

P42. REDEVELOPMENT OF DENNY TOWN CENTRE COMPRISING CLASS 1 AND 2 USES, CAFÉ RESTAURANT, LIBRARY WITH COMMUNITY SPACE, COMMUNITY ENTERPRISE UNITS (CLASS 4), RESIDENTIAL DEVELOPMENT, PUBLIC REALM WORKS, CAR PARKING AND ANCILLARY WORKS AT 1 - 31 (ODDS) CHURCH WALK, DENNY FK6 6DF 133 - 167A (ODDS) CHURCH WALK, DENNY FK6 6HS FOR FALKIRK COUNCIL - P/12/0179/PPP

There was submitted Report (circulated) dated 18 June 2013 by the Director of Development Services on an application for planning permission in principle for the redevelopment of Denny Town Centre to provide new retail, office, library and residential uses and associated works including car parking and public realm works.

In accordance with Standing Order 35.1 (viii) the Convener gave consent to Councillor McCabe to speak in relation to this item of business.

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

By way of an Amendment, Councillor Turner, seconded by Councillor Carleschi, moved that the application be continued to allow an inspection of the site by Committee.

Notice of a further amendment was given by Councillor Alexander.

On a division, 5 Members voted for the motion and 4 voted for the amendment.

The motion thereafter became the substantive motion on which the further amendment, such further amendment being that the application be refused on the basis of concerns over road traffic management, disabled access and design, was moved by Councillor Alexander and seconded by Councillor Meiklejohn.

On a division, 5 Members voted for the substantive motion and 4 voted for the amendment.

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

- (1) Plans and particulars of the matters specified below shall be submitted for consideration by the Planning Authority in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the Planning Authority has been given, and the development shall be carried out in accordance with that approval. The specified matters are:-
 - (a) The siting of the proposed buildings;
 - (b) The design of the proposed buildings;
 - (c) The external appearance of the proposed buildings;
 - (d) Details of the proposed access arrangements;
 - (e) Details of the proposed landscaping of the site; and

- (f) Details of the proposed boundary treatments.
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- (2) As part of each application for Matters Specified in Conditions, a Contaminated Land Assessment shall be submitted for the written approval of the Planning Authority. Before each phase of the development is brought into use, any necessary remedial works to make the ground safe shall be completed in accordance with the approved remediation strategy, and any necessary remediation completion report/validation certificate shall be submitted to and approved in writing by the Planning Authority.
 - (3) As part of each application for Matters Specified in Conditions, details of the precise use class of each proposed unit shall be submitted for the written approval of the Planning Authority.
 - (4) As part of each application for Matters Specified in Conditions, the exact details of the measures to mitigate the potential for noise and odour impacts shall be submitted to and approved in writing by the Planning Authority, where the submission of such details is considered to be necessary by the Planning Authority in view of the proposed use of that unit. Thereafter, the development shall be carried out in accordance with the approved details.
 - (5) As part of each application for Matters Specified in Conditions, the details of the provision of secure covered cycle parking shall be submitted for the written approval of the Planning Authority.
 - (6) Unless otherwise agreed in writing by the Planning Authority, the first application for Matters Specified in Conditions within Phases 2 or 3 of the development (as indicated on approved masterplan drawing 02) shall be accompanied by the following details for the written approval of the Planning Authority:-
 - (a) Transport and road safety information, including detailed traffic management proposals, in support of the proposed final access strategy;
 - (b) A Travel Plan Framework;
 - (c) Detailed proposals for upgrade/provision of bus lay-bys and bus shelters/information panels;
 - (d) A parking signage strategy;
 - (e) A directional signing strategy;
 - (f) Documentary evidence to demonstrate that an Agreement has been entered into with the Roads Authority to pay the sum of £1.41 million towards the construction of Denny Eastern Access Road (DEAR) when requested by the Council as Roads Authority and not before completion of the development. The contribution shall be index linked from the date of grant of planning permission; and
 - (g) An Air Quality Assessment.

- (7) Following approval of the Travel Plan Framework, a Travel Plan for each development (if relevant) shall be submitted for the written approval of the Planning Authority, in accordance with the approved Travel Plan Framework and an agreed timescale for its submission.

Reason(s):-

- (1) To ensure the matters specified are given full consideration and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc., (Scotland) Act 2006.
- (2) To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc., (Scotland) Act 2006.
- (3) To ensure that the Planning Authority can control the future uses of the development.
- (4) To safeguard the environmental amenity of the area.
- (5) To promote the use of sustainable modes of transport to travel to and from the site.
- (6) To safeguard the interests of the users of the highway and to promote the adoption of sustainable transport measures and the use of sustainable modes of transport to travel to and from the site.
- (7) To promote the adoption of sustainable transport measures and the use of sustainable modes of transport to travel to and from the site.

Informative(s):-

- (1) Plans and particulars of the matters listed above shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of Falkirk Council as Planning Authority has been given, and the development shall be carried out in accordance with that approval.
- (2) For the avoidance of doubt, the plan(s) to which the permission refers bear the online reference number(s) 01 and 02.