

The background of the slide features a large, light blue watermark of the Coat of Arms of the City of Edinburgh. The crest includes a crown with four thistles, a shield divided into four quarters (a saltire, a stag's head, a ship, and an eagle), and a motto scroll at the bottom.

Agenda Item 3

Minutes

FALKIRK COUNCIL

**Minute of Meeting of the Planning Committee held in the Municipal Buildings,
Falkirk on Wednesday 13 September 2017 at 9.30 a.m.**

COUNCILLORS:

David Alexander (Convener)
Robert Bissett
Jim Blackwood
Gary Bouse
Joan Coombes
Gordon Hughes
James Kerr
Lynn Munro
Adanna McCue
John McLuckie
Laura Murtagh
Malcolm Nicol

OFFICERS:

Jamie Allan, Network Officer (Traffic Management)
Kevin Collins, Transport Planning Co-ordinator
Ian Dyden, Development Manager
Arlene Fraser, Committee Services Officer
Iain Henderson, Legal Services Manager
Craig Russell, Senior Roads Development Officer
Crawford Sibbald, Environmental Health Officer

P37. Apologies

No apologies were intimated.

P38. Declarations of Interest

No declarations were made.

P39. Minute

Decision

**Minute of Meeting of the Planning Committee held on 16 August 2017
was approved.**

Councillor Coombes joined the meeting prior to consideration of the following item.

P40. The Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/16/032) Order 2016 – Ochiltree Terrace, Camelon

The committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (On-Street Parking Space for Disabled Persons) (No TRO/DB/16/032) Order 2016 – Ochiltree Terrace, Camelon, setting out the consultation that had taken place, the objection received and the officer response thereto.

Decision

The committee agreed to make the Traffic Regulation Order referred to in the report.

Councillor Hughes joined the meeting during consideration of the previous item.

P41. The Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/16/081) Order 2016 – Ochiltree Terrace, Camelon

The committee considered a report by the Director of Development Services seeking a decision on the Falkirk Council (On-Street Parking Space for Disabled Persons) (No TRO/DB/16/081) Order 2016 – Ochiltree Terrace, Camelon, setting out the consultation that had taken place, the three objections received and the officer responses thereto.

Decision

The committee agreed to make the Traffic Regulation Order referred to in the report.

P42. Development of Land for up to 550 Houses and a Commercial Block, and Associated Infrastructure including Access Junction Works, New Roads and Paths, Open Space, Woodland Planting, Surface Water Drainage Ponds and Play Facilities on Land To The North Of Watson Place, Glasgow Road, Longcroft for MacTaggart & Mickel - P/09/0508/OUT (Continued)

With reference to Minutes of Meetings of the Planning Committee held on 23 March 2011, 25 February 2015, 28 October 2015, 24 February 2016, 21 June 2016, 25 January and 27 June 2017 (Paragraphs P215, P122, P78, P139, P26, P115 & P17 refer), committee (a) gave 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 the development of land for up to 550 houses, a commercial block including a convenience store and nursery, and associated infrastructure including access junction works, new roads and paths, open space, woodland planting, surface water drainage ponds and play facilities at land to the north of Watson Place, Glasgow Road, Longcroft.

Decision

The committee agreed:-

- (1) to note that four of the five signatories had signed the Section 75 Planning obligation and that the documentation was now with Falkirk Council;**
- (2) that the Section 75 Planning obligation be signed by Falkirk Council, as the final signatory;**
- (3) that the fully signed Section 75 Planning obligation be submitted for registration in the Registers of Scotland;**
- (4) that following registration, planning permission in principle be granted, and**
- (5) that if any significant difficulties are encountered in the process of registration of the Section 75 Planning obligation, the matter be brought back to committee for consideration.**

P43. Change of Use From Private Garden Ground to Form Business with Six Self Catering Holiday Units at Upper Kinneil House, Kinneil House, Bo'ness Road, Polmont, Falkirk FK2 0QS for GMS (Recordings) Ltd - P/17/0348/FUL

The committee considered a report by the Director of Development Services on an application to change the use of private garden ground within the walled garden of a category B listed building at Kinneil House, Polmont to form a business consisting of the siting of six self-catering holiday units.

Decision

The committee agreed to continue consideration of this item of business to allow an inspection of the site by committee.

P44. Erection of Restaurant, Associated Infrastructure Including Roads, Car Parking And Amenity Spaces, Pedestrian Access And Landscaping at 44 Tryst Road, Stenhousemuir, Larbert, FK5 4QH for Ramoyle Group - P/17/0319/MSC

With reference to Minute of Meeting of the Planning Committee held on 23 November 2016 (paragraph P88 refers), committee considered a report by the Director of Development Services seeking approval of application for Matters Specified in Conditions for the erection of a restaurant/public house, associated infrastructure including roads, car parking and amenity space, pedestrian access and landscaping off Tryst Road/King Street, Stenhousemuir.

Councillor McLuckie, seconded by Councillor Blackwood, moved that committee approve the application for Matters Specified in Conditions with 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.
- (2) For the avoidance of doubt, the proposal shall accord with the Traffic Management and Service Arrangement Plan hereby submitted and approved.
- (3) Any plant or equipment associated with the completed development should be sited and operated in such a manner as to prevent any noise nuisance occurring at nearby dwellings.
- (4) Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive buildings in excess of the equivalent to Noise Rating Curve (N.R.C.) 35 between 07.00 hours and 22.00 hours and N.R.C. 25 at all other times.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To safeguard the interests of the users of the highway.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 1B, 2, 3, 4, 5, 6B and 7.
- (2) The applicant should consult with Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.
- (3) 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.
- (4) It is recommended that the applicant should consult with the Development Services Environmental Protection Unit concerning this proposal in respect of noise and odour legislation which may affect this development.

By way of an amendment, Councillor Murtagh, seconded by Councillor Nicol, moved that committee refuse the application on the grounds that granting the application with the inclusion of a drive-through element would have an adverse impact on parking, access, the amenity of the surrounding area and the surrounding road network contrary to the terms of Policy TC04 – Food and Drink : Criteria 2.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 12 members present with voting as undernoted:-

For the motion (7) – Councillor Alexander, Bissett, Blackwood, Coombes, Kerr, McLuckie and Munro.

For the amendment (5) – Councillors Bouse, Hughes, McCue, Murtagh and Nicol.

Decision

The committee agreed the application for Matters Specified in Conditions with 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.**
- (2) For the avoidance of doubt, the proposal shall accord with the Traffic Management and Service Arrangement Plan hereby submitted and approved.**
- (3) Any plant or equipment associated with the completed development should be sited and operated in such a manner as to prevent any noise nuisance occurring at nearby dwellings.**
- (4) Noise associated with the completed development shall not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive buildings in excess of the equivalent to Noise Rating Curve (N.R.C.) 35 between 07.00 hours and 22.00 hours and N.R.C. 25 at all other times.**

Reason(s):-

- (1) As these drawings and details constitute the approved development.**
- (2) To safeguard the interests of the users of the highway.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 1B, 2, 3, 4, 5, 6B and 7.**
- (2) The applicant should consult with Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.**

- (3) 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.**
- (4) It is recommended that the applicant should consult with the Development Services Environmental Protection Unit concerning this proposal in respect of noise and odour legislation which may affect this development.**