

**P34. 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**

With reference to Minutes of Meetings of the Planning Committees held on 25 March and 29 April 2015 (Paragraphs P132 and P10 refer), Committee (a) gave further consideration to reports to those meetings by the Director of Development Services; and (b) considered an additional report by the said Director on an application for full planning permission for the use of land for an 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.

As the report sought to change a decision taken within the last six months, Standing Order 35 applied. As a preliminary point and prior to any discussion on the substance of the report, consideration was given to whether there were grounds to review or reconsider the decision previously reached. Following discussion and having had regard to advice from the relevant planning officer the Convener determined that the matter could be reconsidered because, in his view, Standing Order 35.1(ii) applied i.e. there had been a material change in circumstances since the decision was made on 29 April 2015.

The Development Management Co-ordinator then spoke to the report following which Councillor Turner, seconded by Councillor Meiklejohn, moved that consideration of the application be continued to the next meeting in August 2015 to obtain further detail on the screening proposals in terms of bunding and tree planting.

By way of an amendment, Councillor McLuckie, seconded by Baillie Buchanan, moved that Committee grant planning permission in accordance with the recommendations within the report subject to (1) the addition of a condition relating to the early provision of a temporary mesh fence to provide suitable screening prior to the planting and maturing of trees to address the visual impacts; and (2) amendment to the conditions to ensure that the screening and planting works were agreed and implemented within timescales considered appropriate to the Director of Development Services.

Councillor Chalmers gave notice of a further amendment.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 7 members present with voting as undernoted:-

For the motion (3) - Councillors Chalmers, Meiklejohn and Turner.

For the amendment (4) - Baillie Buchanan; Councillors C Martin, McLuckie and Nicol.

In terms of Standing Order 20.7, the amendment became the substantive motion upon which the further amendment could be moved.

By way of a further amendment, Councillor Chalmers, seconded by Councillor Meiklejohn, move that the application be refused on the grounds that it is contrary to Policies EQ8, EQ19(2), ST18(4) and EP5(4) of the Falkirk Council Local Plan and, in addition, that it had an adverse impact on the amenity of the area.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 7 members present with voting as undernoted:-

For the motion (4) - Baillie Buchanan; Councillors C Martin, McLuckie and Nicol.

For the amendment (3) - Councillors Chalmers, Meiklejohn and Turner.

### **Decision**

The Committee agreed to grant planning permission subject to (1) the addition of a condition relating to the early provision of a temporary mesh fence to provide suitable screening prior to the planting and maturing of trees to address the visual impacts; and (2) amendment to the conditions to ensure that the screening and planting works were agreed and implemented within timescales considered appropriate to the Director of Development Services 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 the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2) 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 the planning permission or (b) the storage of vehicles in accordance with approved drawing 03D.
- (3) The permission insofar as it applies to the north-west area of the site shall be valid for a temporary period of two years until 25 June 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 the 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 the permission a scheme of soft landscaping works shall be submitted to and approved in writing by the 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;
- (vi) The provision of temporary mesh fencing (position, height and period of retention to be agreed with the Planning Authority); and
- (vii) A programme for implementation of the approved landscaping scheme and subsequent maintenance. Implementation to commence within three months of approval of the scheme.

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

- (6) Subject to conditions 9 of the 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 timescales that may be agreed in writing by the 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 the permission, or any other timescale that may be agreed in writing by the 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 the permission, or any other timescale that may be agreed in writing by the 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 the permission, or any other timescale that may be agreed in writing by the 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 the 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 the Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.

- (12) Within one month of the date of the 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 the 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 the 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 the decision refer(s) bear the 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.

- (4) 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.
- (5) 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 bundling/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 bundling/planting at a higher level of the site.