

**P50. Change of Use of Open Space to Extend Car Compound at Adjacent (Class 6) Storage and Distribution Business and Erection of 2.1m Boundary Fence at D J Manning Auctioneers, Bridgeness Road, Bo'ness EH51 9SF for John Pye Auctioneer Ltd – P/16/0127/FUL**

With reference to Minute of Meeting of the Planning Committee held on 17 August 2016 (Paragraph P36 refers), Committee gave (a) further consideration to a report to that meeting 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 change of use of an area of open space extending 748 square metres (forming part of a larger area of open space) for the extension of a car park (for the existing commercial premises) and the erection of a 2.1 metre boundary fence on a site at D J Manning Auctioneers, located on the north side of Bridgeness Road at the junction of Carriden Brae, Bo'ness.

**Decision**

**The Committee agreed that it is minded to grant planning permission subject to the satisfactory completion, within six months, of a Planning Obligation within the terms of section 75 of the Town and Country Planning (Scotland) Act 1997 or a legal agreement within the terms of Section 69 of the Local Government (Scotland) Act 1973 in terms satisfactory to the Director of Development Services in respect of the payment of a financial contribution towards qualitative improvements in other parts of the green network, to offset the loss of an area of open space, in the sum of £15,708;**

**And thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to (a) a condition that, prior to the start of work on site, a full landscaping plan covering details of the planting for the screening of the front of the development shall be submitted to and approved in writing by the Planning Authority, and (b) 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) No work shall commence on site until written communication from SEPA and Scottish Water, confirming acceptance of drainage discharge from the site, are submitted to and approved in writing by the Planning Authority; and**
- (3) Unless otherwise agreed in writing by the Planning Authority, all approved landscaping works shall be implemented by the end of the first planting and seeding season following the commencement of development on site.**

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.**
- (2) To ensure the extended car park can be adequately drained.**
- (3) To safeguard the visual amenity of the area.**

**Informative(s):-**

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.**
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 and 02.**
- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.**