

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 9 APRIL 2014 at 9.30 A.M.**

**COUNCILLORS:**

Colin Chalmers  
Craig Martin  
John McLuckie (Convener)  
Sandy Turner

**OFFICERS:**

Shona Barton, Committee Services Officer  
Allan Finlayson, Senior Planning Officer  
Iain Henderson, Legal Services Manager  
Brent Vivian, Senior Planning Officer

**PRC1. APOLOGIES**

An apology was submitted on behalf of Baillie William Buchanan.

**PRC2. DECLARATIONS OF INTEREST**

No declarations were made.

**PRC3. MINUTES**

**Decision**

The minute of the meeting of the Planning Review Committee held on 25 March 2014 was approved.

**PRC4. OPENING REMARKS**

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

## **PRC5. REQUESTS FOR SITE VISITS**

The Committee, prior to consideration of the applications on the agenda, and having heard advice from Mr Henderson, **AGREED** that they did not have sufficient information to allow them to make a determination on any of the applications under consideration and that the meeting would be adjourned to allow Members to conduct an inspection of the sites in relation to applications P/13/0513/FUL, P/13/0514/FUL, P/13/0509/FUL and P/13/0439/PPP. The meeting adjourned at 9.50 a.m. and reconvened at 12.30 p.m. with all those members present as per the sederunt.

## **PRC6. ORDER OF BUSINESS**

The Convener varied the order of business. The following items have been recorded in the order that they were taken at the meeting.

## **PRC7. PLANNING APPLICATION P/13/0439/PPP ERECTION OF DWELLINGHOUSE AT BLACKBRAES, FALKIRK, FK1 2DH**

The Committee considered documents which related to the Application for Review for planning application P/13/0439/PPP for the erection of a dwellinghouse at Blackbraes, Falkirk, FK1 2DH.

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

After discussion, and having heard advice from Mr Henderson and Mr Finlayson, the Committee **AGREED** that they had sufficient information (a) within the papers provided in relation to the application for Review, and (b) from the unaccompanied inspection of the site, and considered:-

- (1) Policy Env.1 of the Falkirk Council Structure Plan;
- (2) Policies EQ19 and SC03 of the Falkirk Council Local Plan;
- (3) Policies CG01 and CG03 of the Falkirk Local Development Plan – Proposed Plan;
- (4) the consultation responses received;
- (5) the representation submitted;
- (6) the report provided by Lawrence Gould Associates in relation to the viability and need of the sheep farming on the site;
- (7) the supporting documents provided by the applicant, and
- (8) the benefit of the site inspection.

After discussion the Committee **AGREED** that the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** and that the preparation of the decision notice be delegated to the Chief Governance Officer.

**PRC8. PLANNING APPLICATION P/13/0513/FUL ERECTION OF DETACHED DWELLINGHOUSE AND DETACHED DOMESTIC DOUBLE GARAGE (PLOT 1) AT LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD**

The Committee considered documents which related to the Application for Review for planning application P/13/0513/FUL for the erection of a detached dwellinghouse and detached domestic double garage (Plot 1) at land to the south east of Byways, Glen Road, Torwood.

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

After further discussion and having heard advice from Mr Henderson and Mr Vivian, and having given consideration to the benefit of the site inspection, the Committee **AGREED:-**

- (1) that the matter be continued to a future meeting of the Committee on a date to be agreed,
- (2) that further information in the form of written submissions, be submitted by:-
  - (a) the Forestry Commission providing further information on the following:-
    - (i) response to and comments on a letter which was submitted by the agent for the applicants, dated 2 April 2014;
    - (ii) an explanation of the designation and definition of Ancient woodlands;
    - (iii) copies of previous submissions made by the Forestry Commission in relation to previous planning applications affecting the land comprising the site as well as in relation to the immediately adjoining properties;
    - (iv) the view from the Forestry Commission in relation to any mitigating approaches that could be taken on the site if planning permission were to be granted, and
    - (v) information on the requirements on the applicants should they not successfully defend the enforcement notices served by the Forestry Commission.
  - (b) the Director of Development Services providing information on the following:-

- (i) provision of copies of relevant planning reports to Committee, Reports of Handling, Decision Notices and Reporter's Decisions in relation to the land comprising the plot as well as in relation to the sites which are immediately adjoining the plot;
  - (ii) views on the biodiversity impact of the development if planning permission were granted, and
  - (iii) a view on any acceptable, mitigating approaches that could be taken in terms of planting or screening on the application sites if planning permission were granted.
- (3) that the written submissions requested be provided within a period of 14 days from receipt of the request, and
- (4) that the respective written submissions requested be copied to the applicant in order that they may make comments in reply.

**PRC9. PLANNING APPLICATION P/13/0514/FUL ERECTION OF DETACHED DWELLINGHOUSE AND DETACHED DOMESTIC DOUBLE GARAGE (PLOT 2) AT LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD**

The Committee considered documents which related to the Application for Review for planning application P/13/0514/FUL for the erection of a detached dwellinghouse and detached domestic double garage (Plot 2) at land to the south east of Byways, Glen Road, Torwood.

The Committee **AGREED** that the Review be dealt with as per the recommendations at PRC8, as the applications were of a similar nature and referred to immediately adjoining sites.

**PRC10. PLANNING APPLICATION P/13/0509/FUL ERECTION OF DETACHED DWELLINGHOUSE AND DETACHED DOMESTIC DOUBLE GARAGE (PLOT 3) AT LAND TO THE SOUTH EAST OF BYWAYS, GLEN ROAD, TORWOOD**

The Committee considered documents which related to the Application for Review for planning application P/13/0509/FUL for the erection of a detached dwellinghouse and detached domestic double garage (Plot 3) at land to the south east of Byways, Glen Road, Torwood.

The Committee **AGREED** that the Review be dealt with as per the recommendations at PRC8, as the applications were of a similar nature and referred to immediately adjoining sites.