



AGENDA ITEM

4

Change of Use of Vacant Land to Form Private Permanent Gypsy/ Traveller Pitch (1 Static Caravan and 1 Touring Caravan), Erection of Boundary Wall and Formation of Hardstanding (Partly Retrospective) at Wesleymount, Church Road, California, Falkirk for Mr Alister Fowler - P/16/0530/FUL

FALKIRK COUNCIL

Subject: CHANGE OF USE OF VACANT LAND TO FORM PRIVATE GYPSY/TRAVELLER PITCH (1 STATIC CARAVAN AND 1 TOURING CARAVAN), ERECTION OF BOUNDARY WALL AND FORMATION OF HARDSTANDING (RETROSPECTIVE) AT WESLEYMOUNT, CHURCH ROAD, CALIFORNIA, FALKIRK, FK1 2BD FOR MR ALISTER FOWLER - P/16/0530/FUL

Meeting: PLANNING COMMITTEE

Date: 22 March 2017

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes

Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: Shieldhill and California

Case Officer: John Milne (Senior Planning Officer), Ext. 4815

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application seeks planning permission for the change of use of vacant land to form a private Gypsy / Traveller Site for 1 static caravan and 1 touring caravan. Part of the proposal has already been implemented, including the formation of hardstanding, siting of 1 static caravan and partial erection of a boundary wall.
- 1.2 The site is located on previously vacant land associated with Wesleymount Farm, California. Vehicular access to the site is via an existing track, from Church Road.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application was called to Planning Committee at the request of Councillor Hughes, with the following reasons given: -

The application is contrary to: -

1. Structure Plan Policy - Structure Plan ENV.1;

2. PAN 36 and 39. Not infill development. Development does not require a countryside development. Sporadic development. This would compromise open character of the countryside. Development contrary to Development Plan.

3. SITE HISTORY

- 3.1 There is no site history on the application site, but neighbouring land has been subject to a number of applications.
- F/2004/0552 - Erection of Dwellinghouse - land at Greenhill Cottage, Wesleymount Farm - Mr Peter Cumming - Refused.
 - F/2004/0552 - Siting of temporary mobile home (retrospective) - Wesleymount Farm - Mr Graham Ferguson - Refused.
 - F/2004/005 - Erection of agricultural building - Greenhill Cottage, Wesleymount Farm - Mr Graham Ferguson - Granted.
 - F/2005/0322 - Erection of 4 dwellinghouses - Wesleymount, Church Road - Mr Peter Cummings - application withdrawn.
 - 05/1141/FUL - Siting of Mobile Home (Retrospective) - Wesleymount - Mr Graham Ferguson - temporary consent.
 - P/09/0233/FUL - Erection of feed store / horse shelter (part retrospective) - Wesleymount - Mr and Mrs Leach - granted.
 - P/09/0251/FUL - Siting of mobile homes (Retrospective) - Wesleymount - Mr and Mrs G Ferguson - granted.
 - P/09/0326/FUL - Siting of residential caravan (Temporary) (Retrospective) - Wesleymount - Mr W Leach - granted.
 - P/10/0606/FUL - Erection of stable block - land to south of Wesleymount - Mr and Mrs Leach - granted.
 - P/16/0095/FUL - Erection of 2 dwellinghouses - Greenhill Cottage - Mr Graham Ferguson - granted.
 - P/13/0746/PPP - Erection of 2 dwellinghouses (plots 2 and 3) - Greenhill Cottage - Mr Graham Ferguson - application withdrawn.

4. CONSULTATIONS

- 4.1 Falkirk Council's Roads Development Unit advises that the proposed site has a hard standing area large enough for the appropriate parking provision and turning area.

- 4.2 The private farm track currently serves Wesleymount Farmhouse, a residential caravan at Birch Tree Farm, a mobile home to the north west of Wesleymount Farm, and the static caravan which is already in place. There is also a private equestrian area to the south of the site which uses the private farm track for access. The access track currently serves 4 residential units, which would be in accordance with the National Roads Development Guide.
- 4.3 A recent application for the erection of 2 dwellings to the west of the site has been granted. This application included the removal of the existing mobile home to the north west of Wesleymount Farm once the dwellinghouses have been built. This would mean that the access track could be serving, at most, 5 residential units. This would be in accordance with the National Roads Development Guide and acceptable from a Roads Development point of view.
- 4.4 Falkirk Council's Environmental Health Unit advise that noise need not be considered as a determining factor in relation to this application. In respect of contaminated land, the applicant should confirm in writing that no made ground, suspect substances or odours have been encountered within the site.

5. COMMUNITY COUNCIL

- 5.1 Shieldhill and California Community Council have not made any representations.

6. PUBLIC REPRESENTATION

- 6.1 During the course of the application 12 representations were received from 9 individuals, all of which object to the application. The points raised can be summarised as:-
- The application does not accord with the Development Plan.
 - The views from Burnside woodland walk are marred by caravans and sheds.
 - The appearance is detrimental to the allocation of house types being permitted within the new Development Plan.
 - Access to the site is strictly private.
 - The proposals is at odds with the planning brief for the adjacent housing site.
 - Any housing requirement should be directed towards the adjoining allocated site.
 - As a consequence of this application, the existing access road should have to be upgraded to an adoptable standard. This is in line with the requirements for housing in the area.
 - There will be an increase in traffic and speed of traffic on Church Road.
 - Fly tipping and security of property is a concern.

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

- 7a.1 The Falkirk Local Development Plan was adopted on 16 July 2015. It replaces the previous Falkirk Council Structure Plan and Falkirk Council Local Plan and includes a number of Supplementary Guidance documents which now have statutory status.
- 7a.2 The application site lies on the edge of California, outwith the urban envelope of the settlement, within a countryside location. Vehicular access is proposed by utilising an existing unsurfaced pathway from Church Road. Applicable policies are as follows:-
- 7a.3 Policy CG01 - 'Countryside' states:-

"The Urban and Village Limits defined on the Proposals Map represent the limit to the expansion of settlements. Land outwith these boundaries is designated as countryside, within which development will be assessed in the terms of the relevant supporting countryside policies (Policies CG03 and CG04), and Supplementary Guidance SG01 'Development in the Countryside'."

- 7a.4 Policy CG03 - 'Housing in the Countryside' states:-

"Proposals for housing development in the countryside of a scale, layout and design suitable for its intended location will be supported in the following circumstances:

- 1. Housing required for the pursuance of agriculture, horticulture, or forestry, or the management of a business for which a countryside location is essential;*
- 2. Restoration or replacement of houses which are still substantially intact, provided the restored/replacement house is of a comparable size to the original;*
- 3. Conversion or restoration of non-domestic farm buildings to residential use, including the sensitive redevelopment of redundant farm steadings;*
- 4. Appropriate infill development;*
- 5. Limited enabling development to secure the restoration of historic buildings or structures; or*
- 6. Small, privately owned gypsy/traveller sites which comply with Policy HSG08.*

*Detailed guidance on the application of these criteria will be contained in Supplementary Guidance SG01 'Development in the Countryside'.
Proposals will be subject to a rigorous assessment of their impact on the rural environment, having particular regard to policies protecting natural heritage and the historic environment."*

7a.5 The application site is outwith the urban and village limits defined on the Proposals Map and is within a countryside location. Policy CG03 - Housing in the Countryside - refers to small, privately owned gypsy/travellers sites being supported where compliance with Policy HG08 is demonstrated.

7a.6 Policy HSG08 - 'Gypsy/Travellers Sites' states:-

"Proposals for small privately-owned sites to accommodate gypsy/travellers will be permitted where:

- 1. The site satisfies policies in the LDP relating to the protection of the built and natural heritage (Policies GN02-05 and D07-14) and the protection of public open space (Policy INF03);*
- 2. The site can be appropriately landscaped, such that there will be no adverse effect on the character, appearance and amenity of the area;*
- 3. The site affords an appropriate level of residential amenity and access to community facilities; and*
- 4. Access, parking and other servicing can be provided to a satisfactory standard, and the site is not at significant risk from flooding, in the terms of Policy RW06."*

7a.7 The applicant has submitted a supporting statement to accompany the planning application, which establishes the applicant's approach as a gypsy/traveller. While this will be examined further under 'Material Considerations', it indicates the pertinence of the above policy to the proposal.

7a.8 Criterion 1 of Policy HSG08 refers to the following policies:-

7a.9 Policy GN02 - 'Landscape' states:-

- "1. The Council will seek to protect and enhance landscape character and quality throughout the Council area in accordance with Supplementary Guidance SG09 'Landscape Character Assessment and Landscape Designations.*
- 2. Priority will be given to safeguarding the distinctive landscape quality of the Special Landscape Areas identified on the Proposals Map.*
- 3. Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit will be achieved.*

This policy is accompanied by pre-amble which states:-

“The Falkirk area has a varied landscape, whose quality is important to the setting of settlements, and the areas image and identity. Special Landscape Areas (SLAs) identify the most important local landscapes (Denny Hills, Slamannan Plateau/Avon Valley and South Bo’ness). However, in line with the European Landscape Convention, there is a need to recognise the value of all landscapes within the area, and to take account of this in assessing development proposals. An updated landscape character assessment of the area has been prepared providing the basis for Supplementary Guidance SG09 ‘Landscape Character Assessment and Landscape Designations’.”

The site is located within the Local Landscape Character Area 3(iii) Castlecary/ Shieldhill Plateau Farmland and, while recognising that there may be likely future forces for change, guidelines within the Supplementary Guidance includes:-

- Encourage management of existing woodland and expansion of native broadleaf trees and woodland along watercourses, field boundaries and as backdrops to settlements; this will enable linkages to other woodland areas for improvement of landscape, bio-diversity value and access routes; this will make an overall contribution to Falkirk’s green network.
- Ensure new agricultural/equestrian buildings, other new buildings and structures and rural dwellings are sympathetically designed for the landscape setting, area associated with existing building clusters where possible and are orientated to minimise visual effects; there is an identified sensitivity to these structures. Mitigating screen planting must be incorporated.
- Encourage re-use and restoration of unused and derelict land on the edges of settlements and elsewhere where appropriate.
- Ensure new boundary treatments and gateways associated with new and existing development are of sympathetic design for the rural location and sensitivity of the landscape character.”

7a.10 In this instance, the site has not demonstrably been used for agricultural purposes over an extensive time period. No evidence has been submitted that the land has been in active agricultural use and neighbouring land has been used for a variety of purposes including storage or caravans, starter units for rural business and equestrian activities. The re-use of the site on the edge of the settlement of California would be acceptable, providing the sensitive visual impact along with other considerations is addressed. In terms of landscape, a visual screen of indigenous tree species would satisfy this policy.

7a.11 Policy GN03 - ‘Biodiversity and Geo-diversity’ states:-

“The Council will protect and enhance habitats and species of importance, and will promote biodiversity and geodiversity through the planning process. Accordingly:

1. *Development likely to have a significant effect on Natura 2000 sites (including Special Protection Areas, Special Areas of conservation, and Ramsar Sites) will be subject to an appropriate assessment. Qualifying features of a Natura 2000 site may not be confined to the boundary of a designated site. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions, and there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).*
2. *Development affecting Sites of Special Scientific Interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of national importance.*
3. *Development likely to have an adverse effect on European protected species, a species listed in Schedules 5, 5A, 6, 6A and 8 of Wildlife and Countryside Act 1981 (as amended), or a species of bird protected under the Wildlife and Countryside Act 1981 (as amended) will only be permitted where the applicant can demonstrate that a species licence is likely to be granted.*
4. *Development affecting Local Nature Reserves, Wildlife Sites, Sites of Importance for Nature Conservation and Geodiversity Sites (as identified in Supplementary Guidance SG08 'Local Nature Conservation and Geodiversity Sites'), and national and local priority habitats and species (as identified in the Falkirk Local Biodiversity Action Plan) will not be permitted unless it can be demonstrated that the overall integrity of the site, habitat or species will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance.*
5. *Where development is to be approved which could adversely affect any site or species of significant nature conservation value, the Council will require appropriate mitigating measures to conserve and secure future management of the relevant natural heritage interest. Where habitat loss is unavoidable, the creation of replacement habitat to compensate for any losses will be required, along with provision for its future management.*
6. *All development proposals should conform to Supplementary Guidance SG05 'Biodiversity and Development'."*

7a.12 No habitats or species of importance have been identified on the site.

7a.13 Policy GN04 - 'Trees, Woodlands and Hedgerows' states:-

"The Council recognises the ecological, landscape, economic and recreational importance of trees, woodland and hedgerows. Accordingly:

- 1. Felling detrimental to landscape, amenity, nature conservation or recreational interests will be discouraged. In particular ancient, long-established and semi-natural woodlands will be protected as a habitat resource of irreplaceable value;*
- 2. In an area covered by a Tree Preservation Order (TPO) or a Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, stability or appearance of the trees. Where necessary, endangered trees and woodlands will be protected through the designation of further TPOs;*
- 3. Development which is likely to affect trees should comply with Supplementary Guidance SG06 'Trees and Development', including the preparation where appropriate of a Tree Survey, Constraints Plan, and Tree Protection Plan. Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting appropriate in terms of number, size, species and position;*
- 4. The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a woodland area is integral to a development proposal, developers will normally be required to prepare and implement an appropriate Management Plan; and*
- 5. There will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to the historic landscape character."*

7a.14 No felling of trees is included in the proposals nor is the area covered by a Tree Preservation Order (TPO). It is recognised that the enhancement and management of existing woodland and hedgerows will be encouraged, which reflects the consideration of such matters as the nearby planning permission for dwellinghouses. A design brief for the housing site promoted 'native tree and shrub planting to a maximum 12m-15m depth, to allow framed views out and enable partial screening of dwellings as seen from the north (dwellings would otherwise be in elevated and highly visible position). (Church Road, California: Development Brief; March 2011). It is considered that a similar approach, in conjunction with the lower height, scale and massing of two caravans compared to two storey dwellinghouses is acceptable. This is also combined with proximity of Wesleymount Farmhouse and outbuildings, creating a 'cluster' of structures rather than an isolated structure on the ridgeline.

7a.15 Policy GN05 - 'Outdoor Access' states:-

The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network, and routes which support the development of the Green Network. When considering development proposals, the Council will:

1. *Safeguard the line of any existing or proposed access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;*
2. *Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and*
3. *Where an access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.*

7a.16 No detrimental impact on the existing network of outdoor access routes is envisaged as a consequence of development of the site.

7a.17 Criterion 1 within policy HSG08 also refers to policies D07-14, listed below. However, none of these raise any issues applicable to this application.

- Policy D07 - 'Antonine Wall'
- Policy D08 - 'Sites of Archaeological Interest'
- Policy D09 - '*Listed Buildings*'
- Policy D010 - 'Conservation Areas'
- Policy D11 - 'Areas of Townscape Value'
- Policy D12 - 'Historic Gardens and Design Landscapes'
- Policy D13 - 'Battlefield Sites'
- Policy D14 - 'Canals'

7a.18 Criterion 2 of policy HSG08 refers to landscaping, and requires that there will be no adverse effect on the character, appearance and amenity of the area.

7a.19 It is considered that the site can be appropriately landscaped, reflective and consistent with landscape intentions on the nearby allocated housing site. Landscape standards would be similar in order to address concerns of new development and visual impact in the area. This consistent approach would integrate appropriately and create a uniform feature within the landscape. It is therefore considered that this requirement could be met.

7a.20 Criterion 3 of Policy HSG08 draws reference to the site affording an appropriate level of residential amenity and access to community facilities.

- 7a.21 The site is located adjacent to an existing residential property and adjoins a large site allocated for housing in the Falkirk Local Development Plan on the shared access road - of which two dwellinghouses have been granted planning permission and are pending implementation. Church Road gives access to a wider residential provision within the California community. It is therefore considered that this requirement is met.
- 7a.22 Criterion 4 of Policy HSG08 requires that access, parking and other servicing to be provided to a satisfactory standard, and the site is not at significant risk from flooding.
- 7a.23 There is no evidence that access, parking and other servicing cannot be provided. There is no evidence of flood risk to the site. It is considered that this requirement is met.
- 7a.24 It is therefore concluded that the proposal is in accordance with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations to be assessed in respect of this application are national planning policy, the status of the applicant as a gypsy/traveller, planning history of the site and points raised through representation and consultation.

National Planning Policy

- 7b.2 Scottish Planning Policy (SPP) July 2014, primary objectives can be seen as:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

In relation to the current proposal, advice advocates that plans should be informed by a robust housing need and demand assessment (HNDA). As part of the HNDA, local authorities will evidence need for sites for Gypsy/Travellers and Travelling show-people. Development plans and local housing strategies should address any need identified, taking into account their mobile life-styles. They should also consider whether policies are required for small privately owned sites for Gypsy/Travellers and these communities should be appropriately involved in identifying sites for their use.

- 7b.3 With the inclusion of Policy HSG08 - Gypsy/Travellers Sites - in the Falkirk Local Development Plan (July 2015), the requirements of SPP have been met.

Status of the Applicant

- 7b.4 The applicant has submitted a supporting statement confirming status as a Gypsy/Traveller. The supporting statement provides a background to gypsy/travellers in relation to Article 25.1 of the Universal Declaration of Human Rights and the Equality Act, 2010. Reference is also drawn to the Homelessness (Scotland) Act 2003, referring to the circumstances that the applicant has deemed it necessary to reside outwith the Falkirk Council run site at Redding. The supporting statement expands on the positive benefits created by the provision of authorised sites, including the ability to maintain the family's link with education, health and social work services.
- 7b.5 The status of the applicant is material in that it distinguishes the proposal from an application for siting of caravans for tourism or general needs requirements. Falkirk Local Development Plan Policy HSG 08 - Gypsy/Travellers Sites - is considered applicable and the provisions of the above Acts are noted. It is considered that in general terms the provisions of the Human Rights Act 1998 have been taken into account in dealing with the application.

Site History

- 7b.6 While there are no previous planning applications for the application site, it should be noted that land nearby is allocated within the Falkirk Local Development Plan for housing (Site H65). As part of this development, two dwellinghouses have planning permission. On the edge of the allocated housing site, there is an existing stable/livery which also benefits from planning permission, and unauthorised static caravan used for occasional residential purposes and storage and an array of miscellaneous scrap, materials and vehicles. This entire area is served by the existing track leading from Church Road. The site to the east of the application site has been subject to representation to the Falkirk Local Development Plan as being suitable for housing, but has not been supported.

Points Raised Through Representation

- 7b.7 The analysis of Development Plan policy as relates to this application is detailed in part 7a of this report.
- 7b.8 It is unclear whether the objector is referring to the unauthorised caravans and sheds on the wider site or referring to the current application. On the wider site, efforts are being made to liaise with the landowners to resolve outstanding breaches of planning control. On the application site, it is considered that the visual impact of the proposed caravans will be reduced by landscaping on the boundary, similar to the landscaping strategy for the housing development site (HG5).
- 7b.9 There is no evidence that the visual impact of the development would be incongruous with the visual setting of the proposed new dwellings within the allocated housing site. A consistent approach to landscape treatment would provide visual continuity.

- 7b.10 Documentation has been received from the applicant and a neighbouring proprietor regarding the ownership and access rights of the access path leading from Church Road. It is not the role of Falkirk Council, as planning authority, to arbitrate in the matter of land ownership. The applicant recognises the consequences of being unable to access the application site.
- 7b.11 The application is not for a dwellinghouse and it would be unreasonable to apply the same criteria in relation to layout, open space and drainage as that included in the housing development brief. Where possible, i.e. landscaping, continuity with the housing design brief has been applied. In terms of land use compatibility, a caravan at this location does not give rise to specific concerns, both uses being of a residential nature.
- 7b.12 The application does not seek the development of a dwellinghouse but provision for the siting of caravans. It is not considered essential that caravans occupy sites allocated for housing.
- 7b.13 The Roads Development Unit have been consulted and no requirements for an adoptable standard of roadway has been requested.
- 7b.14 In December 2014, Falkirk Council adopted the National Roads Development Guide (NRDG). The NRDG stated that generally 5 or fewer dwellings be served by a private access. Falkirk Council introduced a local variation of 3, based on historic practice, however, as of August 2016 Falkirk Council has applied the NRDG standard.
- 7b.15 There would be an increase in generated traffic on Church Road as a consequence of approval of this application. However, the amount of traffic generated by two caravans is considered to be of a level that can be absorbed by the road network.
- 7b.16 Fly tipping in the area has not been directly attributed to the applicant, although it is recognised that material has been brought onto the site to form the hard-standing. Security of property is considered to be a matter outwith planning control.

Points Raised Through Consultation

- 7b.17 There are no matters raised which cannot be addressed through the imposition of planning conditions.

7c Conclusion

- 7c.1 It is therefore recognised that by virtue of the individual circumstances of the applicant, the proposal relates to caravan accommodation for a gypsy/traveller and, therefore, policy HSG08 of the Falkirk Local Development Plan applies. It is considered that the terms of the Human Rights and Equalities Act have been respected. The application site is not isolated and is capable of being integrated with the adjoining urban fringe by utilising an existing vehicular access track. With the introduction of landscaping, the site will have visual linkage with the nearby residential development currently allocated and partially approved. Land ownership is not a material planning consideration.
- 7c.2 However, given the limited provision of Church Road and the uncertainty of future traffic generation from the implementation of development from the allocated housing site, it is considered precautionary to apply a temporary permission on the site, the timescale balanced with the cost of landscaping works and potential future upgrading of the track to adoptable standard. This has been discussed with the applicant and a 3 year temporary permission is considered appropriate.
- 7c.3 The proposal is considered to accord with Development Plan Policy and there are no material considerations which would merit refusal.

8. RECOMMENDATION

- 8.1 It is therefore recommended that the Committee grant planning permission on a temporary basis subject to the following conditions and informatives:-
- (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.
 - (2) Within 2 months of the date of approval, details of the landscaping works shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):
 - i. Existing and finished ground levels in relation to a fixed datum, preferably ordnance;
 - ii. Planting of an average of 2m width planting strip of native shrub transplants (eg Hawthorn, Blackthorn, Hazel) along the northern, eastern and southern boundaries of the application site to form an informal screening hedge. Alternative planting of a series of informal groups of native trees (ie Birch, Willow, Rowan, Aspen) – in groups of 5 – 10 along the northern, eastern and southern boundary. 50% of the trees should be at least 2.75 to 3.0m high at planting (ie 'Standards') and be tied and staked, The remainder shall be transplants in tree shelters;

- iii. **A full specification of all screen planting detailing exact species proposed, locations of planting, numbers of each species / proportions of each, planting density / spacing and nursery stock sizes proposed at time of planting. A statement on methods of establishment and protection including fencing / tree shelters and a statement of initial maintenance including replacement of dead plants, adjusting of ties / stakes, chemical / hand weeding around the plants to enable rapid establishment.**
- (3) This planning permission shall expire 3 years from the date of this decision notice. Thereafter, unless otherwise agreed in writing with the Planning Authority, within 2 months of the date the site shall be cleared and laid in grass.**

Reason(s):-

- (1) As these drawings and details constitute the approved development.**
- (2) To safeguard the visual amenity of the area.**
- (3) To ensure that the Planning Authority can control the future use of the premises.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01a, 02 and 03.**
- (2) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal in respect of noise legislation which may affect this development.**

e-mail - envhealth@falkirk.gov.uk

- (3) Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.**
- (4) 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.**

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pp Director of Development Services

Date: 13 March 2017

LIST OF BACKGROUND PAPERS

1. Scottish Planning Policy (SPP).
2. Falkirk Council Local Development Plan.
3. Objection received from Mr William Leach, c/o Wesleymount, Church Road, California, Falkirk, FK1 2BD on 11 January 2017.
4. Objection received from Mr Ronald H Oliver, Apartment 3, Elie House, Elie, Leven, KY9 1ER on 22 December 2016.
5. Objection received from Lorna Robertson, on 23 December 2016.
6. Objection received from Miss Heather Young, 4 Torwood Avenue, Grangemouth, FK3 0DN, on 25 September 2016.
7. Objection received from Mr Andrew Holmes, 32 Marshall Drive, Falkirk, FK1 2AB on 26 September 2016.
8. Objection received from Mr Max Ketchin, 34 Church Road, California, Falkirk, FK1 2BD on 15 October 2016.
9. Objection received from Mr Peter Cummings, 105 Blair Avenue, Bo'ness, EH51 0QP on 26 September 2016.
10. Objection received from Mr Anthony Lunn, Dan-Wood Concept Plus Ltd, 1 Wilderhaugh, Galashiels, TD1 1QJ on 28 September 2016.
11. Representation received from Russel + Aitken, FAO Des Coyne, King's Court, High Street, Falkirk, FK1 1PQ, on 4 January 2017.
12. Objection received from Mr Graham Ferguson, Greenhill Cottage, Wesleymount Farm, Church Road, California, Falkirk, FK1 2BD on 27 September 2016.
13. Objection received from Mr Andrew Ferguson, 39 Comyn Drive, Falkirk, FK2 OYR on 26 September 2016.
14. Objection received from Mr Ronald Oliver, Apartment 3, Elie House, Elie, Leven, KY9 1ER on 5 January 2017.

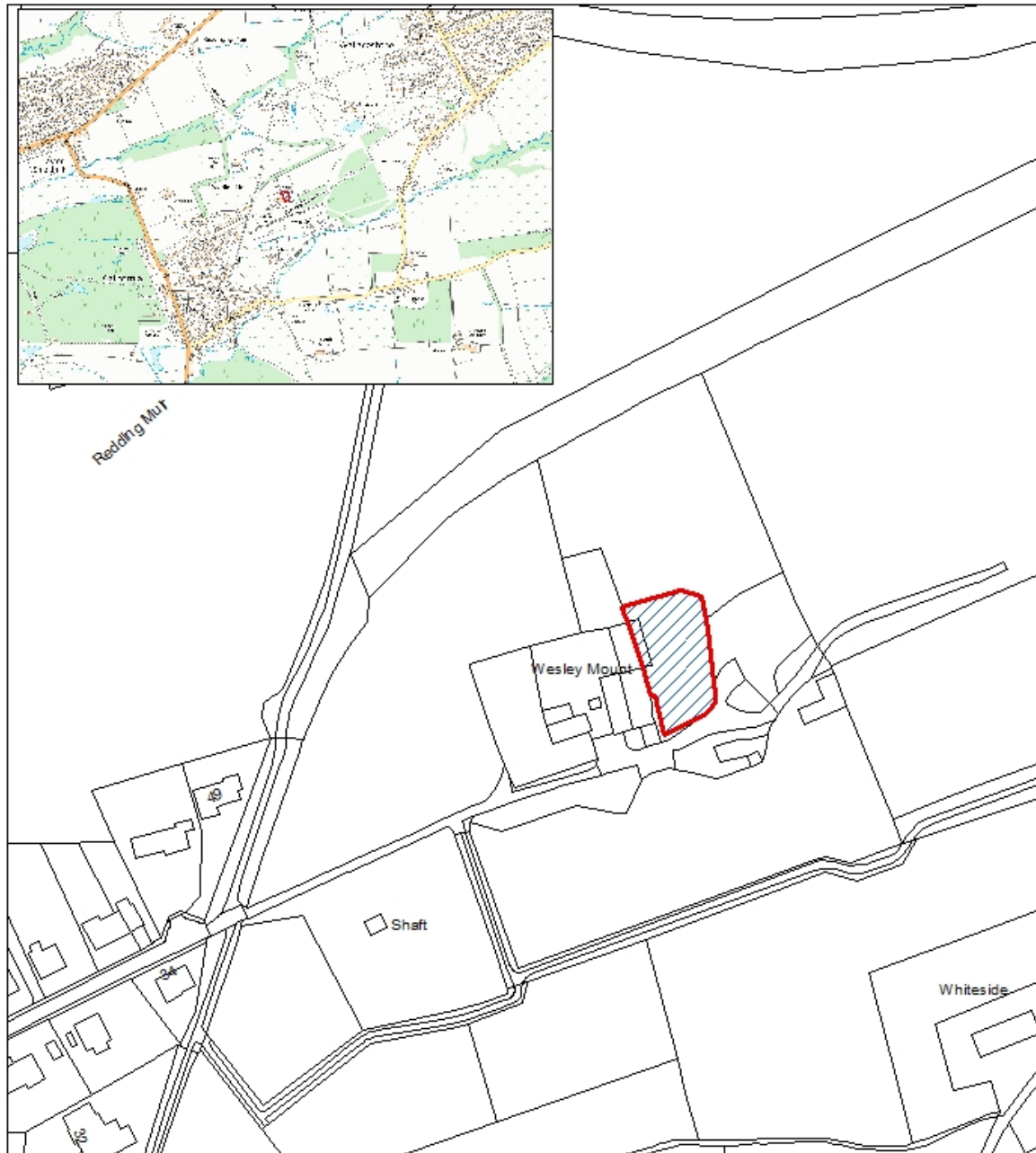
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne, Senior Planning Officer.

Planning Committee

Planning Application Location Plan

P/16/0530/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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