

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 15 SEPTEMBER 2015 at 9.30 a.m.

COUNCILLORS: Baillie William Buchanan (Convener)
Steven Carleschi
John McLuckie
Craig Martin
Alan Nimmo
Baillie Joan Paterson
Sandy Turner

OFFICERS: John Angell, Head of Planning and Transportation
Ian Dryden, Development Manager
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Antonia Sobieraj, Committee Services Officer
Russell Steedman, Network Co-ordinator
Richard Teed, Senior Forward Planning Officer
Brent Vivian, Senior Planning Officer

P58. APOLOGIES

Apologies were intimated on behalf of Councillors Chalmers, Mahoney, Meiklejohn and Nicol.

P59. DECLARATIONS OF INTEREST

Councillor Nimmo declared a non financial interest in item 7 (minute P65) by virtue of him being an objector to the application, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

P60. MINUTE

Decision

The minute of meeting of the Planning Committee held on 19 August 2015 was approved.

P61. UPDATE REQUESTED

Prior to the commencement of business, the Convener informed Members that he would invite the Development Manager to provide an update on progress with application P/14/0094/FUL as agreed at the meeting on 25 June 2015 (minute P34). The matter is in relation to the 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. The Committee thereafter agreed that a progress report be submitted to the October Committee.

P62. WEST CARRON LANDFILL, STENHOUSE ROAD, CARRON

The Committee considered a report by the Director of Development Services on the West Carron Landfill site which is currently regulated by the Scottish Environmental Protection Agency (SEPA) under the Pollution, Prevention and Control (PPC) regime. The company holding the permit, Central Demolition, is the landfill operator and owner of the site. The report provided an update for the Committee on the planning status of the site.

Decision

The Committee agreed that planning enforcement would not be pursued at this stage while there remained the prospect of the submission of a planning application noting that officers would bring a report to Committee following the Pre-Application Consultation process to be undertaken by the applicant.

P63. RESTORATION OF DUNMORE PARK HOUSE TO FORM 15 DWELLINGS, CONVERSION OF STABLES TO FORM 10 DWELLINGS, ERECTION OF 45 DWELLINGHOUSES, ASSOCIATED LANDSCAPING WORKS, AMENDMENTS TO A905 AND SITE ACCESS ROAD, DUNMORE PARK, FALKIRK FK2 8LP FOR MANOR KINGDOM – (06/1099/FUL)

RESTORATION OF DUNMORE PARK HOUSE TO FORM 15 DWELLINGS AND CONVERSION OF STABLES TO FORM 10 DWELLINGS AT DUNMORE PARK, FALKIRK FK2 8LP FOR MANOR KINGDOM – (06/0377/LBC)

With reference to Minute of Meeting of the Planning Committees held on 25 February 2015 (Paragraph P121 refers), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director on applications for full planning permission and listed building consent for the erection of 45 new dwellinghouses within the policies of Dunmore Park House and the restoration of the house and associated stables to create 25 residential units at Dunmore Park, Falkirk, application 06/1099/FUL having been the subject of a minded to grant decision on 27 February 2008 while application 06/0377/LBC was still outstanding pending information requested from the applicant. The purpose of the report was to provide an update on the progress made and the likely conclusion of the Section 75 Obligation and the application for Listed Building Consent.

Decision

The Committee agreed to continue the application and if the required Section 75 Obligation in relation to planning application 06/1088/FUL is not concluded and the application determined by 31 December 2015, the Director of Development Services be authorised to refuse planning permission. In relation to Listed Building Consent application 06/0377/LBC, if no progress is made in relation to the submission of sufficient information to enable a full assessment to be made to adequately determine the application, the Director of Development Services be authorised to refuse Listed Building Consent.

Councillors Carleschi and Turner left and re-entered the meeting during consideration of the following item of business.

P64. RESIDENTIAL AND MIXED USE PHASED DEVELOPMENT FOR THE WHITECROSS SIRR, INCLUDING UP TO 1500 RESIDENTIAL UNITS, COMMUNITY AND ENTERPRISE FACILITIES, TRANSPORT AND ENVIRONMENTAL INFRASTRUCTURE AND EMPLOYMENT SPACE AT MANUEL WORKS, LINLITHGOW EH49 6LH FOR MORSTON ASSETS/MWL MAXINE DURY - P/10/0188/PPP

With reference to Minutes of Meetings of the Planning Committees held on 25 February and 19 August 2015 (Paragraphs P120 and P53 refer), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director on an application for full planning permission for residential and mixed use phased development for the Whitecross SIRR, including up to 1500 residential units, community and enterprise facilities, transport and environmental infrastructure and employment space at Manuel Works, Linlithgow.

The Convener agreed an adjournment at 10.35 a.m. at the request of a member to allow that member to seek clarification on a procedural matter from the Chief Governance Officer. The meeting reconvened at 10.40 a.m. with all members present as per the sederunt.

Decision

The Committee agreed:-

- (1) to note the contents of the report;**
- (2) to approve the updated planning conditions and informatives to attach to any grant of planning permission in principle, as contained in Appendix 3 to the report dated 25 February 2015; and**
- (3) to consider the application further at the meeting on 28 October 2015 with a view to possible refusal of the application if (but not limited to) the Section 75 Planning Obligation not being satisfactorily concluded by 20 October 2015.**

Baillie Paterson and Councillor Nimmo left the meeting prior to consideration of the following item of business.

P65. ERECTION OF PERGOLA AND SECTION OF LATTICE FENCING (RETROSPECTIVE) AT 26 GRANGEBURN ROAD, GRANGEMOUTH FK3 9AA FOR MR THOMAS PATERSON - P/15/0370/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the erection of a single storey pergola and a section of wooden lattice fencing (retrospective) at 26 Grangeburn Road, Grangemouth.

Decision

The Committee agreed to continue consideration of this item of business to allow an inspection of the site by Committee.

Baillie Paterson and Councillor Nimmo re-entered the meeting following consideration of the foregoing item of business.

P66. DISCHARGE OF PLANNING OBLIGATION ATTACHED TO PLANNING PERMISSION P/07/0584/OUT WHICH PROVIDES THAT THE TWO SEMI-DETACHED HOLIDAY COTTAGES TO BE ERECTED ON THE SITE (BEING 360 SQ M OR THEREBY AT HOME FARM, DROVE LOAN, HEAD OF MUIR, DENNY) IN TERMS OF THE PERMISSION SHALL BE USED AND OCCUPIED IN ALL TIME COMING FOR NO OTHER PURPOSE THAN AS HOLIDAY COTTAGES UNDER SHORT-TERM HOLIDAY LETTINGS FOR AJD DEVELOPMENTS - P/15/0360/75D

The Committee considered a report by the Director of Development Services on an application for discharge of planning obligation attached to planning permission P/07/0584/OUT which provided that the two semi detached holiday cottages to be erected on the site (being 360 square metres or thereby at Home Farm, Drove Loan, Head of Muir, Denny) in terms of the permission shall be used and occupied in all time coming for no other purpose than as holiday cottages under short-term holiday letting for AJD Developments.

Decision

The Committee agreed to the discharge of the Planning Obligation.

Informative:-

- (1) Notwithstanding the discharge of the legal obligation, the approved planning use of these properties remains that of holiday accommodation. A separate change of use planning application is therefore required to be submitted and would be assessed separately, if the intention is to use these units as dwellinghouses.**

Baillie Paterson and Councillor Carleschi left and re-entered the meeting during consideration of the following item of business.

P67. CHANGE OF USE OF PUBLIC OPEN SPACE TO PRIVATE GARDEN GROUND AND ERECTION OF FENCE (RETROSPECTIVE) AT 61 LITHGOW PLACE, DENNY FK6 5BF FOR MR ANDREW DELANEY - P/15/0386/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the change of use of public open space to private garden ground and the erection of a fence (retrospective) at 61 Lithgow Place, Denny.

In accordance with Standing Order 38.1 (x) the Convener gave consent to Councillor McCabe to speak in relation to this item of business, the said Member having duly given at least 24 hours notice. The Committee also considered a paper distributed at the meeting by Councillor McCabe in explanation of his concerns.

Councillor C Martin, seconded by Councillor McLuckie, moved that Committee grant planning permission in accordance with the recommendations within the report.

By way of an amendment, Councillor Carleschi, seconded by Councillor Turner, moved that consideration of the application be continued to allow officers to provide further information to the Committee in relation to the consistency of treatment of such matters and applications by the Planning Authority.

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 (5) - Baillies Buchanan and Paterson; Councillors C Martin, McLuckie and Nimmo.

For the amendment (2) - Councillors Carleschi and Turner.

Decision

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

- (1) Within one month of the date of the permission (or any other timescale that may be agreed in writing by the Planning Authority), the proposed drainage works, as detailed in Part 11 of the application form, shall be fully completed.**

Reason:-

- (1) To ensure that adequate drainage is provided.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02, 03 and 04.