

**PRC31. APPLICATION FOR REVIEW – PLANNING APPLICATION P/12/0585/FUL CHANGE OF USE FROM PRIVATE OPEN SPACE TO ENCLOSED GARDEN GROUND, ERECTION OF RAISED DECKING AND ERECTION OF BOUNDARY FENCE (PART RETROSPECTIVE) AT 27 AVONBANK GARDENS, DUNIPACE (CONTINUATION)**

With reference to the Minute of Meeting of the Planning Review Committee held on 13 August 2013 (Paragraph PRC18 refers), there were submitted documents (circulated) in relation to the Application for Review for planning application P/12/0585/FUL for the change of use from private open space to enclosed garden ground, erection of raised decking and erection of boundary fence (partly retrospective) at a property at 27 Avonbank Gardens, Dunipace.

The Committee heard a short presentation from Mr Whittle, who provided a summary of the application, the papers before the Committee, referring to the Report of Handling and the reason for refusal of the application now being reviewed.

After discussion, and having heard advice from Mr Blyth and Mr Whittle, the Committee **AGREED** that they had sufficient information (a) within the written submission provided by the Falkirk Council Biodiversity Officer and the applicant's response to this, and (b) from the accompanied inspection of the site in question on 28 August 2013, and considered:-

- (1) Policies EQ27 and SC123 of the Falkirk Council Local Plan;
- (2) the terms of the Falkirk Council Supplementary Planning Guidance Note "Biodiversity and Development";
- (3) the responses from the Falkirk Council Biodiversity Officer;
- (4) information submitted by the applicant in support of the proposal;
- (5) the benefit of the site inspection; and
- (6) the written submission from Biodiversity Officer and the response from the applicant in relation to this.

Accordingly, **AGREED:-**

- (1) to **GRANT** planning permission subject to such conditions as the Director of Development Services shall deem appropriate, including a condition that a concrete block be installed to ensure the stability and safety of the ground; and
- (2) to delegate to the Chief Governance Officer the preparation of the decision notice.

Having failed to gain a seconder for a proposed amendment to uphold the refusal of planning permission, Councillor Mahoney requested that his dissent be recorded.