

**FALKIRK COUNCIL**

**Subject:** USE OF LAND FOR END OF LIFE VEHICLE  
DECONTAMINATION AND DE-LIQUIDISING FACILITY  
AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT  
ALL PARTS AUTO SALVAGE, HILLVIEW ROAD, HIGH  
BONNYBRIDGE, BONNYBRIDGE FK4 2BD FOR ALL PARTS  
AUTO SALVAGE - P/14/0094/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 25 June 2015

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Bonnybridge and Larbert

Baillie Billy Buchanan  
Councillor Tom Coleman  
Councillor Linda Gow

**Community Council:** Bonnybridge Community Council

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext. 4935

**UPDATE REPORT FOLLOWING COMMITTEE CONSIDERATION ON 29 APRIL 2015**

1. Members will recall that this application was originally considered by the Planning Committee on 25 March 2015 (copy of previous report appended), when it was agreed to continue the application for a site visit. The site visit took place on 13 April 2015.
2. The application was considered further by the Planning Committee on 29 April 2015 (copy of previous report appended), when it was agreed to continue the application: -
  - (a) to allow further consultation with the community in particular in relation to the screening arrangements; and
  - (b) to await the conclusion of the applicant's appeal to SEPA in relation to enforcement action.
3. With respect to the further community consultation, a letter with an amended drawing was sent out to all those who had made representations to the application including the Bonnybridge Community Council. The letter advised of the following: -
  - Standard trees are to be planted along the top of the bund at 4 metre centres, 10-12cms girth, 300-350cms height and double staked;
  - The remaining trees are to be planted as whips (125-150cms in height) planted in tubes to prevent damage at 2 metre spacing in a random mix.; and
  - Suitable topsoil is to be imported and spread evenly to a minimum depth of 450mm over the planting areas.

4. Comments on the further information were invited by 10am on Monday 25 May 2015.
5. As a result of the community consultation, a further eight objections were received in relation to the application. The concerns raised in these further objections can be summarised as follows:-

### *Screening Arrangements*

- The proposed storage and tree screening would be on an area of concrete platform;
- The proposed depth of topsoil (450mm) is totally inadequate for the strong growth of trees and should be at least 2 metres;
- Tree planting at 3 to 3.5 metres in height with a topsoil depth of 2 metres would be more like the right combination (5 metres height) to provide adequate screening;
- The trees planted should be mature ones as saplings will require at least 10 years to grow;
- At present there are no evergreen trees on site and so there is no screening during winter months;
- There should be more than 20% evergreens;
- There is no mention of the depth of trees to be planted;
- The elevations do not accurately reflect the height of a Reilly Gardens property relative to the railway line and All Parts premises;
- The import of suitable topsoil would involve SEPA if the material is to be brought onto the site;
- What will be the timescale for construction of the bund etc?;
- The bund construction, tree planting etc would involve some construction machinery, increased traffic, noise on site;

### *Other*

- The issue of noise should be considered in equal measure to the screening arrangements;
- There should be limits on noise and hours of working;
- The minimum depth of mature trees required to reduce noise is 20 metres;
- There have been no noise complaints from residents in the past as there have been little or no cars crushed on the site for years;
- Noise from the extra crushing machine on site;
- There is no comparison between the train noise (over in a second or two) and noise from All Parts;

- Dogs barking at night while the site is patrolled;
- Light nuisance from floodlights at the top of the site;
- Visual impact of the vehicles piled upon each other;
- Some of the objectors would have liked the Committee to have viewed the site from their properties;
- Bonnybridge is becoming an industrial town with no green areas;
- The site is the former GR Steins site and has unstable ground due to mine workings;
- Soil contamination from vehicles not being de-liquidised;
- The local roads are not suitable for the traffic;
- Road safety concerns with children and elderly people crossing the roads;
- Concerns with access for emergency services;
- Residents were not aware of the original community consultation event therefore there was low attendance;
- The company disregards the local community;
- Since August 2014, the site has been detrimental to the present living area and surrounding environment;
- It is now 9 months since the unauthorised material was put onto an unlicensed site and yet no serious actions have been taken for its removal; and
- The company cannot be trusted to abide by the rules unless under continuous scrutiny by the Council, SEPA and local residents.

6. The following comments are made in response to the concerns raised in relation to the screening arrangements:-

- Any existing concrete where the bunding/planting is proposed would have to be broken up and removed as part of the ground preparation works;
- The proposed minimum depth of 450mm would apply where the topsoil would be laid upon subsoil. The applicant would be required to submit ground preparation details as part of their detailed landscape proposals;
- A height of 5 metres would be achieved along the top of the bund at the time of planting (a bund height of 2.5 metres planted with 3 to 3.5 metre high trees);

- Evergreen trees are included in the landscape proposals and the percentage of evergreens could be increased from 20% to 25% and include tree and shrub species to provide evergreen screening at different heights;
  - The applicant would be advised to contact SEPA in relation to the material to be used to form the bund; Informative 5 of the recommendation covers this matter;
  - The submitted landscape proposals plan shows an approximate depth of planting of 10 metres;
  - The timing of completion of the landscape works would need to be agreed with the planning authority and occur prior to relocation of the scrap metal to the lower area; and
  - Some construction work would be required to form the bund extension. A condition is recommended to require a method statement to be submitted and approved by the planning authority.
7. The other issues raised largely re-iterate concerns which have previously been made and considered in the previous reports to Committee (see the attached reports).
8. At the Committee meeting on 29 April 2015 it was suggested that a “willow wall” could be provided to screen the site from Reilly Gardens. On further consideration, this type of solution is considered to be more suited to an urban location. The Allparts site is in a rural location where screen planting with a native mix of tree and shrub species is considered to be more appropriate as it would blend into the surrounding landscape.
9. Concerns were raised at the meeting on 29 April 2015 regarding the length of time it would take for the site to be effectively screened. In response, the Council’s landscape officer has made the following comments in relation to the applicant’s proposals:-
- The proposed planting - select standards and whips - should provide initial screening but will not create a continuous visual barrier immediately;
  - The select standard trees, 300-350cms at time of planting, would be expected to reach 5 metres x 3 metres spread within 10 years. At 4 metre centres, the canopies of the trees should coalesce within the first 10 years (and probably within 5 years) and create a screen;
  - The whips should reach a height of 2 metres within 5 years of planting, and at least 3-4 metres within 10 years. At 2 metre centres, the plant spread should be coalescing as well as screening the space between the canopy of the trees within 10 years;
10. In addition, the Council’s Landscape Officer has advised that:
- The provision of a temporary mesh fence would increase the initial screening effect until the planting becomes established; and
  - An alternative option would be to plant a second row of trees (light standards/standards/select standards) along the top of the bund, offset from the first row to create a double staggered row of trees. The canopies of the second row would fill in the gaps between the tree canopies of the first row of trees for the first few years.

11. With respect to the SEPA enforcement action, SEPA confirmed on 29 April 2015 that they had received an appeal from the applicant against the enforcement notice issued by SEPA on 30 March 2015. In the appeal, the applicant requested that the notice be modified to extend the date for removal of the waste 'until the date falling ninety days after the final determination of an application for planning permission, reference P/14/0094/FUL'.
12. In addition, SEPA advised on 13 May 2015 that their response to the appeal of the enforcement notice would not be presented to the Sheriff until 27 May 2015. On 2 June 2015, SEPA advised that the appeal hearing was continued until 1 July 2015. The length of time the appeal may take is undetermined as this is a matter for the courts, and as such there is no foreseeable timescale.
13. SEPA have reiterated that their enforcement action with regard to the continued storage of waste at this site is a separate issue to the planning application and SEPA has not objected to the planning application. The unauthorised storage of waste will likewise be treated as a separate issue should the applicant gain planning permission and apply to SEPA for a waste management licence.
14. In light of the comments in paragraphs 10 to 12 of this report, it is recommended that the Committee proceed to determine the application in advance of the second element (b) of their decision on 29 April 2015 being concluded i.e. in advance of the outcome of the appeal process in respect of the SEPA enforcement notice. In doing so, the Committee would require to have regard to Standing Order 35 which sets out the circumstances in which a Committee decision may be reconsidered or changed within six months of it being made.
15. Standing Order 35 states that:-

"A decision of Council cannot be reconsidered or changed within six months of being made unless:-

  - (i) it is required by statute; or
  - (ii) the Provost rules that there has been a material change in circumstances since the decision was made; or
  - (iii) two thirds of Members present at the meeting agree otherwise; and
  - (iv) in each of the cases, (i) to (iii) above, notice has been given of the proposed changes in the Notice for the meeting".
16. The further objections received are not considered to raise any issues that would alter the previous recommendation to grant planning permission. However, given that the proposed screening arrangements would not provide an immediate continuous visual barrier along the bund, the suggestion of the landscape officer to plant a second (offset) row of trees is supported. The provision of a second row of planting is considered to be more acceptable in landscape terms than the provision of fencing. Informative 7 of the recommendation has been refined to set out the screening arrangements that would be required to satisfy the terms of condition 5.

## 17. RECOMMENDATION

17.1 Subject to Standing Order 35 being satisfied, it is recommended that the Planning Committee proceed to grant planning permission in advance of the second element (b) of their decision on 29 April 2015 (ie in advance of the conclusion of the appeal against the SEPA enforcement notice) and subject to 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 this 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. The north-west area of the site shall be used solely for either (a) the continued storage of the scrap metal existing on this part of the site at the date of grant of this planning permission or (b) the storage of vehicles in accordance with approved drawing 03D.
3. This permission insofar as it applies to the north-west area of the site shall be valid for a temporary period of 2 years until 30th April 2017 and at the end of that time, unless a further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition in accordance with details to be approved in writing by this Planning Authority.
4. No scrap material shall be stored at a height in excess of 5 metres above ground level.
5. Notwithstanding the approved plans, within one month of the date of this permission a scheme of soft landscaping works shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include (as appropriate):-
  - (i) Existing and proposed finished ground levels in relation to a fixed datum, preferably ordnance;
  - (ii) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their replacement;
  - (iii) The location of all proposed new trees, shrubs, hedges and grassed area;
  - (iv) A schedule of plants, to comprise species, plant size and proposed numbers/density;
  - (v) The profile of the bunding and the material to comprise the bunding; and
  - (vi) A programme for implementation of the approved landscaping scheme and subsequent maintenance.

Thereafter, the scheme of landscaping shall be carried out in accordance with the approved details.

6. Subject to condition 9 of this permission, the existing woodland along the eastern site boundary shall be retained in perpetuity and managed in accordance with the submitted Woodland Management Plan prepared by Sid Nodes, Treescapes Scotland.
7. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, both the main and secondary site entrances shall be re-constructed with 10.5 metre kerbed radii to form bellmouths, of 6 metres minimum width.
8. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, both the main and the secondary site entrances shall be surfaced (and thereafter maintained) to ensure that no loose material is carried out, and no surface water is discharged, onto the public carriageway.
9. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, visibility splays measuring 2.4 metres x 90 metres at the secondary entrance, and 4.5 metres x 90 metres at the main entrance, shall be provided (and thereafter maintained), within which there shall be no obstruction to visibility above carriageway level.
10. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, the section of damaged carriageway at the main site entrance shall be reinstated in accordance with details to be approved in writing by this Planning Authority.
11. Before (a) the formation of the approved bunding or (b) any movement of the scrap metal stored on the north-west part of the site, details of the proposed method, programme and timescale in respect of these matters shall be submitted to and approved in writing by this Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.
12. Within one month of the date of this permission, portacabin (D) as shown on approved drawing 03D shall be repositioned in a southerly direction, in accordance with an exact location to be approved in writing by this Planning Authority.

**Reason(s):-**

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission.
2. To ensure that the use of the land is suitably controlled, in the interests of the amenity of the area.
3. To provide a suitable trial period to monitor any additional impacts as a result of the proposed extension area.
- 4-5. To safeguard the visual and residential amenity of the area.
6. To safeguard the visual amenity of the area.

- 7-10. To safeguard the interests of the users of the highway.
11. To safeguard the residential amenity of the area.
12. To remove the risk arising from a load bearing structure being located within the zone of influence of a recorded mine entry.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02A, 03D, 04, 05A, 06A, 07A, 08 and 09.
2. The applicant is advised that the required upgrade works to the site entrances will require Minor Roadworks Consent, issued by Falkirk Council Roads Services.
3. SEPA have advised that a Waste Management Licence is required to carry out waste management activities in the north-west part of the site.
4. The applicant is advised that noise would be regulated by SEPA if a waste management Licence is issued for the north-west area of the site. The Planning Authority would be notified of any such application for a Licence and would have the opportunity to provide comments on suitable controls / assessments in relation to the range of matters controlled by the waste management licensing regime including noise and hours of operation. The applicant is also advised that it is within the gift of SEPA to review any condition of an existing waste management Licence to suitably address any complaint received which they found to be justified.
5. The applicant is advised to contact SEPA prior to any importation of material or any remedial/excavation/ground preparation works (including any re-use of site won materials for bunds), as any importation, disposal or re-use of waste materials would be subject to Waste Management Regulations and require the appropriate approvals, including licensing and exemptions.
6. The applicant is advised to contact the Planning Authority immediately should any made ground, suspect odours or substances be encountered during any site works, as there would be a requirement to undertake a contaminated land risk assessment. The assessment would be subject to review and approval by the Planning Authority.
7. The following will be required to satisfy the terms of condition 5 of the planning permission:-
  - The planting of standard trees along the top of the bund at 4 metre centres, 10-12cms girth, 300-350cms height and double staked;
  - The planting of a second row of trees along the top of the bund, offset from the first row to create a double staggered row of trees;
  - The remaining trees to be planted as whips (125-150cms in height), planted in tubes at 2 metre spacings in a random mix;



- The percentage of evergreens to be 25%;
- The import of suitable topsoil to be spread evenly to a minimum depth of 450mm over the planting areas. Ground preparation details will be required to determine the precise depth of topsoil;
- Completion of the bunding/planting as soon as practicable and prior to the relocation of the scrap metal to the lower level (with the exact timescale for completion to be agreed with the Planning Authority); and
- The undertaking of a subsequent visual assessment to consider the need for bunding/planting at a higher level of the site.

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 pp Director of Development Services

Date: 16<sup>th</sup> June 2015

#### **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Local Development Plan (Proposed Plan).
4. Objection received from Mr Jim Casey, 15 Lochinvar Place, Bonnybridge FK4 2BL on 29 October 2014
5. Objection received from Mrs Jean Rutherford, 63 Broomhill Road, High Bonnybridge, Bonnybridge FK4 2AT on 30 October 2014
6. Objection received from Mr Thomas Fitzpatrick, 23 Reilly Gardens, High Bonnybridge FK4 2BB on 30 October 2014
7. Objection received from Mr Jim Casey, 15 Lochinvar, Falkirk FK4 2BL on 30 October 2014
8. Objection received from Mr Graeme Healy, 4 Lochinvar Place, High Bonnybridge, Bonnybridge FK7 4BL on 1 November 2014
9. Objection received from Mr and Mrs Binnie, 62 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014
10. Objection received from Mark Valentine and Jacqueline Wright, 82 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014
11. Objection received from Mr & Mrs Pennington, 78 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014
12. Objection received from William and Teresa Lucy, 11 Lochinvar Place, High Bonnybridge, Bonnybridge FK4 2BL on 3 November 2014
13. Objection received from David Colvan, 38 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014
14. Objection received from John Lees, 76 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014

15. Objection received from Anton and Christine Mayer, 12 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014
16. Objection received from Mr Frank Fettes, 2 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 3 November 2014
17. Objection received from Robert & Margaret Anderson, 4A Church Street, High Bonnybridge, Bonnybridge FK4 2AZ on 6 November 2014
18. Objection received from Mrs Clare Finlay, 7 Reilly Gardens, Bonnybridge FK4 2BB on 12 November 2014
19. Objection received from Mr and Mrs Graham and Katherine Mundie, Woodlea, 93 Broomhill Road, High Bonnybridge, Bonnybridge FK4 2AT on 13 November 2014
20. Objection received from Jim Fallon, 36 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 17 November 2014
21. Objection received from Mrs Agnes Craig, 15 Waverley Crescent, High Bonnybridge, Bonnybridge FK4 2AX on 30 October 2014
22. Objection received from Chris and Diane Geraghty, 88 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 31 October 2014
23. Objection received from Mrs Margaret Fitzpatrick, 23 Reilly Gardens, High Bonnybridge FK4 2BB on 30 October 2014
24. Objection received from Mr Tommy Owens, 35 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 28 October 2014
25. Objection received from Mr Adam Baird, 17 Reilly Gardens, High Bonnybridge FK4 2BB on 4 October 2014
26. Objection received from Mr John O'Connell, 34 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 28 October 2014
27. Objection received from Mr John Ellis, 74 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 29 October 2014
28. Objection received from Mrs Mary H Easton, 68 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 31 October 2014
29. Objection received from Mr William Upton, 21 Reilly Gardens, Bonnybridge FK4 2BB on 2 November 2014
30. Objection received from Mrs Christine Upton, 21 Reilly Gardens, High Bonnybridge, FK4 2BB on 2 November 2014
31. Objection received from Mr Ian Wilkie, 56 Reilly Gardens, High Bonnybridge, Bonnybridge FK42BB on 5 October 2014
32. Objection received from Mrs May Fallon, 36 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 11 October 2014
33. Objection received from Mr James Drennan, 16 Reilly Gardens, High Bonnybridge FK4 2BB on 28 October 2014
34. Objection received from Mr Douglas Fleming, 39 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 16 November 2014
35. Objection received from Mrs Margaret MacKenzie, 19 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 15 October 2014
36. Objection received from Dr Eileen Hood, 60 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 21 October 2014
37. Objection received from Anne and Brian McVeigh, 38 Church Street, High Bonnybridge, Bonnybridge FK4 2AZ on 10 November 2014
38. Objection received from M Ross, 60 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 10 November 2014
39. Objection received from Janet McLelland, 80 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 10 November 2014
40. Objection received from Mr and Mrs Ian Wilkie, 56 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 7 November 2014

41. Objection received from Mr Thomas Hoy, 89 Broomhill Road, High Bonnybridge, Bonnybridge FK4 2AT on 5 November 2014
42. Objection received from Mr Graham Upton, 21 Reilly Gardens, High Bonnybridge, FK4 2BB on 2 November 2014
43. Objection received from Robert and Irene Bunch, Churchview, 87 Broomhill Road, High Bonnybridge, Bonnybridge FK4 2AT on 5 November 2014
44. Objection received from Kathleen McOustra, 3 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 5 November 2014
45. Objection received from Mr Alan Dunsmore, 31 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 8 November 2014
46. Objection received from Miss Gloria Graham, 39 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2 BB on 27 September 2014
47. Objection received from Mr Alfred Hargreaves, 40 Reilly Gardens, Reilly Gardens, High Bonnybridge, FK4 2BB on 28 September 2014
48. Objection received from Mr & Mrs Diane & Chris Geraghty, 88 Reilly Gardens, High Bonnybridge, Bonnybridge FK42BB on 4 October 2014
49. Objection received from Mr Chris and Diane Geraghty, 88 Reilly Gardens, High Bonnybridge, Bonnybridge FK42BB on 28 October 2014
50. Objection received from Mr Graham Rae, 8 Morrison Avenue, Bonnybridge FK4 1ET on 17 November 2014
51. Objection received from Mr Craig McWilton, 86 Reilly Gardens, Bonnybridge FK4 2BB on 16 October 2014
52. Objection received from Mr & Mrs Alexander & Margaret Bryson, 14 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 29 October 2014
53. Objection received from Mrs Margaret Bryson, 14 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 30 October 2014
54. Objection received from Mrs Irene Lees, Beaumaris, 76 Reilly Gardens, High Bonnybridge, FK4 2BB on 13 October 2014
55. Objection received from Eleanor McCutcheon, 69 Broomhill Road, High Bonnybridge, Bonnybridge FK4 2AT on 4 November 2014
56. Objection received from Margaret Mulligan, 48B Broomhill Road, High Bonnybridge, Bonnybridge FK4 2AY on 4 November 2014
57. Objection received from Mr David Keltie, 81 Broomhill Road, Bonnybridge FK4 2AT on 5 November 2014
58. Objection received from Irene Lees, 76 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 2 March 2015
59. Objection received from Mr James Casey, 15 Lochinvar Place, High Bonnybridge, Bonnybridge FK4 2BL on 24 May 2015
60. Objection received from Dr Eileen Hood, 60 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 18 February 2015
61. Representation received from Christine Stewart, Christineirene@live.co.uk on 18 May 2015
62. Objection received from Mr and Mrs McVeigh, 38 Church Street, High Bonnybridge, Bonnybridge FK4 2AZ on 21 May 2015
63. Objection received from Alfred Hargreaves, 40 Reilly Gardens, Reilly Gardens, High Bonnybridge FK4 2BB on 25 May 2015
64. Objection received from Gloria Graham, No Address Given on 25 May 2015
65. Objection received from Mrs Janet Mclelland, 80 Reilly Gardens, High Bonnybridge, Bonnybridge FK42BB on 18 February 2015
66. Objection received from Mrs Christine Stuart, 29 Reilly Gardens, High Bonnybridge, Bonnybridge FK42BB on 1 April 2015
67. Objection received from Mrs Anne Russell, 72 Reilly Gardens, High Bonnybridge, FK4 2BB on 23 February 2015

68. Objection received from Mrs Agnes Craig, 15 Waverley Crescent, High Bonnybridge, Bonnybridge FK4 2AX on 24 May 2015
69. Objection received from Mr Adam Baird, 17 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB on 2 March 2015
70. Objection received from Mrs. Irene Lees, Beaumaris, 76 Reilly Gardens, High Bonnybridge, FK4 2BB on 24 May 2015
71. Objection received from Mr John Lees, 76, Reilly Gardens, High Bonnybridge, FK4 2BB on 24 May 2015
72. Objection received from Miss Elaine Fergusson, 20 Millar Place, High Bonnybridge, Bonnybridge, FK4 2AR on 14 February 2015

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

**FALKIRK COUNCIL**

**Subject:** USE OF LAND FOR END OF LIFE VEHICLE  
DECONTAMINATION AND DE-LIQUIDISING FACILITY  
AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT  
ALL PARTS AUTO SALVAGE, HILLVIEW ROAD, HIGH  
BONNYBRIDGE, BONNYBRIDGE FK4 2BD FOR ALL PARTS  
AUTO SALVAGE - P/14/0094/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 29 April 2015

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Bonnybridge and Larbert

Baillie Billy Buchanan  
Councillor Tom Coleman  
Councillor Linda Gow

**Community Council:** Bonnybridge Community Council

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext. 4935

**UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT**

1. Members will recall that this application was originally considered by the Planning Committee on 25 March 2015 (copy of previous report appended), when it was agreed to continue the application for a site visit. The site visit took place on 13 April 2015.
2. The site visit took place firstly at a vantage point within the existing end-of-life vehicle facility and then on the bund along the northern boundary of the north-west area of the site. The site visit ended with a visit to Reilly Gardens to view the stockpiled scrap metal from outside no. 40 Reilly Gardens.
3. At the site visit, the case officer summarised his report, the applicant's agent spoke in support of the application and objectors to the application were heard. In addition, Local Members were heard.
4. The case officer spoke from his report and advised that SEPA had decided not to attend the site visit. He read a written statement submitted by SEPA to the Council on the morning of the site visit which advised that SEPA were involved in ongoing enforcement action in respect of the unauthorised storage of scrap metal at the site and they have served a notice requiring removal of the scrap metal waste by Thursday 30 April 2015.

5. The agent highlighted that the north-west portion of the site always formed part of the planning application and no objections were raised during the community consultation exercise. She noted that all of the objections from residents were received following the movement onto the site of the scrap metal. She advised that the applicant has been working with SEPA and relevant Falkirk Council officers to address the outstanding matters. She advised that SEPA will only consider an application for a waste management license (in relation to use of the north-west area of the site), if planning permission is in place.
6. The objectors to the application re-iterated and expanded on the concerns raised in their written representations. The issues they raised at the site visit included concerns in relation to past fires at the site, the unauthorised use of the site, the impacts associated with the movement of the scrap metal onto the site, the unsuitability of the road network to accommodate large vehicles, and road and pedestrian safety concerns. Specific concerns raised in relation to the scrap metal stored in the north-west area included noise and disturbance, visual impact, hours of operation and amenity impacts.
7. The Bonnybridge Community Council representative raised concerns about how to hold the applicant to the conditions if planning permission is granted. He suggested that temporary planning permission should be granted for the north-west area for one year only and that the scrap metal storage height should be reduced to 2.5 metres. He suggested that mature trees should be planted to provide a more immediate screening effect.
8. Local Member Councillor Gow sought assurances that the Council would effectively monitor compliance with the planning conditions if permission is granted. She considered that local residents have a trust issue with the applicant/SEPA/Falkirk Council arising from the unauthorised use of the site.
9. Local Member Councillor Coleman noted that the site has had a chequered history including refusal of the Masterton waste station in 2010. He considered that some of the conditions in the report needed to be tightened up in the interests of enforceability. He considered that the reference to 'noisy works' in Informative 4 was too vague and that noise should be measured against a stated baseline. He considered that the hours of operation should be more restrictive than those provided for in the existing Waste Management Licences.
10. A number of matters were raised at the site that are not material to this planning application or are matters which are or can be controlled by other means. The case officer highlighted at the site visit that the existing Waste Management Licences control operational aspects of the existing end-of-life vehicle facility. These include the waste type and quantity, hours of operation, storage of fluids, the handling and storage of waste, and pollution control (including burning). The Working Plan forming part of the existing Waste Management Licences contains details on dealing with fires. The hours of operation permitted by the existing Waste Management Licences are weekdays 8am to 7pm, Saturday 8am to 5pm and Sunday 9am to 4pm. As the site visit, the site manager advised that the actual hours of opening are weekdays 8am to 5pm and Saturday 8am to 4pm (closed on Sundays).
11. Since the site visit, SEPA have confirmed that their notice requiring removal of the scrap metal waste would remain in force until such time as the waste is removed and further enforcement action is likely should this not be complied with. This is a separate issue to the issue of planning permission and any grant of planning permission would not alter the fact that there is no Waste Management Licence in place for the north-west area. As such, the ongoing enforcement action by SEPA follows a separate process and is not material to the Council's determination of this planning application.

12. Since the site visit, the Council's Environmental Health Officer has clarified with SEPA that noise would be regulated by SEPA if a waste management Licence is issued for the north-west area. In terms of procedure, the Council as planning authority would be consulted on any application for a Waste Management Licence and would be able to provide comments on suitable controls/assessments in relation to the range of matters controlled by the waste management licensing regime such as noise and hours of operation. Informative 4 of the recommendation has been amended to reflect this advice.
13. SEPA have also advised that it is within their gift to review any condition of an existing Waste Management Licence to suitably address any complaint which they found to be justified. To date, SEPA have not received any noise complaints in relation to the existing end-of-life vehicle facility and therefore review of the existing Waste Management Licences has never been considered.
14. Concerns were raised at the site visit about heavy goods vehicles (HGVs) attempting and failing to travel under the Church Street bridge, north of the site, and then reversing back into Lochinvar Place. The Council's Network Support team recall that this was an historical issue which resulted in the Council erecting a number of warning signs on the approach to the bridge, in an effort to prevent further occurrences. There are at least three warning signs on the southbound approach to the bridge, plus one at the bridge itself, warning of the height of the bridge. The site manager advised at the site visit that the vehicles are not brought onto the site by HGVs.
15. Concerns were raised at the site visit in relation to the planning conditions proposed to deal with the upgrade works to the site entrances. It is acknowledged that the one month timescale for completing the upgrade works may be tight given factors which include the need to apply for Minor Roadworks Consent (MRC). In light of this, the recommended conditions have been amended to afford flexibility in the timescale for completion.
16. Concerns were raised at the site visit in relation to the visual impact of the stockpiled scrap metal in the north-west area. The case officer's report concluded that the development is limited in its impact on the wider landscape setting, whilst acknowledging that the use of the north-west area has resulted in some localised visual impacts. However, it is highlighted that the protection of a private view is not a material planning consideration and, in planning terms, the focus is to mitigate the visual impact to what is considered to be an acceptable level, having regard to the existing amenity of the area.
17. To date a scheme of soft landscaping works has been agreed with the Council's Landscape Officer for the lower level of the north-west area. This consists of an extension of the bund along the northern boundary and planting along the top of the bund. The agreed planting is: -
  - New planting to be a native mix that includes evergreen species such as Holly, Scots Pine, Wild Cherry, Alder, Aspen, Rowan, Great Willow, Hawthorn and Birch;
  - Standard trees (1.5 to 2 metres in height at the time of planting) to be planted along the top of the bund at 4 metre centres;
  - Remaining trees to be planted as whips (60mm to 80mm in height) planted in tubes to prevent damage at 2 metre spacing in a random mix of the above species; and
  - Evergreen species to be 20% of the total number of trees.

18. Since the site visit, the applicant's agent has confirmed that the intention is to move some of the scrap metal to the lower level (there would effectively be two piles as indicated on the latest drawing) and ensure that no material is stored in excess of 5 metres in height. The agent advises that the applicant would be prepared to undertake, within reason, screen planting and bunding at the higher level if this was considered to be necessary following a visual assessment of the completed screening at the lower level.
19. Condition 5 of the report requires the approval of a final scheme of landscape works and undertaking of the works within an agreed timescale. Within the terms of this condition, the bunding/planting at the lower level should be completed as soon as practicable and prior to relocation of the scrap metal to the lower level. A subsequent visual assessment of the boundary planting at the lower level would then confirm any need for bunding/planting at the higher level. An informative to that effect (new Informative 7) has been added to the recommendation.
20. It is not considered that any new issues were raised at the site visit that would alter the previous recommendation to grant planning permission. The previous recommendation is therefore reiterated but with amended wording to conditions 7 to 10 (inclusive) and to Informative 4, and the inclusion of an additional informative (Informative 7), as detailed in this update report.
21. Following any grant of planning permission, compliance with the conditions of permission would be monitored. The planning authority also have enforcement powers available to it should this be considered necessary.

#### **14. RECOMMENDATION**

##### **14.1 It is therefore recommended that the Planning Committee grant planning permission subject to the following condition(s):-**

- 1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this 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. The north-west area of the site shall be used solely for either (a) the continued storage of the scrap metal existing on this part of the site at the date of grant of this planning permission or (b) the storage of vehicles in accordance with approved drawing 03D.**
- 3. This permission insofar as it applies to the north-west area of the site shall be valid for a temporary period of 2 years until 30th April 2017 and at the end of that time, unless a further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition in accordance with details to be approved in writing by this Planning Authority.**
- 4. No scrap material shall be stored at a height in excess of 5 metres above ground level.**
- 5. Notwithstanding the approved plans, within one month of the date of this permission a scheme of soft landscaping works shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include (as appropriate):-**



- (i) Existing and proposed finished ground levels in relation to a fixed datum, preferably ordnance;
- (ii) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their replacement;
- (iii) The location of all proposed new trees, shrubs, hedges and grassed area;
- (iv) A schedule of plants, to comprise species, plant size and proposed numbers/density;
- (v) The profile of the bunding and the material to comprise the bunding; and
- (vi) A programme for implementation of the approved landscaping scheme and subsequent maintenance.

Thereafter, the scheme of landscaping shall be carried out in accordance with the approved details.

- 6. Subject to condition 9 of this permission, the existing woodland along the eastern site boundary shall be retained in perpetuity and managed in accordance with the submitted Woodland Management Plan prepared by Sid Nodes, Treescapes Scotland.
- 7. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, both the main and secondary site entrances shall be re-constructed with 10.5 metre kerbed radii to form bellmouths, of 6 metres minimum width.
- 8. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, both the main and the secondary site entrances shall be surfaced (and thereafter maintained) to ensure that no loose material is carried out, and no surface water is discharged, onto the public carriageway.
- 9. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, visibility splays measuring 2.4 metres x 90 metres at the secondary entrance, and 4.5 metres x 90 metres at the main entrance, shall be provided (and thereafter maintained), within which there shall be no obstruction to visibility above carriageway level.
- 10. Within one month of the date of this permission, or any other timescale that may be agreed in writing by this Planning Authority, the section of damaged carriageway at the main site entrance shall be reinstated in accordance with details to be approved in writing by this Planning Authority.

11. Before (a) the formation of the approved bunding or (b) any movement of the scrap metal stored on the north-west part of the site, details of the proposed method, programme and timescale in respect of these matters shall be submitted to and approved in writing by this Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.
12. Within one month of the date of this permission, portacabin (D) as shown on approved drawing 03D shall be repositioned in a southerly direction, in accordance with an exact location to be approved in writing by this Planning Authority.

**Reason(s):-**

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission.
2. To ensure that the use of the land is suitably controlled, in the interests of the amenity of the area.
3. To provide a suitable trial period to monitor any additional impacts as a result of the proposed extension area.
- 4-5. To safeguard the visual and residential amenity of the area.
6. To safeguard the visual amenity of the area.
- 7-10. To safeguard the interests of the users of the highway.
11. To safeguard the residential amenity of the area.
12. To remove the risk arising from a load bearing structure being located within the zone of influence of a recorded mine entry.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02A, 03D, 04, 05A, 06A, 07A, 08 and 09.
2. The applicant is advised that the required upgrade works to the site entrances will require Minor Roadworks Consent, issued by Falkirk Council Roads Services.
3. SEPA have advised that a Waste Management Licence is required to carry out waste management activities in the north-west part of the site.

4. The applicant is advised that noise would be regulated by SEPA if a waste management Licence is issued for the north-west area of the site. The Planning Authority would be notified of any such application for a Licence and would have the opportunity to provide comments on suitable controls / assessments in relation to the range of matters controlled by the waste management licensing regime including noise and hours of operation. The applicant is also advised that it is within the gift of SEPA to review any condition of an existing waste management Licence to suitably address any complaint received which they found to be justified.
5. The applicant is advised to contact SEPA prior to any importation of material or any remedial/excavation/ground preparation works (including any re-use of site won materials for bunds), as any importation, disposal or re-use of waste materials would be subject to Waste Management Regulations and require the appropriate approvals, including licensing and exemptions.
6. The applicant is advised to contact the Planning Authority immediately should any made ground, suspect odours or substances be encountered during any site works, as there would be a requirement to undertake a contaminated land risk assessment. The assessment would be subject to review and approval by the Planning Authority.
7. Within the terms of Condition 5 of the planning permission the bunding/planting along the northern boundary of the north-west area should be undertaken as soon as practicable and prior to the relocation of the scrap metal to the lower level. A subsequent visual assessment of the bunding/planting at the lower level will confirm any need for bunding/planting at the higher level.

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Director of Development Services

Date: 20 April 2015

#### **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Local Development Plan (Proposed Plan).
4. Letter of Objection received from Mr Jim Casey, 15 Lochinvar Place, Bonnybridge, FK4 2BL on 29 October 2014.
5. Letter of Objection received from Mrs Jean Rutherford, 63 Broomhill Road, High Bonnybridge, Falkirk, FK4 2AT on 30 October 2014.
6. Letter of Objection received from Mr Thomas Fitzpatrick, 23 Reilly Gardens, High Bonnybridge, FK4 2BB on 30 October 2014.

7. Letter of Objection received from Mr Jim Casey, 15 Lochinvar Place, Falkirk, FK4 2BL on 30 October 2014.
8. Letter of Objection received from Mr Graeme Healy, 4 Lochinvar Place, High Bonnybridge, Bonnybridge, FK7 4BL on 1 November 2014.
9. Letter of Objection received from Mr and Mrs Binnie, 62 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
10. Letter of Objection received from Mark Valentine and Jacqueline Wright, 82 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
11. Letter of Objection received from Mr & Mrs Pennington, 78 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
12. Letter of Objection received from William and Teresa Lucy, 11 Lochinvar Place, High Bonnybridge, Bonnybridge, FK4 2BL on 3 November 2014.
13. Letter of Objection received from David Colvan, 38 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
14. Letter of Objection received from John Lees, 76 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
15. Letter of Objection received from Anton and Christine Mayer, 12 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
16. Letter of Objection received from Mr Frank Fettes, 2 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
17. Letter of Objection received from Robert & Margaret Anderson, 4A Church Street, High Bonnybridge, Bonnybridge, FK4 2AZ on 6 November 2014.
18. Letter of Objection received from Mrs Clare Finlay, on behalf of the Bonnybridge Community Council, 7 Reilly Gardens, Bonnybridge, FK4 2BB on 12 November 2014.
19. Letter of Objection received from Mr and Mrs Graham and Katherine Mundie, Woodlea, 93 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 13 November 2014.
20. Letter of Objection received from Jim Fallon, 36 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 17 November 2014.
21. Letter of Objection received from Mrs Agnes Craig, 15 Waverley Crescent, High Bonnybridge, Falkirk, FK4 2AX on 30 October 2014.
22. Letter of Objection received from Chris and Diane Geraghty, 88 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 31 October 2014.
23. Letter of Objection received from Mrs Margaret Fitzpatrick, 23 Reilly Gardens, High Bonnybridge, FK4 2BB on 30 October 2014.
24. Letter of Objection received from Mr Tommy Owens, 35 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 28 October 2014.
25. Letter of Objection received from Mr Adam Baird, 17 Reilly Gardens, High Bonnybridge, FK4 2BB on 4 October 2014.
26. Letter of Objection received from Mr John O'Connell, 34 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 28 October 2014.
27. Letter of Objection received from Mr John Ellis, 74 Reilly Gardens, Falkirk, FK4 2BB on 29 October 2014.
28. Letter of Objection received from Mrs Mary H Easton, 68 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 31 October 2014.
29. Letter of Objection received from Mr William Upton, 21 Reilly Gardens, Bonnybridge, FK4 2BB on 2 November 2014.
30. Letter of Objection received from Mrs Christine Upton, 21 Reilly Gardens, High Bonnybridge, FK4 2BB on 2 November 2014.
31. Letter of Objection received from Mr Ian Wilkie, 56 Reilly Gardens, High Bonnybridge, Bonnybridge, FK42BB on 5 October 2014.
32. Letter of Objection received from Mrs May Fallon, 36 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 11 October 2014.

33. Letter of Objection received from Mr James Drennan, 16 Reilly Gardens, High Bonnybridge, FK4 2BB on 28 October 2014.
34. Letter of Objection received from Mr Douglas Fleming, 39 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 16 November 2014.
35. Letter of Objection received from Mrs Margaret MacKenzie, 19 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 15 October 2014.
36. Letter of Objection received from Dr Eileen Hood, 60 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 21 October 2014.
37. Letter of Objection received from Anne and Brian McVeigh, 38 Church Street, High Bonnybridge, Bonnybridge, FK4 2AZ on 10 November 2014.
38. Letter of Objection received from M Ross, 60 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 10 November 2014.
39. Letter of Objection received from Janet McLelland, 80 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 10 November 2014.
40. Letter of Objection received from Mr and Mrs Ian Wilkie, 56 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 7 November 2014.
41. Letter of Objection received from Mr Thomas Hoy, 89 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 5 November 2014.
42. Letter of Objection received from Mr Graham Upton, 21 Reilly Gardens, High Bonnybridge, FK4 2BB on 2 November 2014.
43. Letter of Objection received from Robert and Irene Bunch, Churchview, 87 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 5 November 2014.
44. Letter of Objection received from Kathleen McOustra, 3 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 5 November 2014.
45. Letter of Objection received from Mr Alan Dunsmore, 31 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 8 November 2014.
46. Letter of Objection received from Miss Gloria Graham, 39 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2 BB on 27 September 2014.
47. Letter of Objection received from Mr Alfred Hargreaves, 40 Reilly Gardens, Reilly Gardens, High Bonnybridge, FK4 2BB on 28 September 2014.
48. Letter of Objection received from Mr & Mrs Diane & Chris Geraghty, 88 Reilly Gardens, High Bonnybridge, Falkirk, FK42BB on 4 October 2014.
49. Letter of Objection received from Mr Chris and Diane Geraghty, 88 Reilly Gardens, High Bonnybridge, Falkirk, FK42BB on 28 October 2014.
50. Letter of Objection received from Mrs Anne Russell, 72 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 18 October 2014.
51. Letter of Objection received from Mr Graham Rae, 8 Morrison Avenue, Bonnybridge, FK4 1ET on 17 November 2014.
52. Letter of Objection received from Mr Craig McWilton, 86 Reilly Gardens, Bonnybridge, FK4 2BB on 16 October 2014.
53. Letter of Objection received from Mr & Mrs Alexander & Margaret Bryson, 14 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 29 October 2014.
54. Letter of Objection received from Mrs Margaret Bryson, 14 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 30 October 2014.
55. Letter of Objection received from Mrs Irene Lees, Beaumaris, 76 Reilly Gardens, High Bonnybridge, FK4 2BB on 13 October 2014.
56. Letter of Objection received from Eleanor McCutcheon, 69 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 4 November 2014.
57. Letter of Objection received from Margaret Mulligan, 48B Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AY on 4 November 2014.
58. Letter of Objection received from Mr David Keltie, 81 Broomhill Road, Bonnybridge, FK4 2AT on 5 November 2014.

59. Letter of Objection received from Irene Lees, 76 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 2 March 2015.
60. Letter of Objection received from Dr. Eileen Hood, 60 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 18 February 2015.
61. Letter of Objection received from Mrs Janet McLelland, 80 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 18 February 2015.
62. Letter of Objection received from Mr Adam Baird, 17 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2AR on 14 February 2015.
63. Letter of Objection received from Miss Elaine Fergusson, 20 Millar Place, High Bonnybridge, FK4 2AR on 14 February 2015.
64. Letter of Objection received from Mrs Anne Russell, 72 Reilly Gardens, High Bonnybridge, FK4 2BB on 23 February 2015.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

## **FALKIRK COUNCIL**

**Subject:** USE OF LAND FOR END OF LIFE VEHICLE DECONTAMINATION AND DE-LIQUIDISING FACILITY AND STORAGE OF SCRAP MATERIAL (RETROSPECTIVE) AT ALL PARTS AUTO SALVAGE, HILLVIEW ROAD, HIGH BONNYBRIDGE, BONNYBRIDGE FK4 2BD FOR ALL PARTS AUTO SALVAGE - P/14/0094/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 25 March 2015

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Bonnybridge and Larbert

Baillie Billy Buchanan  
Councillor Tom Coleman  
Councillor Linda Gow

**Community Council:** Bonnybridge Community Council

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext. 4935

### **1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 The application seeks full planning permission to regularise the use of land for an existing end-of-life vehicle decontamination and de-liquidising facility at Hillview Road, High Bonnybridge. The facility has operated from the site for over 10 years and has previously been granted temporary permissions but these have lapsed (see paragraphs 3.4, 3.7 and 3.8 of this report). The main elements of the facility are (a) a warehouse building where vehicles are decontaminated, de-liquidised and dismantled to source re-usable and recyclable parts; (b) outdoor storage areas where the vehicle chassis and frames are stored for disposal by crushing and bailing; and (c) an outdoor area where vehicles are stored on a temporary basis for the undertaking of insurance assessment.
- 1.2 The application also seeks to extend the site to the north-west on land which was previously used as a waste transfer station (see paragraphs 3.6 and 3.10 of this report for the relevant site history). This area is currently being used for the outdoor storage of scrap metal which was brought onto the site in August/September 2014. The applicant's intention is to continue to use this area for the storage of this scrap material until such time as an alternative site can be found, following which the applicant's intention is to extend the outdoor storage of vehicle chassis and frames into this area.
- 1.3 The application was originally for the end-of-life vehicle facility but was amended to provide for the use (in retrospect) of the north-west area of the site for the storage of scrap material. All neighbours and original objectors to the application were notified of this amendment and further consultations were undertaken. Re-notification of the application attracted a further six objections to the application (see paragraph 6.1 of this report).

- 1.4 The application site lies within an industrial area at High Bonnybridge and is accessed from Hillview Road. The site is adjoined to the north by industrial land and a railway line, beyond which there is housing. To the west and south of the application site is mature planting. There is a woodland screen along the eastern boundary adjoining Hillview Road.
- 1.5 The existing site is formed at three levels, separated by an embankment at the higher level and a retaining wall at the lower level. There is a main site entrance at the top of the site and a secondary site entrance at a lower level. The proposed extension area is formed at two levels. There is an existing bund along part of the northern boundary of the proposed extension area.
- 1.6 The application is a major development and therefore pre-application community consultation was undertaken. A Pre-Application Consultation Report accompanying the application advised that a public event (exhibition) was held on 11 April 2013 in Bonnybridge Library and that the public event was advertised in the Falkirk Herald on 28 March 2013. The report advised that 5 people attended the public event, including representatives of the Bonnybridge Community Council.
- 1.7 The applicant has submitted the following information in support of the application:-
- No material would be stored in excess of 5 metres in height above ground level. The scrap metal stored within the north-western part of the site would be reduced from its current height and some of the material transferred to the lower part of the north-west corner;
  - Additional bunding with planting is proposed along the northern boundary of the north-west part of the site, to provide additional screening at this location. It is envisaged that suitable material from the existing site would be used;
  - The applicant has been unable to acquire an alternative site to transfer the scrap metal to. The preference of the applicant is for the material to remain on the site until such time as an alternative site can be found;
  - The applicant would like to offer sincere apologies to anyone inconvenienced by its actions in storing the scrap metal in the north-west area of the site. Being mindful that moving the material to reduce its height would generate noise in the short term, the applicant would wish to agree an appropriate method, programme and timescale for its removal beforehand;
  - The scrap metal presently stored comprises dry clean metal and was not processed on the site; and
  - A car crushing vehicle is stored on the concrete yard adjacent to the warehouse building and the car crushing takes place on this concrete yard and also on the concrete area at the north-eastern part of the site.

## **2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application requires consideration by the Planning Committee as it has been called in by Councillor Coleman.



### **3. SITE HISTORY**

- 3.1 Planning application F/90/0081 for the rehabilitation of brickworks (abandoned) and grazing land to form plant storage yards and grazing land was granted in March 1990.
- 3.2 Planning application F/92/0450 for the erection of a house and garage was refused in June 2000.
- 3.3 Planning application F/93/0223 for alterations to a warehouse building was granted in April 1994.
- 3.4 Planning application F/96/0528 for use of vacant land for a scrapyard was granted temporary permission in January 1997. The reason the permission was temporary was to monitor the site for a temporary period to assess any implications for road safety and visual amenity. The permission expired on 30 November 2001.
- 3.5 Planning application F/97/0174 for the erection of a temporary office was granted in May 1997.
- 3.6 Planning application F/97/0320 for a change of use of industrial land to form a transfer station was granted temporary planning permission in January 1998. The permission expired on 30 November 2001.
- 3.7 Planning application F/2002/0415 for use of land for a scrapyard (renewal of temporary planning permission F/96/0528) was granted temporary permission in January 2003. The previous approach to monitor the operation for a temporary period was therefore continued. The permission expired on 31 January 2008.
- 3.8 Planning application F/2003/0150 for an extension to the existing scrapyard was granted temporary permission on 13 May 2003. The grant of temporary planning permission reflected the approach taken for the original scrapyard area. The permission expired on 31 January 2008.
- 3.9 Planning application F/2004/1041 for the erection of an office building was granted in November 2005.
- 3.10 Planning application P/09/0397/FUL for a change of use of industrial land to form a transfer station was refused in October 2010.
- 3.11 Planning application P/12/0238/FUL for the erection of an office building was withdrawn in July 2012.
- 3.12 Pre- application notice PRE/2013/0002/PAN for a change of use of industrial land to form a scrapyard was received in March 2013.
- 3.13 An Environmental Impact Assessment (EIA) screening request PRE/2013/0013/SCREEN in respect of a change of use of industrial land to form a scrapyard was received in June 2013. The Council's Development Management Unit advised that an EIA was not required.

## **4. CONSULTATIONS**

- 4.1 The Council's Roads Development Unit have advised that the scrapyards have operated at this location without having generated any known roads issues. Therefore they have no objection in principle to the application. They would prefer if all vehicular access to the facility was via the main entrance (with closure of the secondary entrance), but note that the purpose of the secondary entrance is solely to provide access for vehicles stored on a short term basis for insurance assessment (although they note that this access would have to be used to remove the scrap metal stored on the north-west area of the site to an alternative site). They have requested upgrade works to both entrances. They note that there are existing surface water drainage arrangements at the site and the areas served by the existing drainage would remain as existing.
- 4.2 Scottish Water have no objection to the application.
- 4.3 The Council's Environmental Protection Unit have advised that the original site has been in operation since the late 1990's and there have been no noise complaints to either themselves or the Scottish Environmental Protection Agency (SEPA). They advise that due to the close proximity of dwellings, the applicant should have regard to controlling any noise or odour produced by the development, to ensure that no nuisance is caused. They advise that if noise complaints were to be received, they would investigate and take any necessary action if the complaints were found to be justified under Statutory Nuisance legislation contained within the Environmental Protection Act. They advise that the applicant should contact SEPA prior to any importation of material or any remedial/excavation/ground preparation works (including any re-use of site won material for bunds), as any importation, disposal or re-use of waste materials would be subject to Waste Management Regulations and require the appropriate approvals, including licensing and exemptions.
- 4.4 SEPA have advised that the site is currently regulated by SEPA under the Waste Management Regulations and that a waste management licence would be required to carry out waste management activities in the north-west part of the site. They advise that the existing discharges of surface water and sewage are authorised as part of the waste management licences.
- 4.5 The Coal Authority have advised that the application site falls within the defined Development High Risk Area and portacabin (D) lies within the zone of influence of a recorded mine entry. They advise that positioning of a load bearing structure of this nature within this zone of influence could be dangerous. They would have no objection to the application provided the portacabin is repositioned in a southerly direction.
- 4.6 The Council's Licensing Unit have advised that the premises have a licence to sell second hand car parts. They also advise that the operator holds a Metal Dealer Exemption Warrant and therefore does not require to hold a metal dealer licence.

## **5. COMMUNITY COUNCIL**

- 5.1 The Bonnybridge Community Council have objected to the application on the following grounds:-
- Further assurances are sought from Falkirk Council, SEPA and the operator regarding codes of practice, access, working patterns, noise levels and agreed storage heights.

## 6. PUBLIC REPRESENTATION

- 6.1 Fifty-four objections from local residents were originally received in respect of the application. These objections were received following the scrap metal being brought onto the north-west part of the site. (See paragraphs 1.2 and 1.3 of this report). Following re-notification of the application, a further six objections were received.
- 6.2 The matters raised in the objections can be summarised as follows:-

### *Amenity*

- Noise impacts due to proximity to residential houses;
- Noise from the crushing of vehicles;
- High levels of noise at the site;
- Dust in the air;
- Heightened noise and dust levels;
- No details of crushing machine and barriers in the application;
- Operating hours;
- Light pollution;
- Increase in vehicle numbers stored at the site;
- Detrimental to present living area;
- Detrimental to immediate and surrounding environment;
- Blight already on the skyline from piles of scrap metal;
- Proposed tree planting would take at least 12 years to have any visual impact;

### *Roads and Safety*

- Local roads are inadequate for large HGV's;
- Existing high levels of traffic in the neighbourhood;
- Speed of existing traffic;
- Increase in amount of heavy vehicles visiting the site;
- A new bridge has already sustained damage;
- Blocking of a local road included in the application;
- Inadequate footpaths in the vicinity;
- Danger to pedestrians;
- More traffic past two primary schools;
- Concerns regarding the handling of hazardous substances;
- Safety concerns;
- Proximity to railway line;
- Can the ground sustain the weight?
- Risks of fire and pollution;

### *Other*

- The operator deliberately flaunts the rules;
- The temporary permission expired in 2008 - why have they continued to operate?;
- Disregard for conditions set in past planning permissions;
- Depreciation in house values in the area;
- Financial cost if tenants of three rental properties are lost;
- At the public meeting there was no mention of expanding the site and stockpiling metal in excess of the permitted height; and

- The operator is not talking to the local residents.

## 7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

### 7a The Development Plan

#### *Falkirk Council Structure Plan*

- 7a.1 The proposed development does not raise any strategic issues and therefore the application has been assessed solely against the Falkirk Council Local Plan.

#### *Falkirk Council Local Plan*

- 7a.2 The existing end-of-life vehicle facility lies within a Business and Industry Retention Area outwith the urban limits (within the countryside). The proposed extension area to the north-west lies within the countryside.

- 7a.3 Policy EP2 -‘Land for Business and Industrial Use’ states:

*“In order to maintain the business and industrial land supply and the employment role of existing business and industrial areas:*

- (1) The sites for new business and industrial development identified on the Proposals Map will be safeguarded for the employment use specified for each site; and*
- (2) The areas for retention in business and industrial use identified on the Proposals Map will be retained and reserved for Class 4, 5 or 6 uses, except for the established business parks of Callendar Park and Gateway Business Park, Grangemouth which will be reserved for Class 4 uses only and the Glasgow Road Camelon Industrial Area which may include a food retail element to meet local needs as part of the mix.*

*Other ancillary employment uses may be permitted within these areas where they are compatible with the principal business/industrial use of the site, will not result in a significant reduction in the availability of business land or property, and are consistent with other Local Plan policies.”*

- 7a.4 This policy retains and reserves the Business and Industry Retention Areas for Class 4, 5 and 6 uses, in order to maintain the business and industry land supply and the employment role of existing businesses and industrial areas. The existing operation is a Sui Generis use which is considered to be similar in terms of impacts to many industrial uses and appropriate in principle to a general industrial area. The application is therefore not considered to raise any issues in respect of this policy.

7a.5 Policy EP5 - 'Business and Industrial Development in the Countryside' states:

*"New business and industrial development in the countryside will only be permitted in the following circumstances:*

- (1) Areas specifically identified for business and industrial development on the Proposals Map;*
- (2) Business/industrial development where the need for a countryside location is demonstrated and the proposal could not more appropriately be accommodated within the Urban or Village Limits;*
- (3) Proposals involving the reuse of vacant industrial, commercial or institutional land or premises, or the conversion of farm or other buildings for business use where the scale and nature of the activity is compatible with the location;*
- (4) Limited extensions to existing established businesses in the countryside which can be accommodated without any additional adverse impact on the rural environment;*
- (5) Proposals for the processing of secondary materials including construction and demolition wastes at existing mineral sites in addition to industrial sites; or*
- (6) Appropriate leisure and tourism development that accords with Policy EP16.*

*Proposals will be subject to rigorous assessment of their impact on the rural environment, having particular regard to Local Plan policies protecting natural heritage (EQ19-EQ30) and built heritage (EQ12-EQ18)."*

7a.6 This policy provides for business and industrial development in the countryside where the area is specifically identified for this type of development. In addition, limited extensions to existing established businesses in the countryside are permitted where they can be accommodated without any additional adverse impacts on the rural environment. The existing operation lies within a Business and Industry Retention Area, specifically identified to cater for industrial uses. The proposed extension area could be accommodated within this countryside location subject to appropriate controls attached as planning conditions or exercised under other statutory regimes such as waste management licensing and statutory nuisance.

7a.7 The policy requires proposals to be assessed in terms of their impact on the rural environment, having particular regard to the Local Plan policies protecting nature and built heritage. The relevant heritage policy in this instance is Policy EQ19 - 'Countryside'. The application is assessed in this report as complying with this policy (see paragraphs 7a.9 to 7a.12).

7a.8 Subject to monitoring of any additional impacts of the proposed extension area, the application is considered to comply with this policy.

7a.9 Policy EQ19 - 'Countryside' states:

*"(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:*

- it can be demonstrated that they require a countryside location;*
- they constitute appropriate infill development; or*
- they utilise suitable existing buildings.*

(2) *In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:*

- *the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- *building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council's 'Design Guide for Buildings in the Rural Areas'; and*
- *boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species."*

7a.10 Part 1 of this policy refers to the detailed policies for specific uses. In this instance the relevant detailed policies are EP2 and EP5 which the application has been assessed in this report as complying with (see paragraphs 7a.3 – 7a.8).

7a.11 Part 2 of this policy states that the scale, siting and design of development will be strictly controlled to ensure there is no adverse impact on the character of countryside. In this instance, this particular countryside location is characterised by industrial uses and the site itself is brownfield land and is used or has previously been used for industrial purposes. The development itself has limited impact on the wider landscape setting, given the existing landform, the backdrop of mature planting when viewed from the north and its very limited impact on the skyline. Whilst use of the north-west part of the site has resulted in some localised visual impacts, it is considered that such impacts would be capable of mitigation through consideration of a final scheme of landscape works (including new bunding) and a restriction on the height of the vehicle storage. Most of the existing planting on the site would be retained and would be augmented by new planting.

7a.12 The application is therefore considered to accord with this policy.

7a.13 Policy EQ8 - 'Vacant, Derelict And Contaminated Land' states:

*"The Council will seek to reduce the incidence of vacant, derelict and contaminated land, particularly within the priority areas for enhancement set out in Policy EQ7. Subject to compliance with other local plan policies, development involving the rehabilitation and re-use of derelict land will be encouraged."*

7a.14 This policy states that the Council will seek to reduce the incidence of vacant, derelict and contaminated land. The proposal includes the reuse of a vacant brownfield site (the north-west part of the site) which is supported by this policy.

7a.15 Policy ST18 - 'Waste Management Facilities' states:

*"Proposals for large scale waste management facilities will be directed to locations within or adjacent to existing waste management facilities and general industrial areas as indicated by Policy EP2. Proposals must:*

- (1) *Comply with the objectives of the Zero Waste Plan;*
- (2) *Promote sustainable transport and the proximity principle;*
- (3) *Consider the need for the facility;*
- (4) *Demonstrate that the impact on the environment and local communities is acceptable; and*
- (5) *Comply with other Local Plan policies."*

- 7a.16 This policy directs proposals for large scale waste management facilities to locations within or adjacent to existing waste management facilities and general industrial areas. The development lies within a general industrial area and the site has previously been granted temporary planning permissions for waste management operations. This aspect of the policy is therefore complied with.
- 7a.17 In addition, the application is considered to comply with matters 1 to 5 of the policy. In particular, the proposal supports the Waste Hierarchy (by reusing and recycling) and therefore complies with the objectives of the Council's Zero Waste Plan. In addition, the proposal promotes the Proximity Principle (by utilising an existing waste management facility), there is considered to be a need for the facility and its impact is considered to be acceptable for the reasons detailed in this report.
- 7a.18 The application is therefore considered to accord with this policy.
- 7a.19 Accordingly, the proposal is considered to accord with the Development Plan.

## **7b Material Considerations**

- 7b.1 The material considerations to be assessed in respect of this application are the Falkirk Local Development Plan (Proposed Plan), the consultation responses and the representations received.

### ***Falkirk Local Development Plan (Proposed Plan)***

- 7b.2 The Proposed Falkirk Local Development Plan (FLDP) was approved by the Council for consultation in March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications.
- 7b.3 Under the Proposed Plan, the existing end-of-life vehicle facility lies within a Core Business Area outwith the urban limits (within the countryside). The proposed extension area to the north-west lies within the countryside. In addition, the existing site is specifically designated in the Proposed Plan as a Waste Management Facility.
- 7b.4 The relevant policies of the Proposed Plan are similar to the relevant policies of the Falkirk Council Local Plan, which the application has been assessed as complying with in this report. The relevant policies of the Proposed Plan are Policy CG01 - 'Countryside', Policy CG04 - 'Business Development in the Countryside', Policy BUS02 - 'Core Business Areas', Policy RW08 - 'Waste Management Facilities' and Policy RW10 - 'Vacant, Derelict and Contaminated Land'.
- 7b.5 Accordingly, the application is also considered to comply with the Proposed Plan.

## ***Consultation Responses***

- 7b.6 The consultation responses are summarised in section 4 of this report. No objections have been raised in the consultation responses and the matters raised by the Council's Roads Development Unit, its Environmental Protection Unit and the Coal Authority could be the subject of conditions or informatives of any grant of planning permission. The applicant has agreed to upgrade the site entrances and to reposition portacabin (D) to address the Coal Authority concerns.

## ***Representations Received***

- 7b.7 The matters raised by the Bonnybridge Community Council and in the public representations are summarised in sections 5 and 6 of this report. In response to those matters, the following comments are considered to be relevant: -
- All of the objections to the application were received following the scrap metal being brought onto the north-west part of the site. The main concerns of residents would therefore appear to relate to the impacts associated with the movement to and storage of this material on this site;
  - The development is considered to be acceptable in amenity terms for the reasons detailed in this report and subject to appropriate planning conditions;
  - Waste type and quantity, hours of operation, storage of fluids, the handling and storage of waste, and pollution control (including burning) are all matters regulated by SEPA under the waste management licensing regime;
  - The height of vehicle storage and the submission of a final landscape scheme, to mitigate visual impact, would be the subject of conditions of any grant of planning permission;
  - The Council's Roads Development Unit have advised that the existing facility has operated at this location without having generated any known roads issues. Upgrade works to the site entrances are required and have been agreed to by the applicant;
  - The application shows a named road (Broomside Road) within the application site. The Council's Roads Development Unit have advised that this road is not on the Council's list of public roads and the Council's Rights of Way records do not indicate any evidence of recorded Rights of Way within the application site boundaries. If it could be proven that the public used this road and had uninterrupted access along it prior to the gate being erected/ locked, then it might be possible to pursue this matter under the Land Reform (Scotland) Act;
  - The applicant made this application following it being brought to their attention by the Council's Development Management Unit that the previous temporary planning permission had lapsed in 2008. In addition, the application was amended to include the existing storage of scrap metal in the north-west part of the site. Making an application retrospectively is a legitimate means by which to regularise a situation in planning terms and no planning enforcement action would be considered pending a decision on a planning application;



- The community consultation event was required due to the application being a Major Development and such events are arranged by the applicant. The Council's Development Management Unit do not attend these events as a matter of standard practice and therefore cannot comment on what was said at the event held for this application; and
- Matters of depreciation of house values and financial consequences are not material planning considerations.

## **7c Conclusion**

- 7c.1 The application is considered to accord with the Development Plan, for the reasons detailed in this report. It is therefore recommended for the grant of planning permission subject to appropriate conditions. There are not considered to be any material planning considerations to set aside the terms of the Development Plan in this instance.
- 7c.2 It is considered that any grant of planning permission should provide for the temporary continued storage of the scrap metal within the north-west area of the site or its future use for vehicle storage. The ongoing use of the area for the storage of scrap metal (similar to what is already on site) is not supported due to the noise and disturbance associated with the movement of such material.
- 7c.3 As the existing end-of-life vehicle facility would appear to have operated without any significant adverse effects on the road network, or on environmental and visual amenity, it is considered that there is no continuing justification to restrict planning permission for this aspect of the operation to a further temporary period. In order to monitor any additional impacts as a result of the use of the north-west area of the site, it is considered that planning permission for this area should be granted for a temporary period.

## **8. RECOMMENDATION**

- 8.1 It is therefore recommended that the Planning Committee grant planning permission subject to the following condition(s):-
1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this 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. The north-west area of the site shall be used solely for either (a) the continued storage of the scrap metal existing on this part of the site at the date of grant of this planning permission or (b) the storage of vehicles in accordance with approved drawing 03D.
  3. This permission insofar as it applies to the north-west area of the site shall be valid for a temporary period of 2 years until 31st March 2017 and at the end of that time, unless a further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition in accordance with details to be approved in writing by this Planning Authority.
  4. No scrap material shall be stored at a height in excess of 5 metres above ground level.

5. Notwithstanding the approved plans, within one month of the date of this permission a scheme of soft landscaping works shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include (as appropriate):-
- (i) Existing and proposed finished ground levels in relation to a fixed datum, preferably ordnance;
  - (ii) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their replacement;
  - (iii) The location of all proposed new trees, shrubs, hedges and grassed area;
  - (iv) A schedule of plants, to comprise species, plant size and proposed numbers/density;
  - (v) The profile of the bunding and the material to comprise the bunding; and
  - (vi) A programme for implementation of the approved landscaping scheme and subsequent maintenance.

Thereafter, the scheme of landscaping shall be carried out in accordance with the approved details.

6. Subject to condition 9 of this permission, the existing woodland along the eastern site boundary shall be retained in perpetuity and managed in accordance with the submitted Woodland Management Plan prepared by Sid Nodes, Treescapes Scotland.
7. Within one month of the date of this permission, both the main and secondary site entrances shall be re-constructed with 10.5 metre kerbed radii to form bellmouths, of 6 metres minimum width.
8. Within one month of the date of this permission, both the main and the secondary site entrances shall be surfaced (and thereafter maintained) to ensure that no loose material is carried out, and no surface water is discharged, onto the public carriageway.
9. Within one month of the date of this permission, visibility splays measuring 2.4 metres x 90 metres at the secondary entrance, and 4.5 metres x 90 metres at the main entrance, shall be provided (and thereafter maintained), within which there shall be no obstruction to visibility above carriageway level.
10. Within one month of the date of this permission, the section of damaged carriageway at the main site entrance shall be reinstated in accordance with details to be approved in writing by this Planning Authority.

11. Before (a) the formation of the approved bunding or (b) any movement of the scrap metal stored on the north-west part of the site, details of the proposed method, programme and timescale in respect of these matters shall be submitted to and approved in writing by this Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.
12. Within one month of the date of this permission, portacabin (D) as shown on approved drawing 03D shall be repositioned in a southerly direction, in accordance with an exact location to be approved in writing by this Planning Authority.

**Reason(s):-**

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission.
2. To ensure that the use of the land is suitably controlled, in the interests of the amenity of the area.
3. To provide a suitable trial period to monitor any additional impacts as a result of the proposed extension area.
- 4-5. To safeguard the visual and residential amenity of the area.
6. To safeguard the visual amenity of the area.
- 7-10. To safeguard the interests of the users of the highway.
11. To safeguard the residential amenity of the area.
12. To remove the risk arising from a load bearing structure being located within the zone of influence of a recorded mine entry.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02A, 03D, 04, 05A, 06A, 07A, 08 and 09.
2. The applicant is advised that the required upgrade works to the site entrances will require Minor Roadworks Consent, issued by Falkirk Council Roads Services.
3. SEPA have advised that a Waste Management Licence is required to carry out waste management activities in the north-west part of the site.

4. The applicant is advised to ensure that any noisy works which are audible at the site boundary are only conducted between the follow hours:

Monday to Friday	0800 to 1800 hours
Saturday	0900 to 1700 hours
Sunday/Bank Holidays	1000 to 1600 hours

Deviation from these hours will not be permitted unless in emergency circumstances and with the prior written approval of the Environmental Protection Unit

5. The applicant is advised to contact SEPA prior to any importation of material or any remedial/excavation/ground preparation works (including any re-use of site won materials for bunds), as any importation, disposal or re-use of waste materials would be subject to Waste Management Regulations and require the appropriate approvals, including licensing and exemptions.
6. The applicant is advised to contact the Planning Authority immediately should any made ground, suspect odours or substances be encountered during any site works, as there would be a requirement to undertake a contaminated land risk assessment. The assessment would be subject to review and approval by the Planning Authority.

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pp Director of Development Services

Date: 16 March 2015

## **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Local Development Plan (Proposed Plan).
4. Letter of Objection received from Mr Jim Casey, 15 Lochinvar Place, Bonnybridge, FK4 2BL on 29 October 2014.
5. Letter of Objection received from Mrs Jean Rutherford, 63 Broomhill Road, High Bonnybridge, Falkirk, FK4 2AT on 30 October 2014.
6. Letter of Objection received from Mr Thomas Fitzpatrick, 23 Reilly Gardens, High Bonnybridge, FK4 2BB on 30 October 2014.
7. Letter of Objection received from Mr Jim Casey, 15 Lochinvar Place, Falkirk, FK4 2BL on 30 October 2014.
8. Letter of Objection received from Mr Graeme Healy, 4 Lochinvar Place, High Bonnybridge, Bonnybridge, FK7 4BL on 1 November 2014.
9. Letter of Objection received from Mr and Mrs Binnie, 62 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
10. Letter of Objection received from Mark Valentine and Jacqueline Wright, 82 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
11. Letter of Objection received from Mr & Mrs Pennington, 78 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
12. Letter of Objection received from William and Teresa Lucy, 11 Lochinvar Place, High Bonnybridge, Bonnybridge, FK4 2BL on 3 November 2014.
13. Letter of Objection received from David Colvan, 38 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
14. Letter of Objection received from John Lees, 76 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
15. Letter of Objection received from Anton and Christine Mayer, 12 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
16. Letter of Objection received from Mr Frank Fettes, 2 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 3 November 2014.
17. Letter of Objection received from Robert & Margaret Anderson, 4A Church Street, High Bonnybridge, Bonnybridge, FK4 2AZ on 6 November 2014.
18. Letter of Objection received from Mrs Clare Finlay, on behalf of the Bonnybridge Community Council, 7 Reilly Gardens, Bonnybridge, FK4 2BB on 12 November 2014.
19. Letter of Objection received from Mr and Mrs Graham and Katherine Mundie, Woodlea, 93 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 13 November 2014.
20. Letter of Objection received from Jim Fallon, 36 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 17 November 2014.
21. Letter of Objection received from Mrs Agnes Craig, 15 Waverley Crescent, High Bonnybridge, Falkirk, FK4 2AX on 30 October 2014.
22. Letter of Objection received from Chris and Diane Geraghty, 88 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 31 October 2014.
23. Letter of Objection received from Mrs Margaret Fitzpatrick, 23 Reilly Gardens, High Bonnybridge, FK4 2BB on 30 October 2014.
24. Letter of Objection received from Mr Tommy Owens, 35 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 28 October 2014.
25. Letter of Objection received from Mr Adam Baird, 17 Reilly Gardens, High Bonnybridge, FK4 2BB on 4 October 2014.
26. Letter of Objection received from Mr John O'Connell, 34 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 28 October 2014.
27. Letter of Objection received from Mr John Ellis, 74 Reilly Gardens, Falkirk, FK4 2BB on 29 October 2014.

28. Letter of Objection received from Mrs Mary H Easton, 68 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 31 October 2014.
29. Letter of Objection received from Mr William Upton, 21 Reilly Gardens, Bonnybridge, FK4 2BB on 2 November 2014.
30. Letter of Objection received from Mrs Christine Upton, 21 Reilly Gardens, High Bonnybridge, FK4 2BB on 2 November 2014.
31. Letter of Objection received from Mr Ian Wilkie, 56 Reilly Gardens, High Bonnybridge, Bonnybridge, FK42BB on 5 October 2014.
32. Letter of Objection received from Mrs May Fallon, 36 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 11 October 2014.
33. Letter of Objection received from Mr James Drennan, 16 Reilly Gardens, High Bonnybridge, FK4 2BB on 28 October 2014.
34. Letter of Objection received from Mr Douglas Fleming, 39 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 16 November 2014.
35. Letter of Objection received from Mrs Margaret MacKenzie, 19 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 15 October 2014.
36. Letter of Objection received from Dr Eileen Hood, 60 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 21 October 2014.
37. Letter of Objection received from Anne and Brian McVeigh, 38 Church Street, High Bonnybridge, Bonnybridge, FK4 2AZ on 10 November 2014.
38. Letter of Objection received from M Ross, 60 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 10 November 2014.
39. Letter of Objection received from Janet McLelland, 80 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 10 November 2014.
40. Letter of Objection received from Mr and Mrs Ian Wilkie, 56 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 7 November 2014.
41. Letter of Objection received from Mr Thomas Hoy, 89 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 5 November 2014.
42. Letter of Objection received from Mr Graham Upton, 21 Reilly Gardens, High Bonnybridge, FK4 2BB on 2 November 2014.
43. Letter of Objection received from Robert and Irene Bunch, Churchview, 87 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 5 November 2014.
44. Letter of Objection received from Kathleen McCoustra, 3 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 5 November 2014.
45. Letter of Objection received from Mr Alan Dunsmore, 31 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 8 November 2014.
46. Letter of Objection received from Miss Gloria Graham, 39 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2 BB on 27 September 2014.
47. Letter of Objection received from Mr Alfred Hargreaves, 40 Reilly Gardens, Reilly Gardens, High Bonnybridge, FK4 2BB on 28 September 2014.
48. Letter of Objection received from Mr & Mrs Diane & Chris Geraghty, 88 Reilly Gardens, High Bonnybridge, Falkirk, FK42BB on 4 October 2014.
49. Letter of Objection received from Mr Chris and Diane Geraghty, 88 Reilly Gardens, High Bonnybridge, Falkirk, FK42BB on 28 October 2014.
50. Letter of Objection received from Mrs Anne Russell, 72 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 18 October 2014.
51. Letter of Objection received from Mr Graham Rae, 8 Morrison Avenue, Bonnybridge, FK4 1ET on 17 November 2014.
52. Letter of Objection received from Mr Craig McWilton, 86 Reilly Gardens, Bonnybridge, FK4 2BB on 16 October 2014.
53. Letter of Objection received from Mr & Mrs Alexander & Margaret Bryson, 14 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 29 October 2014.

54. Letter of Objection received from Mrs Margaret Bryson, 14 Reilly Gardens, High Bonnybridge, Falkirk, FK4 2BB on 30 October 2014.
55. Letter of Objection received from Mrs Irene Lees, Beaumaris, 76 Reilly Gardens, High Bonnybridge, FK4 2BB on 13 October 2014.
56. Letter of Objection received from Eleanor McCutcheon, 69 Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AT on 4 November 2014.
57. Letter of Objection received from Margaret Mulligan, 48B Broomhill Road, High Bonnybridge, Bonnybridge, FK4 2AY on 4 November 2014.
58. Letter of Objection received from Mr David Keltie, 81 Broomhill Road, Bonnybridge, FK4 2AT on 5 November 2014.
59. Letter of Objection received from Irene Lees, 76 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 2 March 2015.
60. Letter of Objection received from Dr. Eileen Hood, 60 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 18 February 2015.
61. Letter of Objection received from Mrs Janet McLelland, 80 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2BB on 18 February 2015.
62. Letter of Objection received from Mr Adam Baird, 17 Reilly Gardens, High Bonnybridge, Bonnybridge, FK4 2AR on 14 February 2015.
63. Letter of Objection received from Miss Elaine Fergusson, 20 Millar Place, High Bonnybridge, FK4 2AR on 14 February 2015.
64. Letter of Objection received from Mrs Anne Russell, 72 Reilly Gardens, High Bonnybridge, FK4 2BB on 23 February 2015.

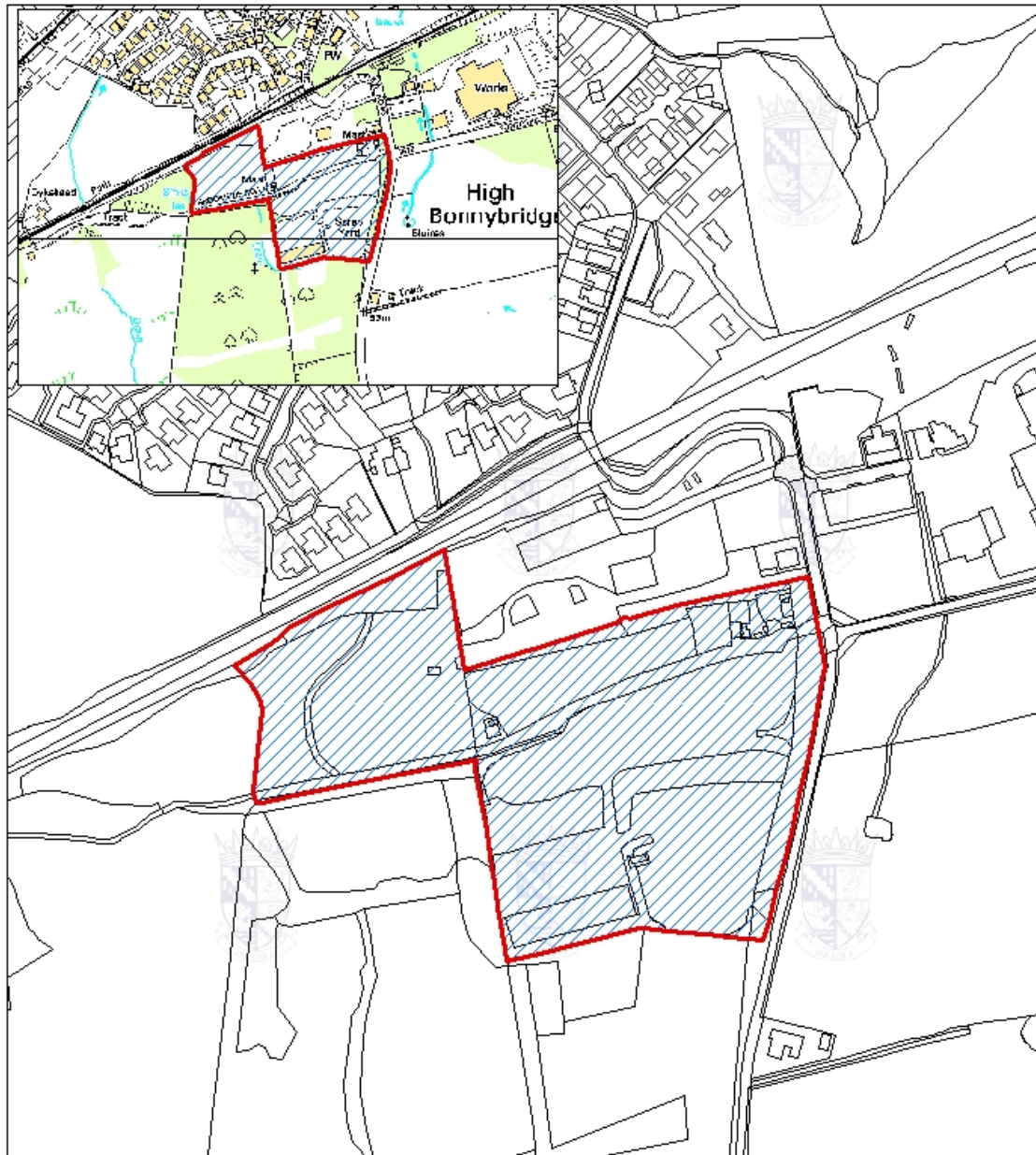
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

# Planning Committee

## Planning Application Location Plan

**P/14/0094/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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