

The background of the slide features a large, light blue watermark of the Coat of Arms of the City of Edinburgh. The crest includes a crown with four thistles, a shield divided into four quarters (a saltire, a stag's head, a ship, and an eagle), and a motto scroll at the bottom.

Agenda Item 3

Minute

DRAFT

FALKIRK COUNCIL

Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Monday 19 September 2016 at 9.30 A.M.

Councillors: Baillie William Buchanan (Convener) (except for agenda item 5, minute PRC28 and PRC31)
John McLuckie
Craig Martin
Malcolm Nicol

Officers: Donald Campbell, Development Management Co-ordinator (for agenda item 7, minute PRC30 and PRC33)
Rose Mary Glackin, Chief Governance Officer (for agenda item 5, minute PRC28 and PRC31)
Iain Henderson, Legal Services Manager (for agenda items 6 and 7, minute PRC29, PRC30, PRC32 and PRC33)
Antonia Sobieraj, Committee Services Officer
Bernard Whittle, Development Management Co-ordinator (for agenda items 5 and 6, minute PRC28, PRC29, PRC31 and PRC32).

PRC24. Apologies

Apologies were submitted on behalf of Councillor Carleschi.

PRC25. Declarations of Interest

Baillie Buchanan declared a non financial interest in item 5 (minute PRC28 and PRC31) by virtue of him being a member of the Board of Falkirk Community Trust, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct and the terms of paragraphs 5.18(2) and 7.5 of the Code of Conduct.

PRC26. Minute

Decision

The minute of meeting of the Planning Review Committee held on 12 August 2016 was approved.

PRC27. Opening Remarks

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

In accordance with his declaration of interest, Baillie Buchanan left the Chair and the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

PRC28. Planning Application P/16/0313/FUL - Siting of Catering Outlet and Erection of Fence (Retrospective) at Kelpies Hub, The Helix, Falkirk.

The Committee considered documents which related to the Application for Review for planning application P/16/0313/FUL for the siting of a catering outlet and the erection of a fence (in retrospect) at Kelpies Hub, The Helix, Falkirk.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

Baillie Buchanan re-entered the meeting following consideration of the foregoing matter and resumed the Convenership of the meeting.

PRC29. Planning Application P/16/0203/FUL - Extension to Dwellinghouse at Pirnie Lodge Farm, Falkirk FK1 3DJ.

The Committee considered documents which related to the Application for Review for planning application P/16/0203/FUL for the extension, in the form of a UPVC conservatory, to the side of a dwellinghouse at Pirnie Lodge Farm, Falkirk.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an accompanied inspection of the site.

PRC30. Planning Application P/16/0074/FUL - Erection of 3 No. Dwellinghouses on Land to the South West of Wester Bonhard, Bo'ness.

The Committee considered documents which related to the Application for Review for planning application P/16/0074/FUL for the erection of 3 no. dwellinghouses on land to the south west of Wester Bonhard, Bo'ness.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 9.55 a.m. for the purpose of conducting site inspections and reconvened at 12.40 p.m., with all those present as per the sederunt.

The meeting adjourned at 12.42 p.m. and reconvened at 1.20 p.m., with all those present as per the sederunt.

In accordance with his declaration of interest, Baillie Buchanan left the meeting prior to consideration of the following item of business and Councillor McLuckie assumed the role of Convener.

PRC31. Planning Application P/16/0313/FUL - Siting of Catering Outlet and Erection of Fence (Retrospective) at Kelpies Hub, The Helix, Falkirk.

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0313/FUL for the siting of a catering outlet and the erection of a fence (in retrospect) at Kelpies Hub, The Helix, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and the representations.

After further discussion and having sought and heard advice from Ms Glackin and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Policies BUS05, CG02, D02, D03, D14, GN01 and TC04 of the Falkirk Local Development Plan;
- (2) the consultation responses received;

- (3) the representations submitted;
- (4) the site history;
- (5) the supporting documents provided by the applicant; and
- (6) the benefit of the site inspection.

After discussion, and having sought and heard advice from Ms Glackin and Mr Whittle, the Committee **AGREED:-**

- (1) That the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** for the reasons set out in the original notice of decision namely:-
 - That the development fails to enhance or integrate sensitively to the surrounding Kelpies and Helix Park landscape. The scale, siting and design of the development does not respond positively or sympathetically to the site's surroundings and it is an incongruous addition to the designed landscape and architectural character of the area, contrary to policies D02 'Sustainable Design Principles' and D03 'Urban Design' of the Falkirk Local Development Plan;
 - That the development fails to demonstrate a specific need, being located directly adjacent to the Helix visitor centre and café. The development results in an adverse impact on local amenity and the visual quality of the locality, contrary to policy TC04 'Food and Drink' of the Falkirk Local Development Plan; and
 - That the development fails to protect or enhance the visual amenity of the canal and its environs. The development does not achieve a high design standard, with particular emphasis on siting, materials, detailing and impact on canal-side landscaping, contrary to policy D14 'Canals' of the Falkirk Local Development Plan; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

Baillie Buchanan re-entered the meeting following consideration of the foregoing matter and resumed the Convenership of the meeting.

PRC32. Planning Application P/16/0203/FUL - Extension to Dwellinghouse at Pirnie Lodge Farm, Falkirk FK1 3DJ.

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0203/FUL for the extension, in the form of a UPVC conservatory, to the side of a dwellinghouse at Pirnie Lodge Farm, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed and the applicant's supporting statement.

After further discussion and having sought and heard advice from Mr Henderson and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Guidance SG03 - Residential Extensions and Alterations;
- (2) Supplementary Guidance SG16 - Listed Buildings and Unlisted Properties in Conservation Areas;
- (3) Policies D09 and HSG07 of the Falkirk Local Development Plan;
- (4) the consultation response received;
- (5) the site history;
- (6) the supporting documents provided by the applicant; and
- (7) the benefit of the site inspection.

After discussion, and having sought and heard advice from Mr Henderson and Mr Whittle, the Committee **AGREED:-**

- (1) To **GRANT** planning permission, subject to such conditions as the Director of Development Services shall deem appropriate; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

The meeting adjourned at 2.20 p.m. and reconvened at 2.25 p.m., with all those present as per the sederunt.

PRC33. Planning Application P/16/0074/FUL - Erection of 3 No. Dwellinghouses on Land to the South West of Wester Bonhard, Bo'ness.

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/16/0074/FUL for the erection of 3 no. dwellinghouses on land to the south west of Wester Bonhard, Bo'ness.

The Committee requested and heard a short presentation from Mr Campbell, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement, further information submitted and the representations. Mr Henderson brought to the attention of the Committee a letter recently received from an agent acting for objectors and the letter was read out to the Committee.

After further discussion and having sought and heard advice from Mr Henderson and Mr Campbell, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Scottish Planning Policy 2014;
- (2) Supplementary Guidance SG01 - Development in the Countryside;
- (3) Supplementary Guidance SG15 - Low and Zero Carbon Development;
- (4) Policies CG02, CG03 , D04, GN02, RW04 and RW10 of the Falkirk Local Development Plan;
- (5) the consultation responses received;
- (6) the representations submitted, including the recent letter from the objectors' agent;
- (7) the site history;
- (8) the supporting documents provided by the applicant; and
- (9) the benefit of the site inspection which included members of the Committee viewing and travelling along Borrowstoun Road from the A904 to Kinglass.

After discussion, and having sought and heard advice from Mr Henderson and Mr Campbell, the Committee **AGREED:-**

- (1) That it was **MINDED** to **GRANT** planning permission, subject to consultation with the Coal Authority in terms satisfactory to the Director of Development Services, and thereafter, on the conclusion of the foregoing matter, to grant planning permission subject to conditions relating to (a) treatment of trees; (b) boundary enclosures; (c) construction materials; (d) contaminated land; and (e) road related matters, and such other conditions as the said Director shall deem appropriate; and
- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.