

P97. Alterations and Change of Use of Retail Storage/Office to Form 7 Flatted Dwellinghouses at 88 North Street, Bo'ness EH51 9NF for All In One Property Solutions - P/17/0637/FUL (Continuation)

With reference to Minute of Meeting of the Planning Committee held on 24 January 2018 (Paragraph P77 refers), 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 full planning permission for the alteration and change of use of the former 'Woolworths' building to form 7 flats (comprising a bedsit and one and two bedroom accommodation) within the town centre outstanding conservation area at 88 North Street, Bo'ness.

Councillor Alexander, seconded by Councillor Hughes, moved that Committee agree that it is minded to grant planning permission in accordance with the recommendations within the report.

By way of an amendment, Councillor Munro, seconded by Councillor Kerr, moved that Committee refuse planning permission on the grounds that the development would be contrary to Policy HSG03 'Windfall Housing' of the Falkirk Local Development Plan in that a satisfactory level of residential amenity cannot be achieved and because of an adverse impact on roads, parking and access.

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 (9) - Councillors Alexander, Bissett, Blackwood, Bouse, Coombes, Hughes, McCue, McLuckie and Murtagh.

For the amendment (3) - Provost Buchanan and Councillors Kerr and Munro.

Decision

The Committee agreed that it was Minded to Grant planning permission subject to:-

- (a) notification of the application to Scottish Ministers in relation to the Health and Safety Executive (HSE) objection, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009; and**
- (b) the conclusion of a Legal Agreement within six months of the date of the Minded to Grant decision and index linked from that date for a sum of £6,688.50 (7x £955.50) towards open space, to be spent in the Bo'ness area.**

Thereafter, to remit to the Director of Development Services, to 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 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) No development shall commence on site until a detailed specification of the design of all external windows, in the form of drawings at a scale of 1:10, has been submitted to and approved in writing by the Planning Authority. The drawings should include dimensions, materials and cross sections. Thereafter only the approved details shall be implemented, unless otherwise agreed in writing by the Planning Authority.**

Reasons:-

- (1) As these drawings and details constitute the approved development.**
- (2) To safeguard the visual amenity of the area and character and appearance of the conservation area.**

Informatives:-

- (1) 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.**
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the online reference numbers 01 – 06, 07A, 08A and 09 – 11.**
- (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 site boundary

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