



## **AGENDA ITEM**

**6**

**Alterations And Extension To  
Garage And Car Showroom At  
Arnold Clark Automobiles Ltd,  
Beancross Road, Grangemouth,  
FK3 8YF, For Arnold Clark  
Automobiles Ltd - P/16/0547/FUL**

**FALKIRK COUNCIL**

**Subject:** ALTERATIONS AND EXTENSION TO GARAGE AND CAR SHOWROOM AT ARNOLD CLARK AUTOMOBILES LTD, BEANCROSS ROAD, GRANGEMOUTH, FK3 8YF, FOR ARNOLD CLARK AUTOMOBILES LTD - P/16/0547/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 23 November 2016

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Grangemouth

Councillor Allyson Black  
Councillor David Balfour  
Baillie Joan Paterson  
Councillor Robert Spears

**Community Council:** Grangemouth Community Council

**Case Officer:** Julie Seidel (Planning Officer), Ext. 4880

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

- 1.1 This application relates to the alteration and extension of an established garage / car show room on Beancross Road, Grangemouth. The proposed development relates to an extension on the south-east corner elevations, facing both Beancross Road and Primrose Avenue, to accommodate an extended reception area. The application also includes some minor changes to the fenestration / doors on the existing building and the demolition of an existing standalone building in the forecourt.
- 1.2 There are residential properties adjoining the site, with commercial premises to the north.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application requires consideration by the Planning Committee as it has been called in by Councillor Allyson Black, for the following reason:
- Concerns with regard to more vehicles parking on the street and lack of access for emergency crews.

**3. SITE HISTORY**

- 3.1 F/90/0646 - Display of Illuminated Advertisement - granted on 24 July 1990.
- 3.2 F/96/0031 - Display of Illuminated Advertisements - granted on 20 February 1996.

- 3.3 F/99/0658 - Change of Use of Filling Station to Car Sales Use, Together With External Alterations (Detailed) - granted on 18 October 199.
- 3.4 06/0337/ADV - Display of Illuminated Advertisements - granted on 19 May 2006.
- 3.5 P/12/0453/ADV - Display of Illuminated and Non-Illuminated Advertisements - granted on 7 September 2012.

#### **4. CONSULTATIONS**

- 4.1 The Council's Roads Development Unit have no objection to the application, noting that the proposed development would have a minimal effect on parking requirements for the site.
- 4.2 The Council's Environmental Protection Unit request a planning condition in relation to ground contamination.
- 4.3 The Health and Safety Executive do not advise against the development on safety grounds.

#### **5. COMMUNITY COUNCIL**

- 5.1 The Grangemouth Community Council has not made representation in respect of the application.

#### **6. PUBLIC REPRESENTATION**

- 6.1 In the course of the application, 3 letters of objection were received. The salient issues are summarised below.
- No objection to the proposal, but concerns in relation to nuisance and disruption during construction;
  - Vehicles (for sale, staff, customers and contractors) should not be parked on residential streets;
  - Noise and working hours should be restricted to protect residential properties;
  - There should be no disruption to utilities; and
  - Questions raised in relation to the duration of the project, working hours, working practice, risk assessment, removal of rubble and waste from the site and staff numbers.

#### **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

The Falkirk Local Development Plan was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development was assessed against the following policies:

### 7a.1 TC03 - Retail and Commercial Leisure Development states:

1. *Retail development proposals in excess of 1,000 sq.m. gross floorspace, and significant commercial leisure development, should be located within the network of centres, and should be of a scale and type consistent with the role of the centre in the network and commensurate with the local catchment. Proposals for significant retail and commercial leisure development at out-of-centre locations will be assessed in relation to the following:*
  - *The impact on the vitality and viability of other identified centres, or proposals for their improvement;*
  - *The need for the development;*
  - *The proposal's ability to meet the sequential approach; and*
  - *The accessibility of the proposal by a choice of means of transport, and the impact on the number and length of car trips.*
2. *Retail development proposals of 1,000 sq.m. gross floorspace or less, serving neighbourhood needs, will be permitted more generally within the urban area, subject to other LDP policies.*
3. *Motor vehicle showrooms will be permitted within the economic development sites identified in the Site Schedule, or other business and industrial areas, provided access, servicing and any associated industrial processes can be accommodated without detriment to residential amenity, the functioning of the road network, or the operation of adjacent businesses.*
4. *Retail and commercial leisure development must demonstrate a high level of design quality, compatibility with adjacent land uses and an ability to integrate with any centre of which it is to form part.*

7a.2 The proposed development relates to alteration and extension of an existing motor vehicle showroom. The assessment criteria contained in policy TC03 are of relevance. It is considered that the proposed development would not unacceptably affect access to the site, the residential amenity of the surrounding area, the functioning of the road network or the operation of adjacent businesses. The application accords with policy TC03 'Retail and Commercial Leisure Development'.

### 7a.3 BUS05 - Major Hazards and Pipelines sates:

1. *Proposals within Major Hazard and Pipeline Consultation Zones as defined by the HSE and shown on the Proposals Map will be assessed in relation to the following factors:*

- *The increase in the number of people exposed to risk in the area;*
- *The existing permitted use of the site or buildings;*
- *The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means; and*
- *The potential impact on existing chemical and petrochemical sites and pipelines.*

2. *The Council will give careful consideration to applications for hazardous substances consent (HSC) that would extend major hazard distances within the urban area, to balance the desirability of growth and development at nationally important clusters of industries handling hazardous substances with the possibility of prejudice to the development of sites allocated in the LDP. Applications for HSC should demonstrate that off-site constraints have been minimised as far as possible through the optimum location and method of storage, and by ensuring that the quantity/type of materials applied for is specifically related to operational needs.*
3. *The revocation of HSC consents where the use on the site has ceased will be pursued.*
4. *The preferred location for new pipelines will be in existing Pipeline Consultation Zones.*

7a.4 The Health and Safety Executive have been consulted and do not advise against the development on safety grounds. The proposed development would not increase the number of people exposed to risk in the area, being an existing building and it is considered that the proposal would achieve modest regeneration benefits, given the condition of the existing building. The proposed development is not considered to have an impact on existing chemical or petrochemical sites and pipelines. The application accords with policy BUS05 'Major Hazards and Pipelines'.

7a.5 Accordingly, the application accords with the Falkirk Local Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are the representations received, additional planning considerations and the consideration of the site in relation to coal mining legacy.

### **Assessment of Public Representations**

7b.2 Comments made in relation to the duration of the project, working hours, working practice, risk assessment, removal of rubble and waste from the site, staff numbers and impact on utilities are not material planning considerations.

7b.3 Any reports of noise nuisance would be investigated under Statutory Noise Nuisance legislation and action taken by the Environmental Protection Unit where required. The Environmental Protection Unit have been consulted on the proposed development and have raised no concerns with regard to noise.

- 7b.4 The proposed development would have a minimal impact on the availability of parking within the site and the Roads Development Unit raise no concerns on this basis. The footprint of the building to be demolished is comparable with the proposed extension and would allow rationalisation of parking within the forecourt.
- 7b.5 Parking by vehicles in the surrounding road network cannot be controlled by Planning legislation. The Roads Development Unit have raised no concerns regarding the proposals.

### ***Additional Planning Considerations***

- 7b.6 The footprint of the proposed extension would partially sit over the Almond Pow culvert. Consideration was given to diverting or bridging the culvert and both solutions were considered acceptable by Falkirk Council's consultants (subject to technical assessment of the proposal). The applicant has submitted a detailed proposal to bridge the culvert, which is currently being considered by the Council. It is considered acceptable to progress the application with a suspensive condition in relation to the culvert proposal, at this stage.
- 7b.7 The proposed extension is considered visually acceptable in relation to the context of the existing building and the character of the surrounding area.

### ***Consideration of the Site in relation to Coal Mining Legacy***

- 7b.8 The application site falls within or is partially within the Development Low Risk Area as defined by the Coal Authority. However, as coal mining activity was undertaken at depth, no recorded surface hazards currently exist which could pose a risk to new development. Unrecorded coal mining related hazards could still exist. It is not necessary to consult the Coal Authority on any planning applications which fall within the Development Low Risk Area.
- 7b.9 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

## **7c Conclusion**

- 7c.1 The application is assessed as being in accordance with the Falkirk Local Development Plan. Comments received through representation are assessed and addressed in the body of this report. There are no material planning considerations that would warrant refusal of the application

## **8. RECOMMENDATION**

- 8.1 **It is therefore recommended that Committee grant planning permission 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.**

- i. No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.
  - ii. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.
  - iii. Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.
  - iv. If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
3. No development shall commence on site until a detailed proposal for diverting or bridging the culvert, running under the extension hereby approved, has been submitted to and approved in writing by the Planning Authority. Thereafter, development shall proceed in accordance with the approved proposal, unless otherwise agreed in writing.

## Reason:

- 1. As these drawings and details constitute the approved development.**
- 2. To ensure the ground is suitable for the proposed development.**
- 3. To protect the culvert.**

**Informatives:**

- 1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.**

2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 05, 06A, 07, 08 and Supporting Documents.

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**pp Director of Development Services**

**Date:** 14 November 2016

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

1. Falkirk Local Development Plan.
2. Objection received from Mr & Mrs Lawrence & Anne Irvine, 4 Stuart Grove, Grangemouth, FK3 8XW, on 20 September 2016.
3. Objection received from Mr & Mrs Hardie, 2 Stuart Grove, Grangemouth, FK3 8XW, on 20 September 2016.
4. Objection received from Mr John Wyper, 5 Stuart Grove, Grangemouth, FK3 8XW on 17 September 2016.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

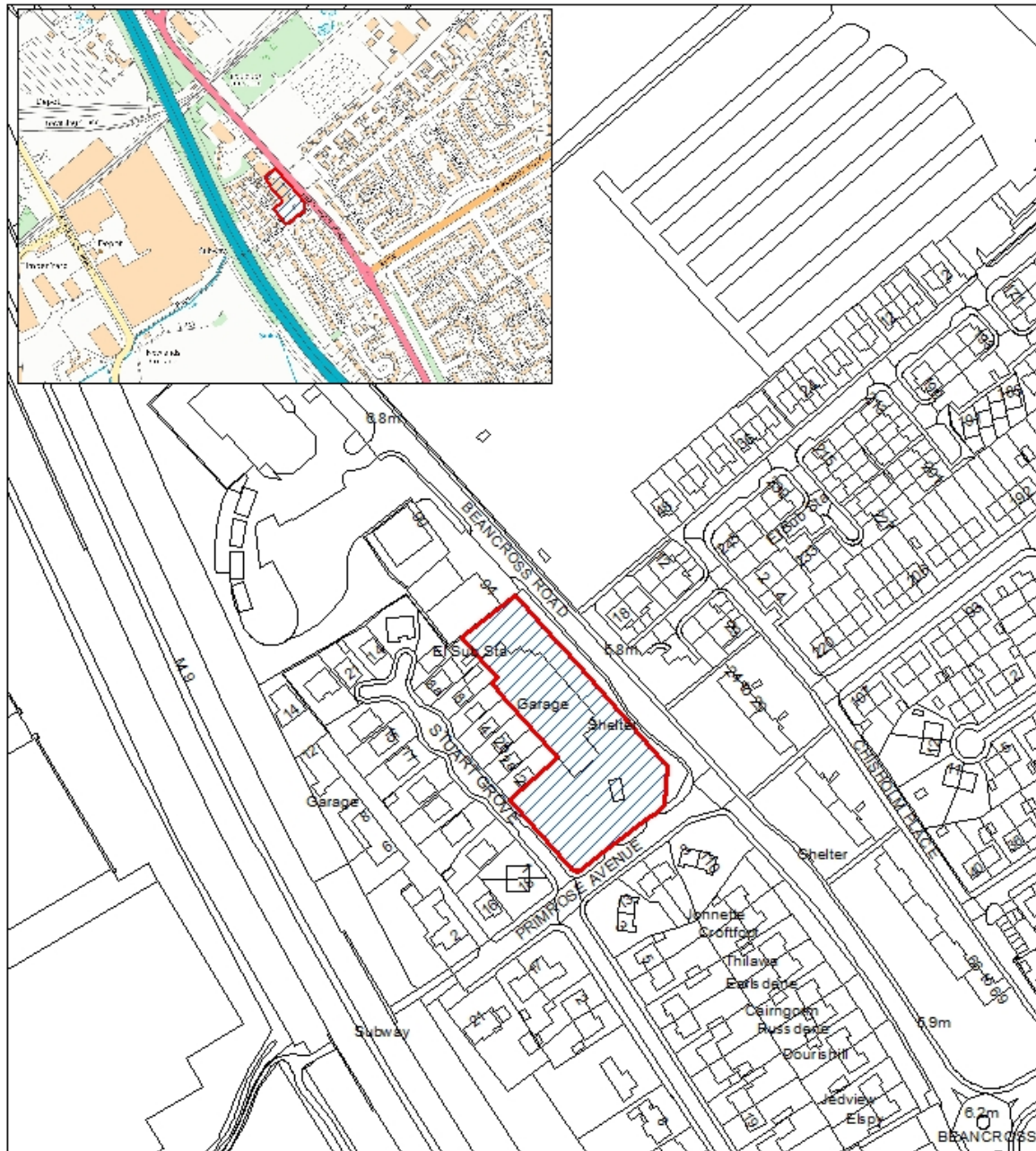


# Planning Committee

## Planning Application Location Plan

**P/16/0547/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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