

P131. Removal of planning conditions 9 and 11 and variation of planning condition 12 to remove the wording 'and so that no surface water is discharged or loose material carried out onto the public road' (planning conditions 9, 11 and 12 attached to planning permission in principle reference P/12/0124/PPP) on Land to the South of the Stables, Braeface Road, Banknock for Mr John Penman - P/16/0671/VRC (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 25 January 2017 (Paragraph P117 refer), Committee (a) gave further consideration to a report by the Director of Development Services; and (b) considered an additional report by the said Director seeking removal of conditions 9 and 11 and a variation to condition 12 attached to planning permission in principle P/12/0124/PPP for the development of land for residential purposes on land to the south of the Stables, Braeface Road, Banknock.

Decision

Having regard to the immediately preceding decision on planning application P/16/0660/MS, the Committee agreed that it was minded to grant planning permission subject to (1) agreement of the modification to the Section 75 Planning Obligation sought under planning application P/16/0778/75M; and (2) satisfactory conclusion of the Section 75A application (P/16/0778/75M) registration of the Decision Notice in the Land Register. Thereafter, the application would be remitted to the Director of Development Services for approval 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) The development shall not commence until the precise details of the colour and specification of all proposed external finishing materials and surface materials have been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.**
- (3) The development shall not commence until a scheme of internal soft landscape works has been submitted to and approved in writing by the Planning Authority. The details of the scheme shall include (as appropriate):-**
 - (i) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;**

- (ii) The location of all new trees, shrubs, hedges and grassed areas;
 - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/ density; and
 - (iv) A programme for subsequent maintenance.
- (4) The soft landscape works as indicated on the Landscaping Plan (approved under P/16/0660/MSC) and as approved within the terms of condition 3 above shall be carried out and maintained in accordance with the approved details, and shall be implemented in accordance with a timescale(s) to be approved in writing by the Planning Authority before the development commences.
- (5) A visibility splay measuring 4.5 metres x 54 metres shall be provided and retained in a northerly direction at the junction of the Cloybank Estate access road and Braeface Road, within which there shall be no obstruction to visibility greater than 1 metre above carriageway level.
- (6) A visibility splay measuring 4.5 metres x 48 metres shall be provided and retained in a southerly direction at the junction of the Cloybank Estate access road and Braeface Road, within which there shall be no obstruction to visibility greater than 1 metre above carriageway level.
- (7) The development shall not be occupied until the first 15 metres of the Cloybank Estate access road has been widened, in accordance with precise details to be agreed in writing by the Planning Authority.
- (8) The individual driveways shall be formed so that their gradients do not exceed 1 in 10.
- (9) Resident and visitor parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area (as they existed at the time of grant of P/12/0124/PPP).
- (10) The development shall not commence until detailed design information for the proposed foul and surface water drainage system has been submitted to and approved in writing by the Planning Authority. The information to be submitted for approval shall include the network calculations, the methodology for calculating the infiltration rates and the proposed ownership and maintenance arrangements. Thereafter, the development shall be carried out and maintained in accordance with the approved details.

Reason(s):-

- (1) As these drawings and details constitute the approved development.

- (2-4) To safeguard the visual amenity of the area.**
- (5-7) In the interests of road safety.**
- (8) To ensure the construction is fit for purpose.**
- (9) To ensure that adequate parking is provided.**
- (10) To ensure that adequate drainage is provided.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 and 02. The decision also refers to the plans approved under planning application P/16/0660/MS.**
- (2) 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.**
- (3) 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 - 19:00 Hours

Saturday 08:00 - 13:00 Hours

Sunday/Bank Holidays - No noise audible at the boundary

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

- (4) It is advised that SEPA will be required to review (and likely consent) the applicant's foul water disposal proposals. The applicant should provide confirmation of SEPA consent and details of any conditions for foul water disposal prior to the system being brought into use.**