the procedures are set out in Planning Circular 2/2003). The application is therefore not potentially subject to Scottish Ministers call in procedures.

8. RECOMMENDATION

8.1 It is therefore recommended that the Planning Committee grant planning permission subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- (2) Before the development commences the exact details of the colour(s) of the proposed turbine and substation shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (3) Before the development commences, the exact details of the surface finish of the proposed access track and any hardstanding areas shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (4) Prior to the end of the first planting and seeding season following construction of the proposed turbine (or any alternative timescale that may be agreed in writing by this Planning Authority), the proposed access track and any hardstanding areas/disturbed land shall be soiled and grassed over, unless a minimum construction is required solely for the purposes of maintenance/turning as approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (5) Prior to the end of the first planting and seeding season following construction of the proposed turbine (or any alternative timescale that may be agreed in writing by this Planning Authority), any existing landscape features (e.g. hedges, tracks, fences, trees) required to be removed/altered to enable access by construction vehicles, shall be reinstated in accordance with details approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (6) A micro-siting allowance of 10 metres shall be permissible for the proposed turbine.**
- (7) Before the development commences, a Construction Method Statement for the proposed new bridge shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**

- (8) At any time upon the direction of this Planning Authority, the wind turbine operator shall, at their own expense, employ an independent consultant, approved by this Planning Authority, to assess the level of noise emission from the wind turbine, in accordance with a scoping to be agreed in writing by this Planning Authority. The report shall be submitted for the written approval of this Planning Authority within one month of the direction of this Planning Authority and shall include details of any required measures to mitigate noise disturbance. Thereafter the development shall be operated in accordance with any approved mitigation measures.
- (9) Before the development commences, a Radar Mitigation Scheme to prevent the impairment of the performance of aerodrome navigation aids and/or the efficiency of the air traffic control services shall be submitted to and approved in writing by this Planning Authority in consultation with Glasgow Airport.
- (10) The proposed wind turbine shall not be erected until the Radar Mitigation Scheme approved as part of Condition 9 above has been implemented and the development shall thereafter be operated fully in accordance with the approved scheme.
- (11) In the event that the development hereby approved ceases to be used for the purpose for which it was designed, the operator shall inform the Planning Authority, and the wind turbine and related apparatus, access road and hardstanding shall be removed from the site. Within 2 months of the date on which the use ceases (unless otherwise agreed in writing by this Planning Authority), the site shall be reinstated in accordance with a scheme approved in writing by this Planning Authority.

Reason(s):

- (1) As these drawings and details constitute the approved development.
- (2-5) To safeguard the visual amenity of the area.
- (6) To provide some flexibility in siting to accommodate any site constraints that are currently unknown.
- (7) To safeguard the water environment and nature conservation interests.
- (8) To safeguard the residential amenity of the area.
- (9-10) In the interests of aviation safety.
- (11) To ensure the satisfactory removal of redundant wind turbine installations.

Informative(s):

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.

- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02, 03, 04, 09A, 12, 13 and 14
- (3) The applicant is advised to contact Falkirk Council Roads Services and Development Services Structures Section before the development commences to arrange pre and post construction road surveys and a culvert survey (if necessary). The Falkirk Council contact officers are Gavin Davie, Area Roads Officer, Roads Services, Earls Road, Grangemouth, Tel. 01324 501133 and Ralph Ridley, Bridges and Structure Design Co-ordinator, Abbotsford House, David's Loan, Falkirk, Tel. 01324 504825.
- (4) The applicant is advised to notify Falkirk Council of any abnormal load details, through email address: abnormalloads@falkirk.gov.uk
- (5) The applicant is advised to cease all work on the affected part of the site in the event of any made ground, suspect material or odours being encountered during site works/operations following commencement of the development. In such an event, the applicant is advised to contact the Planning Authority immediately, carry out a contaminated land risk assessment in accordance with current guidance and legislation, undertake any necessary remediation works and only recommence works with the prior written approval of the Planning Authority.
- (6) Defence Infrastructure Organisation Safeguarding wishes to be notified of the progress of this proposal to verify that it will not adversely affect defence interests. The Organisation should be advised of the following:
 1. the date construction starts and ends;
 2. the maximum height of construction equipment;
 3. the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area. If the application is altered in any way Defence Infrastructure Organisation Safeguarding must be consulted again as even the slightest change might be unacceptable. The above information should be submitted to Falkirk Council and:

Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
West Midlands
B75 7RL

PP

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Director of Development Services

Date: 23 April 2013

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Falkirk Council Local Plan
3. Scottish Planning Policy
4. Planning Circular 2/2003 (Safeguarding of Aerodromes, Technical Sites and Military Explosive Areas Storage.
5. CAP 393 (Air Navigation: The Order and the Regulations)
6. CAP 738 (Safeguarding of Aerodromes)
7. CAP 764 (Policy and Guidance for Wind Turbines)

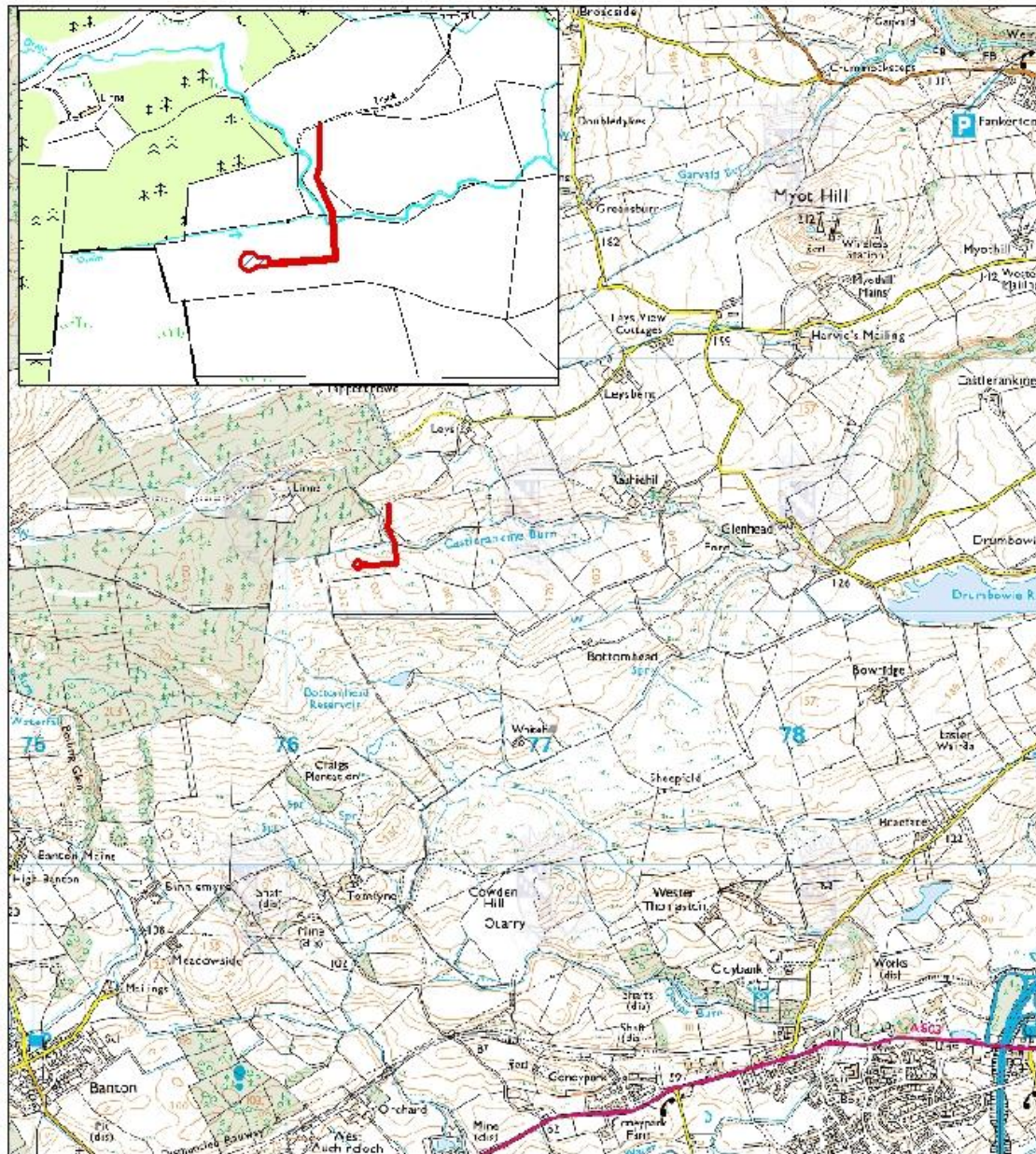
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

Planning Committee

Planning Application Location Plan

P/12/0208/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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