

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant depicts a stag's head with large antlers. The bottom-left quadrant contains a beaver. The bottom-right quadrant shows a grizzly bear standing on its hind legs. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield reads "CITY OF VANCOUVER".

Agenda Item 3 (a)

Minute

FALKIRK COUNCIL

**Minute of Meeting of the Planning Committee held in the Municipal Buildings,
Falkirk on Thursday 23 January 2020 at 9.30a.m.**

COUNCILLORS: David Alexander (Convener)
Robert Bissett
Allyson Black
Jim Blackwood
Gary Bouse
Provost William Buchanan
Joan Coombes
David Grant
Gordon Hughes
Adanna McCue
Lynn Munro
Laura Murtagh

OFFICERS: Donald Campbell, Development Management Co-Ordinator
Karen Chambers, Committee Services Officer
Ian Dryden, Development & Buildings Standards Manager
Iain Henderson, Legal Services Manager
Russell Steedman, Roads Co-ordinator
Bernard Whittle, Development Management Co-Ordinator

P90. Apologies

None.

P91. Declarations of Interest

Councillor Bouse declared a non-financial interest in agenda item 9 (ref P98) as he noted that he has known the applicant for a number of years and accordingly considered that this required him to recuse himself from consideration of the item having had regard to the objective test in the Code of Conduct.

P92. Minutes

Decision

- (a) Minute of Meeting of the Planning Committee held on 20 November 2019 was approved;

- (b) **Minute of Meeting of the Planning Committee – On-site held on 2 December 2019 was approved,**
- (c) **Minute of Special Meeting of the Planning Committee held on 2 December 2019.**

P93. The Falkirk Council (On-Street Parking Space for Disabled Persons) (Revocation No. 656) Order 20_ - Haig Street, Grangemouth

The committee considered a report by the Director of Development Services seeking a decision on an Order to remove a disabled person's parking space on Haig Street, Grangemouth.

Decision

The committee agreed to make the revocation Order in respect of the disabled person's parking space on Haig Street, Grangemouth.

P94. The Falkirk Council (On-Street Parking Space for Disabled Persons) (Revocation No. 637) Order 20_ - Muir Street, Stenhousemuir

The committee considered a report by the Director of Development Services seeking a decision on an Order to remove a disabled person's parking space on Muir Street, Stenhousemuir.

Decision

The committee agreed to make the revocation Order in respect of the disabled person's parking space on Muir Street, Grangemouth.

P95. The Falkirk Council (On-Street Parking Space for Disabled Persons) (No TRO/DB/19/023) Order 20_ - Strachan Street, Falkirk

The committee considered a report by the Director of Development Services on an application to reserve a parking space on Strachan Street, Falkirk for disabled persons.

The Convener, seconded by Councillor Coombes moved that the committee continue consideration of the application for further information from officers including the outcome of survey work being conducted by the Director of Development Services.

As an amendment, Councillor Blackwood, seconded by Councillor Grant moved that the committee grant the order.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (6) – Convener and Councillors Black, Coombes, Hughes, McCue and Munro.

For the amendment (6) - Provost Buchanan and Councillors Bisset, Blackwood, Bouse, Hughes, and Murtagh.

There being an equality of votes and in terms of standing order 22.6 the Convener used his casting vote in favour of the Motion.

Decision

The committee agreed to continue consideration of the application for further information from officers including the outcome of survey work being conducted by the Director of Development Services.

P96. Erection of Dwellinghouse at Land to the West of Candie Hill, Falkirk for Mr and Mrs J Simpson - P/19/0322/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of a dwellinghouse at the Land to the West of Candie Hill, Falkirk.

With reference to standing order 38.1 (x) the Convener referred to a request to be heard from Councillor James Kerr in respect of this item. The Convener, having given his consent, then invited Councillor Kerr to address the committee.

Decision

The committee agreed to continue the application to allow an unaccompanied inspection of the application site and thereafter that the matter be submitted for consideration to the meeting of the Committee on 19 February 2020 at which meeting a hearing session would be conducted.

P97. Erection of Dwellinghouse at Land to the West of Coorie Doon, Avonbridge for Mr and Mrs McCalley – P/19/0554/PPP

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of a dwellinghouse at land to the west of Corrie Doon, Avonbridge.

With reference to standing order 38.1 (x) the Convener referred to a request to be heard from Councillor James Kerr in respect of this item. The Convener, having given his consent, then invited Councillor Kerr to address

the committee.

With reference to Standing Order 33.5 the convener referred to a deputation request received from Mrs Alison McCalley, the applicant, to be heard in relation to this item.

The committee agreed to hear the deputation.

Decision

The committee agreed to continue the application to allow an unaccompanied inspection of the site by the committee.

In line with his declaration of interest Councillor Bouse left the meeting prior to consideration of the following item of business.

P98. Section 42 Application for the Removal of Condition 7 of Planning Permission P/08/0086/FUL which Restricted the Operation of the Development to the Processing, Recycling and Treatment of Inert Construction Materials Only at Craigend Works, Falkirk, FK1 2HY for Anglo Scottish Biosolids Limited – P/19/0211/FUL

The committee considered a report by the Director of Development Services seeking a decision by the Committee on the response by the Council to the appeal to the Scottish Government Planning and Environmental Appeals Division (DPEA) in relation to a section 42 application for the removal of condition 7 of Planning Permission P/08/0086/FUL which Restricted the Operation of the Development to the Processing, Recycling and Treatment of Inert Construction Materials Only at Craigend Works, Falkirk.

Councillor Hughes, seconded by Councillor Coombes moved:

That the DPEA is advised that Falkirk Council would not have been minded to grant planning permission if it had been in a position to determine this application for the following reasons:-

- (1) Without condition 7, which restricts the operation of the development to the processing, recycling and treatment of inert construction materials, the proposed operation, while a transfer station, is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and would be likely to have a significant effect on the environment. Accordingly, it requires Environmental Impact Assessment;
- (2) Removal of condition 7 and operation of the site without the restriction would likely have a significant effect on the environment and have a significantly adverse impact on the amenity of the surrounding area. It is, accordingly, considered that it is appropriate that the Council

maintains control over such use notwithstanding SEPA powers, and

- (3) The site and its use is considered to be abandoned as evidenced by lack of use for a number of years, surrender of the waste management licence issued by SEPA in April 2014, missing perimeter fencing, graffiti and vandalism and the removal of wheel washing equipment from the site.

In accordance with Standing Order 20 Councillor Hughes, with the consent of Councillor Coombes as his seconder, agreed to adjust the wording of his motion to read:-

The committee agree that the Director of Development Services is instructed to advise DPEA that Falkirk Council would not have been minded to grant planning permission if it had been in a position to determine this application for the following reasons:-

- (1) Without condition 7, which restricts the operation of the development to the processing, recycling and treatment of inert construction materials, the proposed operation, while a transfer station, is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and would be likely to have a significant effect on the environment. Accordingly, it requires Environmental Impact Assessment;
- (2) Removal of condition 7 and operation of the site without the restriction would likely have a significant effect on the environment and have a significantly adverse impact on the amenity of the surrounding area. It is, accordingly, considered that it is appropriate that the Council maintains control over such use notwithstanding SEPA powers, and
- (3) The site and its use is considered to be abandoned as evidenced by lack of use for a number of years, surrender of the waste management licence issued by SEPA in April 2014, missing perimeter fencing, graffiti and vandalism and the removal of wheel washing equipment from the site.

Decision

The committee agreed that the Director of Development Services is instructed to advise DPEA that Falkirk Council would not have been minded to grant planning permission if it had been in a position to determine this application for the following reasons:-

- (1) **Without condition 7, which restricts the operation of the development to the processing, recycling and treatment of inert construction materials, the proposed operation, while a transfer**

station, is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and would be likely to have a significant effect on the environment. Accordingly, it requires Environmental Impact Assessment;

- (2) Removal of condition 7 and operation of the site without the restriction would likely have a significant effect on the environment and have a significantly adverse impact on the amenity of the surrounding area. It is, accordingly, considered that it is appropriate that the Council maintains control over such use notwithstanding SEPA powers, and
- (3) The site and its use is considered to be abandoned as evidenced by lack of use for a number of years, surrender of the waste management licence issued by SEPA in April 2014, missing perimeter fencing, graffiti and vandalism and the removal of wheel washing equipment from the site.

Councillor Bouse re-joined the meeting following conclusion of the previous item of business.

P99. Erection of Dwellinghouse at Hillend Lodge, Blackston Road, Avonbridge, Falkirk, FK1 2ND for Mr I Jenson – P/19/0456/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of a dwellinghouse at Hillend Lodge, Blackston Road, Avonbridge.

With reference to Standing Order 33.5 the convener referred to a deputation request received from Ian Jenson, the applicant, to be heard in relation to this item.

The committee agreed to hear the deputation.

Decision

The committee agreed to 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)(i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**
- (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority;**
- (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.**
- (2) Before any work is commenced on site, details of the height, location and construction of all fences, walls and other means of enclosure shall be submitted to and approved by the Planning Authority.**

Reason(s):-

- 1. As these drawings and details constitute the approved development.**
- 2. To ensure the ground is suitable for the proposed development.**
- 3. To enable the Planning Authority to consider this/these aspect(s) in detail.**

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 and 05.**
- 2. Further guidance on the requirements of the Low and Zero Carbon Development condition can be found in Supplementary**

Guidance document SG15 'Low and Zero Carbon Development', available on our website.

- 3. 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.**

P100. Discharge of Planning Obligation Attached to Planning Permission F/2004/0130 which Restricted Areas Within the Subjects Known as Silverlink (or Silver Link) Roadhouse, Airth, Falkirk, FK2 8PW Falling Within Title STG41816 as Follows: Use and Occupation of the Existing Building and the Extension Approved Under Planning Permission F/2004/0130 Only as a Display and Sales Area in Connection with the Sale of Bathroom, Bedroom and Conservatory Furnishings and Fittings and Ancillary Products; the use and Occupation of the Area Referred to as the "CONSERVATORY SITE" Only for the Sale and Display of Conservatories; and, Prohibition of the Sale of Paint, Wallpaper, Power Tools or any Other "DO IT YOURSELF" Products from Any Part of the Site. At Ceramika Tiles and Bathrooms, Silverlink Roadhouse, Airth, Falkirk, FK2 8PW for Mr Ewan Campbell - P/19/0612/75D

The committee considered a report by the Director of Development Services on an application for the discharge of a planning obligation attached to planning permission F/2004/0130.

Decision

The committee agreed to the discharge of the Planning Obligation.

P101. Discharge of Planning Obligation Attached to Planning Permission F/2001/0140 which Restricted the Development to the Erection of 6 Dwellinghouses in total at Fairview House, Airth, Falkirk, FK2 8RY for Mr Tom Smith – P/19/0421/75D

The committee considered a report by the Director of Development Services on an application for the discharge of a planning obligation attached to Planning Permission F/2001/0140.

Decision

The committee agreed to the discharge of the Planning Obligation.

P102. Discharge of Planning Obligation Attached to Planning Permission F/98/0414 which restricted the Development to the Erection of 5 Dwellinghouses in total at Fairview House, Airth, Falkirk, FK2 8RY for Mr Tom Smith – P/19/0422/75D

The committee considered a report by the Director of Development Services on an application for discharge of a planning obligation attached to planning permission F/98/0414.

Decision

The committee agreed to the discharge of the Planning Obligation.

P103. Modification of Planning Obligation Attached to Planning Permission P/18/0541/FUL, Removing the Requirement to Make an Indexed Core Path Contribution of £2,500 per Residential Unit at Land to the North East of Standburn Villa, Falkirk for Dolores Paterson – P/19/0701/75M

The committee considered a report by the Director of Development Services seeking a decision by the Committee on the response by the Council to the appeal to the Scottish Government Planning and Environmental Appeals Division (DPEA) in relation to an application for modification of the planning obligation attached to planning permission P/18/0541/FUL, removing the requirement to make an indexed core path contribution of £2,500 per residential unit at land to the north east of Standburn Villa, Falkirk.

Decision

The committee agreed to:-

- (1) instruct the Director of Development Services to advise DPEA that the said report by the Director of Development Services, its appendix and minutes of the Planning Committee constitute the Council's note of matters which the planning authority considers should be taken into account in determination of the application, and**
- (2) indicate to DPEA that it would have refused to modify the section 75 planning obligation for the reasons detailed in the report attached as Appendix 1 to the said report.**

P104. Demolition of Existing Building and Erection of Care Home (Class 8) at Bo'ness Care Home, 11 – 11A Bridgeness Lane, Bo'ness, EH51 9LQ, for Atlantis Medicare Ltd – P/19/0558/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the demolition of existing building and erection of care home (class 8) at Bo'ness Care Home 11 – 11A Bridgeness Lane, Bo'ness, EH51 9LQ for Atlantis Medicare Ltd.

Decision

The committee agreed to 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)(i) no development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
- (ii) where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**
- (iii) prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority;**
- (iv) if unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue;**
- (3) no development shall commence on site until an appropriate scheme of intrusive site investigation works has been undertaken to confirm coal mining conditions. The findings and details of any necessary remedial or other mitigation measures to ensure the safety and stability of the proposed development shall be submitted to and approved in writing by the Planning Authority. The approved mitigation measures shall be implemented prior to the development commencing;**

- (4) no development shall commence on site until a proposed drainage strategy and associated design detail has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- (5) the development hereby approved shall not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:**

- (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and**
- (ii) a Statement of Conformity which confirms that 10%, of the required CO2 emissions reduction is achieved through the installation of low and zero carbon generating technologies.**

Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

- (6) samples of all external materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given;**
- (7) no development shall commence on site until a photographic record of the existing building (to be demolished) is made and deposited at Callendar House archives. The record shall be in the form of a report and should include an internal and external examination, and**
- (8) the proposed car park and vehicular access, as shown on the approved proposed site plan (our online reference No. 03), shall be fully developed and available for use prior to occupation of the care home hereby approved.**

Reason(s):-

- 1. As these drawings and details constitute the approved development.**
- 2,3 To ensure the ground is suitable for the proposed development.**
- 4. To ensure that adequate drainage is provided.**
- 5. To ensure the development achieves the required CO2 emission reduction as a result of development.**
- 6. To safeguard the visual amenity of the area.**
- 7. To ensure a record of the demolished building is retained.**

8. To ensure that parking provision and access arrangements are to an acceptable standard.

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 - 03, 04A, 05 - 07 and Supporting Documents.
3. The applicant 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 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

P105. Erection of 64 Dwellinghouses and Associated Infrastructure at Land to the North of 44 Drum Farm Lane, Bo'ness, Harbour Road, Bo'ness, for Ogilvie Homes – P/18/0432/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of 64 dwellinghouses and associated infrastructure at land to the north of 44 Drum Farm Lane, Bo'ness, Harbour Road, Bo'ness.

Decision

The committee agreed that it was minded to Grant Planning Permission subject to:-

- (a) completion within 6 months of a Planning Obligation within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, in terms satisfactory to the Director of Development Services in respect of:-
 - (i) the payment of financial contributions towards the provision of education services at the Grange Primary School at a rate of £4398 per dwellinghouse (£281,472) and towards nursery provision at a rate of £1566 per dwellinghouse (£100,224);
 - (ii) the payment of a financial contribution of £8000 towards the improvement and maintenance of open space at Kinnegars Park, Bo'ness.

- (b) and thereafter, on conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to the following condition(s):-**
- (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;**
- (i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**
- (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority;**
- (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue;**
- (3) Development shall not commence until such time as an air quality assessment is submitted and approved in writing by the Planning Authority demonstrating that the new residential units would not be introduced to an area of existing poor air quality where the air quality standards of the Council are not likely to be met. The assessment would also be required to demonstrate that traffic associated with the development will not lead to an**

exceedance of the air quality objectives at relevant receptor locations. Development of a dispersion model to inform the assessment using ADMS roads or similar atmospheric dispersion modelling software would be required in order to demonstrate the above;

(3) Development shall not commence on site until such time as an intrusive site investigation on historic mining activities, prepared by a suitably qualified person, has been submitted to and approved in writing by the Planning Authority demonstrating that the proposed development would not be at risk from the impacts of historic mining activity. For the avoidance of doubt the report shall include:

- an assessment of the ground conditions of the site and establish the risks posed to the development from historic mining activity**
- a report of findings of the intrusive site investigation and any remedial works and/or mitigation measures considered necessary, including the submission of development site layout plan which illustrates the zone of influence from mine shaft 301681-008**
- a schedule of any appropriate remediation works resulting from the intrusive survey including details of the timeframe for carrying out such works**

(5) Notwithstanding any details previously submitted, the development hereby approved shall not be occupied or brought into use until such time as the following documents have been submitted to, and approved in writing by, the Planning Authority:

- (i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and**
- (ii) a statement of conformity which confirms that 10% of the required CO₂ emissions reduction is achieved through the installation of low and zero carbon generating technologies.**

Details and timetable of how this is to be achieved, including details of physical works on site, shall be submitted to, and approved in writing by, the Planning Authority. The approved details shall thereafter be implemented in accordance with the approved timetable and retained operational thereafter, unless otherwise agreed in writing by the Planning Authority.

(6) Within 21 days of the cessation of construction works the emergency access as detailed on the drawing bearing the Planning Authority's reference 30 shall be formed and made available for the access of emergency vehicles only;

- (7) No dwellinghouse shall be occupied until such time as the Sustainable Urban Drainage (SUDS) basis granted under the terms of planning permission P/19/0567/FUL has been formed and is demonstrated to be operational with the written approval of the Planning Authority;**
- (8) The proposed planting as detailed on the drawings bearing the Planning Authority's reference 20A, 21A, 23A, 36 and 37 and the Landscape management Plan dated July 2018 shall be implemented in full before the end of the first planting season following completion of the 64th dwellinghouse. Thereafter, any specimen not becoming established for whatever reason will be replaced with a specimen of similar species and size. For the avoidance of doubt the planting season shall be considered to be October - April inclusive;**
- (9) Where the proposed development has not commenced within 12 months of the last badger survey a further walk over survey of the site shall be carried out and the results and any necessary badger protection plan shall be submitted for the written approval of this planning authority;**
- (10) Development shall not commence on site until such time as bat boxes and bird nesting boxes have been installed in accordance with the ecological appraisal July 2018 and the bat survey and report July 2018. For the avoidance of doubt details of the number, design and location of bat boxes and nesting bird boxes shall be submitted to and approved in writing by the Planning Authority. Also for the avoidance of doubt details shall include a timescales and methodology in respect of the installation of the bat and nesting bird boxes;**
- (11) Where the proposed development has not commenced within 12 months of the last bat and bird surveys further walk over surveys of the site shall be carried out and the results and any necessary protection plans shall be submitted for the written approval of this planning authority;**
- (12) Notwithstanding any details previously submitted, no dwellinghouse shall be constructed above foundation level until such times as a detailed materials schedule for each of the approved housetypes, together with samples of materials, have been submitted to and approved in writing by the Planning Authority;**
- (13) The dwellinghouses at Plots 31, 32, 33, 34, 35, 36 and 37 shall not be occupied until such time as the landscaping proposed on the drawings bearing the Planning Authority's references 21A and 37 have been implemented in full;**

- (14) Notwithstanding any details previously submitted, the development shall not commence until such time as details of maintenance responsibility for all retaining structures at the development hereby approved have been submitted to and approved in writing by the Planning Authority.

Reason(s):-

1. As these drawings and details constitute the approved development.
2. To ensure the ground is suitable for the proposed development.
3. To ensure that the proposed development would enjoy a satisfactory level of air quality and that traffic generated by the proposed development would not have a significant detrimental impact on the air quality of the area.
4. To ensure the ground is suitable for the proposed development.
5. To ensure that 10% of carbon reduction is achieved by low and zero carbon generating technologies.
6. To safeguard the interests of the users of the highway.
7. To ensure that adequate drainage is provided.
8. To ensure that the proposed landscaping of the site is implemented and that the landscaping becomes established in order to safeguard the landscape quality of the proposed development.
9. To safeguard the interests of badgers in the area of the application site.
10. To safeguard the interests of bats and nesting birds.
11. To safeguard the interests of bats and nesting birds in the area of the application site.
12. To safeguard the visual amenity of the application site and ensure a satisfactory standard of design.
13. To safeguard the amenity of the occupants of existing dwellinghouses at Drumside Terrace, Bo'ness.
14. To ensure that there are satisfactory measures in place to ensure maintenance of retaining structures.

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, 04A, 05 - 12, 13A, 14-19, 20A, 21A, 22, 23A and 24-37.
2. The applicant 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 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

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

- 3. The applicant is advised to liaise with Scottish water with respect to seeking approval for a surface water discharge connection. Should details of a discharge agreement amend the proposed development the applicant should inform this planning authority of the details of any such amendment. The applicant should contact service.relocation@scottishwater.co.uk**

- 4. 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.**