

P67. Alterations and Change of Use from Retail/Offices to Hotel and Alterations, Extension and Change of Use from Office and Hairdressers to Hotel (Partially Retrospective) at 22 and 26 Princes Street, Falkirk FK1 1NE and 2, 4, & 6 Kerse Lane, Falkirk FK1 1RG for Mr Stuart Crawford – P/16/0162/FUL

With reference to Minutes of Meeting of the Planning Committee held on 17 August and 14 September 2016 (Paragraphs P33 and P49 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 change of use of two units operating as retail/offices and associated alterations (partially in retrospect) adjoining a hotel comprising several buildings, the main building being category B listed, on a site surrounded by a mixture of both commercial and residential properties and fronting onto Kerse Lane and Princes Street, Falkirk.

Decision

The Committee agreed, Councillor Chalmers dissenting, to grant planning permission subject to the following condition(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 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) Prior to works commencing on the shop frontages and rear extension to the units on Kerse Lane, details of the materials to be used on the external surfaces of the building, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.**

Reason(s):-

- (1) As these drawings and details constitute the approved development.**
- (2) To enable the Planning Authority to consider this/these aspect(s) in detail.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03A, 04A, 05A, 06A, 07A, 08A and 09.**

- (2) All noise generated from musical entertainment within the premises shall be inaudible within nearby properties to the satisfaction of Falkirk Council Environmental Health.**
- (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.**
- (4) The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:-**

Monday to Friday 08:00 - 18:00 Hours

Saturday 09:00 - 17:00 Hours

Sunday / Bank Holidays 10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

- (5) The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); minegas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.**

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.gov.uk