

P63. DEMOLITION OF DWELLINGHOUSE AND GARAGE AND ERECTION OF 2 DWELLINGHOUSES, DOMESTIC GARAGE AND GUEST HOUSE (CLASS 7) AT INCHES HOUSE, BELLSDYKE ROAD, LARBERT FK5 4EL FOR MR IAIN POLLOCK - P/13/0164/FUL

With reference to Minute of Meeting of the Planning Committee held on 25 June 2013 (Paragraph P47 refers), Committee gave (a) further consideration to a report by the Director of Development Services, and (b) considered an additional report by the said Director on an application for full planning permission for the demolition of a single storey dwellinghouse and a detached garage and the erection of two dwellinghouses, a domestic garage and a guest house (Class 7) at Inches House, Bellsdyke Road, Larbert.

Councillor McLuckie, seconded by Councillor Mahoney, moved that that the application be approved in accordance with the recommendations in the report and the inclusion of an additional condition relating to the provision of low level lighting along the access track.

By way of an amendment, Councillor Carleschi, seconded by Councillor Alexander, moved that the application be refused on the grounds of the adverse impact on road safety and on local primary schools.

On a division, 7 Members voted for the motion and 3 for the amendment.

Decision

The Committee agreed to grant planning permission subject to a condition requiring the provision of low level lighting along the access track and 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 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.**
- (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) Before works commence on-site, a surface water drainage strategy shall be submitted and agreed in writing by the Planning Authority.
- (4) Before occupation of the dwellings and/or guest house, visibility splays measuring 2.4 metres x 70 metres require to be provided in either direction from both accesses onto Bellsdyke Road. There shall be no obstruction above carriageway level within these splays.
- (5) Before occupation of the dwellings and/or guest house, visibility splays measuring 2.4 metres x 30 metres require to be provided in either direction from both accesses within the site onto the private access road to Bellsdyke Road. There shall be no obstruction above carriageway level within these splays.
- (6) Before work commences on-site, details of the proposed road calming measures on the private access track shall be submitted to and approved in writing by the Planning Authority.
- (7) Before works commence on-site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.
- (8) Development shall not begin until details of the scheme of hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-

- (i) existing and finished ground levels in relation to a fixed datum, preferably ordnance;
 - (ii) existing landscaping features and vegetation to be retained and, in the case of damage, restored;
 - (iii) location and design, including materials, of walls, fences and gates; and
 - (iv) soft and hard landscaping works.
- (9) Before works commence on-site a tree survey of the site shall be submitted, detailing all tree species, heights, crown and root spread within the site boundary. Where relevant, any areas of construction which may affect the root zones of trees to be retained, shall have a method of working/excavation and construction detailing to show how damage to the root system would be minimised.
- (10) Before the building is occupied, the car parking shown on the approved Plan shall be completed.

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 adequate drainage is provided.
- (4-6) To safeguard the interests of the users of the highway.
- (7) To safeguard the visual amenity of the area.
- (8-9) To safeguard the environmental amenity of the area.
- (10) To ensure that adequate car parking is provided.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03A, 04, 05, 06, 07, 08, 09 and 10A.
- (2) 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 three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (3) The Roads Manager within Development Services should be contacted to obtain a Minor Roadworks Consent before forming a vehicular access onto the public road or undertaking any work on, or under, the public road.