

P155. ERECTION OF CLASS 1 SHOP UNIT WITH ASSOCIATED ACCESS, CAR PARKING, SERVICE YARD AND EXTERNAL WORK ON LAND TO THE NORTH OF ALDI FOODSTORE LTD, REDBRAE ROAD, FALKIRK FOR TJ MORRIS LIMITED/ BRUCE WEIR HOLDINGS LTD - P/13/0766/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the erection of a class 1 shop unit with associated access, car parking, a service yard and external work on land to the north of the Aldi Foodstore Ltd, Redbrae Road, Falkirk

Decision

The Committee agreed to grant planning permission subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Before the building is occupied, the car parking shown on the approved plan shall be completed.
- (3) 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;
 - (iv) soft and hard landscaping works; and
 - (v) existing and proposed services such as cables, pipelines, sub-stations.
- (4) Prior to any works on site, further information shall be submitted to and approved in writing by the Planning Authority as to the minimisation of light pollution from the premises.
- (5) Before the development commences, details of the phasing of the proposed development and the location(s) of the works compound and construction vehicle parking and access arrangements shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (6) Before the development commences, full details of the colour and specification of all proposed external finishes for all buildings, structures and hardsurfaces shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

- (7) Before the development commences, full details of the colour and specification of all proposed walls, fences, gates and any other means of enclosure shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (8) Notwithstanding the approved plans, before the development commences, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:-
- (i) an indication of any existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their retention;
 - (ii) the location of all new trees, shrubs, hedges and grass areas;
 - (iii) a schedule of plants to comprise species, plant sizes and proposed numbers/species; and
 - (iv) a programme for the completion and subsequent management and maintenance for all proposed landscaping and boundary treatments.

The landscaping plan shall be implemented in accordance with an approved phasing plan.

- (9) Before occupation of the retail unit, exact details of any proposed ventilation system and measures to be employed to control noise emission from all proposed plant/equipment and HGV deliveries shall be submitted to and approved in writing by the Planning Authority. Thereafter, all plant/equipment shall be installed, operated and maintained, and all HGV deliveries carried out, in accordance with the approved details.
- (10) All proposed roads, cycleways, traffic signals, roadmarkings, street lighting, footways/footpaths and road crossings to be adopted by Falkirk Council shall be constructed in accordance with the Falkirk Council Design Guidance and Construction Standards.
- (11) Cycle parking shall be provided on the site at location(s) and in accordance with details, including the number and design, submitted to and approved in writing by the Planning Authority.
- (12) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
- (13) For the avoidance of doubt, the proposed footway along the western side of Redbrae Road to the site access shall be constructed to adoptable standards and be at least 2 metres in width.

- (14) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the Travel Plan Framework.
- (15) Prior to the commencement of any works, full details of the finalised SUDS scheme shall be submitted for the written approval of the Planning Authority, in consultation with SEPA, and all works shall be carried out in accordance with the approved scheme.
- (16) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the finalised street lighting system to be employed.
- (17) No development shall take place within the development site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. This should take the form of mitigation measures in the report by Tom Davis and Thomas Rees produced for James Barr as part of the site assessment.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2,14) To ensure that adequate car parking is provided.
- (3,4,9) To safeguard the environmental amenity of the area.
- (7,22) To ensure that adequate traffic management provision is secured.
- (5-8) To safeguard the visual amenity of the area.
- (6) In the interests of residential amenity.
- (10-11, 13) To safeguard the users of the public highway.
- (12) To ensure the ground is suitable for the proposed development.
- (15) To ensure adequate protection of the water environment from surface water run-off.
- (16) The development would not be acceptable without these additional works.
- (17) 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 the decision refer(s) bear the online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08 and 09A.
- (2) The applicant should consult with the Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.
- (3) Your attention is drawn to the provisions of the Disability Discrimination Act 1995. The permission does not imply that your proposals satisfy the requirements of that legislation.
- (4) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning the proposal in respect of noise legislation which may affect this development.
- (5) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning the proposal, as legislation relating to the spread of dust is likely to affect the development.
- (6) 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 - 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 Manager.
- (7) The applicant is advised to contact Network Rail's Asset Protection Engineer for approval prior to any works on site.