

The background of the slide is a large, light blue watermark of the City of Vancouver's coat of arms. It features a crown at the top with four maple leaves. The shield is divided into four quadrants: top-left shows a city skyline with a diagonal beam of light; top-right shows a stag's head with a cross behind its antlers; bottom-left shows a three-masted sailing ship on wavy water; bottom-right shows an eagle with spread wings perched on a branch. A banner at the bottom contains the motto 'A NE FOR A' in a stylized font.

Agenda Item 3

Minute

FALKIRK COUNCIL

**Minute of Meeting of the Planning Committee held in the Municipal Buildings,
Falkirk on Tuesday 19 June 2018 at 9.30 a.m.**

COUNCILLORS:

David Alexander (Convener)
Robert Bissett
Jim Blackwood
Gary Bouse
Provost William Buchanan
Joan Coombes
Gordon Hughes
Adanna McCue
Lynne Munro
Laura Murtagh

OFFICERS:

Ian Dryden, Development Manager
Jack Frawley, Committee Services Officer
Iain Henderson, Legal Services Manager
Julie Seidel, Planning Officer
Crawford Sibbald, Environmental Health Officer
Russell Steedman, Network Co-ordinator

P35. Apologies

Apologies were intimated on behalf of Councillors Kerr and McLuckie.

Councillors Coombes and Hughes entered the meeting during the following item of business.

P36. Declarations of Interest

Councillor Alexander declared a non-financial interest in agenda item 9 (ref P43) as a member of the Scottish Ambulance Service Board at the time that the decision was taken to dispose of the site. He stated that he considered that he required to recuse himself from consideration of the item with regard to the Objective Test in the Code of Conduct.

Councillor Murtagh entered the meeting during consideration of the following item of business.

P37. Minutes

Decision

- (a) The minute of meeting of the Planning Committee held on 30 May 2018 was approved, and
- (b) The minute of meeting of the Planning Committee On-Site held on 11 June 2018 was approved.

P38. Planning Site Visits and Hearings

The Committee considered a report by the Director of Corporate and Housing Services which invited members to consider and review the practice surrounding site visits and hearings conducted by the Planning Committee. The report proposed options that the Planning Committee may wish to consider should it decide to hold a site inspection or convene a hearing or both prior to determining an application.

Decision

The Committee agreed the:-

- (1) options detailed at paragraph 5.1 of the report, and
- (2) amendments to the current hearing procedure as set out at paragraph 4.9.

P39. Remove Condition 2 of Planning Permission P/09/0771/FUL to Make Temporary Access Permanent at Land North West of Woodside, Glen Road, Torwood for Mr Gillies Guthrie - P/18/0009/VRC - Continuation

With reference to Minutes of Meetings of the Planning Committee held on 30 May 2018 and 11 June 2018 (Paragraphs P27 and P34 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 to remove condition 2 of planning permission P/09/0771/FUL to make temporary access permanent at land north west of Woodside, Glen Road, Torwood.

Decision

The Committee refused planning permission for the following reasons:-

- (1) The deletion of planning condition No. 2 of planning application Ref: P/09/0771/FUL, requiring the vehicular access to be of a temporary period and closed off within 3 months of the cessation of the infilling of the existing quarry, would not be in the best interests of road safety.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02 and Supporting Documents.**

P40. Change of Use of First Floor Ancillary Storage Area (for Public House, Restaurant and Function Suite) to Hotel (Class 7), Extension to Bar and External Alterations at Mango Restaurant, Masonic Arms, 224 Glasgow Road, Longcroft, Bonnybridge FK4 1QP for Mango Restaurant – P/17/0783/FUL – Continuation

With reference to Minutes of Meetings of the Planning Committee held on 20 March, 3 April and 25 April 2018 (Paragraphs P115, P3 and P9 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 planning permission for the change of use of first floor ancillary storage area (for public house, restaurant and function suite) to hotel (class 7), extension to bar and external alterations at Mango Restaurant, Masonic Arms, 224 Glasgow Road, Longcroft, Bonnybridge.

Councillor Bouse, seconded by Councillor McCue, moved to grant the application on the grounds that the number of parking spaces able to be provided are considered adequate, the junction is no worse than others in the area and is not considered to be unacceptable and having regard to the benefits of the proposal for tourism and business development, and such grant of planning permission shall be subject to appropriate conditions as determined by the Director of Development Services including (1) conditions requiring the said Director to be satisfied as to information to be provided by the applicant in relation to accurate survey data at the entrance to the site and information for the car park extension, including proposed levels, construction materials and proposed boundary treatment (including the stability of the existing wall), and (2) a condition requiring the car park to be fully completed prior to the use being activated.

By way of an amendment, Councillor Coombes, seconded by Councillor Munro, moved that Committee refuse the planning permission for the following reasons:-

- (1) The proposed development generates an additional parking requirement of 14 in-curtilage spaces which cannot be adequately provided. The application site is located at a challenging road junction, where increased vehicular movements and demand for on-street parking would have a detrimental impact on road safety and unacceptably impact upon the residential amenity of surrounding residential properties. This is contrary to policies BUS01 'Business and Tourism' and BUS04 'Business Development outwith Designated Business Areas' of the Falkirk Local Development Plan and the National Roads Development Guide (SCOTS 2015).

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A and 03 - 10.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (5) – Councillors Alexander, Bouse, Hughes, McCue and Murtagh.

For the amendment (5) – Provost Buchanan, Councillors Bissett, Blackwood, Coombes and Munro.

There being an equality of votes, Councillor Alexander, exercised his casting vote in favour of the motion.

Decision

The Committee agreed the motion.

P41. Formation of Car Wash and Valet Centre, Including Siting of No. 2 Containers, Erection of Shelter, 2.2 Metre, High Acoustic Fence and 3 Metre High Polycarbonate Screen (Partially Retrospective) at Land to the South East of Tannery Garage, Grangemouth Road, Falkirk for Wash & Valet North Ltd – P/18/0064/FUL - Continuation

With reference to Minutes of Meetings of the Planning Committee held on 25 April, 8 May and 30 May 2018 (Paragraphs P12, P15 and P24 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 planning permission to form a car wash and valet centre on land to the rear of the New Tannery Garage, Falkirk. Access is proposed from the car repair garage on Randyford Road, with exit being taken via the petrol filling station garage forecourt onto Grangemouth Road.

Councillor Murtagh, seconded by Councillor Bouse, moved that Committee refuse planning permission on the grounds that the car wash and valet centre would be incompatible with the established residential character and amenity of the area, contrary to policy HSG06 "Non-Residential Uses in Residential Areas" of the Falkirk Local Development Plan.

By way of an amendment, Councillor Bissett, seconded by Councillor Coombes, moved that Committee grant planning permission, subject to the following conditions and informative(s):-

- (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) The development hereby approved, shall ensure that externally generated noise does not exceed 4dB above the background level when measured at any noise sensitive receptor in accordance with BS4142:2014;
- (3) The site shall not commence operation as a car wash and/or valet centre until the development is completed in accordance with the approved plans, including the erection of the acoustic fence, sound insulation and polycarbonate screen;

Reasons for the conditions above:

1. As these drawings and details constitute the approved development
- 2-3. To ensure that the occupants of adjacent premises are protected against excessive noise intrusion.

Informative(s):-

- (1) 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;
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 07 and Supporting Documents;
- (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 – 19:00 Hours
Saturday	08:00 – 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (5) – Councillors Alexander, Bouse, Hughes, McCue and Murtagh.

For the amendment (5) – Provost Buchanan, Councillor Bissett, Blackwood, Coombes and Munro.

There being an equality of votes, Councillor Alexander, exercised his casting vote in favour of the motion.

Decision

The Committee agreed the motion.

P42. Erection of Dwellinghouse at Land to the West of Rumah, Shieldhill Road, Reddingmuirhead for Mr Ashley Beaumont – P/18/0190/PPP

The Committee considered a report by the Director of Development Services on an application for planning permission for the erection of dwellinghouse at land to the west of Rumah, Shieldhill Road, Reddingmuirhead.

With reference to Standing Order 33, the convener referred to a deputation request received from the applicant to be heard in relation to this item.

Councillor Alexander, seconded by Councillor Murtagh, moved that Committee:-

- (1) Not hear the deputation;
- (2) Hear the Planning Officer regarding an outline of the application;
- (3) Continue consideration of the item to allow an inspection of the site, and
- (4) Hold a hearing session at the next meeting on 15 August 2018.

By way of an amendment, Provost Buchanan, seconded by Councillor Munro, moved that Committee:-

- (1) Not hear the deputation, and

- (2) Continue consideration of the item to allow a combined inspection of the site and a hearing session.

Councillor Bouse gave notice of a further amendment.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (3) – Councillors Alexander, McCue and Murtagh.

For the amendment (7) – Provost Buchanan, Councillors Bissett, Blackwood, Bouse, Coombes, Hughes and Munro.

The amendment was carried and became the substantive motion against which the further amendment was considered.

By way of a further amendment, Councillor Bouse, seconded by Councillor Hughes, moved that Committee:-

- (1) Not hear the deputation;
- (2) Continue consideration of the item to allow a combined inspection of the site and
- (3) Hold a hearing session at the next meeting on 15 August 2018

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the motion (6) – Provost Buchanan, Councillors Alexander, Bissett, Blackwood, McCue and Munro.

For the amendment (4) – Councillors Bouse, Coombes, Hughes and Murtagh.

Decision

The Committee agreed the substantive motion and it was accordingly agreed (1) not to hear the deputation, and (2) continue consideration of the item to allow a combined inspection of the site and a hearing session.

In line with his earlier declaration Councillor Alexander left the meeting prior to consideration of the following item of business.

The Clerk sought nominations to the position of convener for the following item of business. Following general agreement, Provost Buchanan assumed the chair.

P43. Erection of Residential Care Home (Class 8 – Residential Institution) at Falkirk Ambulance Station, Windsor Road, Falkirk, FK1 5EW for Mealmore Ltd – P/18/0100/FUL

The Committee considered a report by the Director of Development Services on an application for planning permission for the erection of residential care home (class 8 – residential institution) at Falkirk Ambulance Station, Windsor Road, Falkirk.

Decision

The committee agreed to continue consideration of this item of business to allow a combined inspection of the site and hearing session by committee.

Councillor Alexander re-joined the meeting following consideration of the previous item of business and resumed the chair.

P44. Extension to Existing Garden Centre Including Coffee Shop, Office, Storage Accommodation and Ancillary Works (Amendment to Planning Permission P/17/0169/FUL) at Klondyke Garden Centre, Burnside Nursery, Polmont, Falkirk, FK2 0XS for Klondyke Group Ltd – P/18/0104/FUL

The Committee considered a report by the Director of Development Services on an application for planning permission for the extension to existing garden centre including coffee shop, office storage accommodation and ancillary works (amendment to planning permission P/17/0169/FUL) at Klondyke Garden Centre, Burnside Nursery, Polmont, Falkirk.

Decision

The Committee agreed that it is minded to Grant Planning Permission subject to:-

- (a) Notification of the application to Scottish Ministers in relation to the SEPA objection, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009; and**
- (b) Thereafter, if the application is not called in by Scottish Ministers, remit the Director of Development Services, to approve the application 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 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. 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 noise sensitive premises. 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.**
- 3. Prior to the commencement of development on site, the surface water and foul drainage arrangements shall be agreed in writing by the Planning Authority. Thereafter development shall commence in accordance with the approved scheme.**
- 4. The development hereby approved shall not be occupied or brought into use until the following documents have been submitted to and approved in writing by the Planning Authority:**
 - i) a copy of the appropriate sustainability label (i.e. at least Bronze Active); and**
 - ii) a Statement of Conformity which confirms that 10%, of the required CO2 emissions reduction is achieved through the installation of low and zero carbon generating technologies.**

Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

- 5. No part of the development shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Planning Authority.**
- 6. Prior to the commencement of development on site, a specification for the electrical vehicle charging points shall be submitted to and agreed in writing with the Planning Authority.**

- 7. For the avoidance of doubt, the hatched footway from the existing A9 pedestrian crossing facility into the site, shall be removed and landscaped in accordance with the approved landscape plan, following completion of the new crossing facility on the A9.**
- 8. Samples of all external materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.**
- 9. No development shall commence on site until a tree protection plan (in accordance with BS5837:2012) has been submitted to and approved in writing by Planning Authority. Thereafter the trees marked for retention, shall be protected by suitable fencing. The fencing shall be retained for the duration of the construction period and no materials, vehicles, plant or machinery shall be placed or stored or any excavations carried out within the fenced off area, unless otherwise agreed in writing.**
- 10. For the avoidance of doubt, development shall proceed in accordance with the recommendations of the Reptile Survey, in relation to further survey work and the timing of vegetation removal.**
- 11. The 6 metre buffer strip shown on the approved site plan (our online reference drawing No. 07), shall be protected by temporary fencing for the duration of construction works on site.**
- 12. Unrestricted Class 1 retailing shall not exceed 15% of the total net sales area.**

Reasons for the conditions above:-

- 1. As these drawings and details constitute the approved development.**
- 2. To ensure that the occupants of adjacent premises are protected against excessive noise intrusion.**
- 3. To ensure that adequate drainage is provided.**
- 4. To ensure the development achieves the required CO2 emission reduction as a result of development.**
- 5. To safeguard the interests of the users of the highway in accordance with the submitted Transport Statement.**

- 6, 7. To safeguard the interests of the users of the highway.**
- 8. To safeguard the visual amenity of the area.**
- 9. To ensure that the existing trees are retained and protected during construction work.**
- 10. To ensure that the development does not adversely impact reptiles.**
- 11. To ensure the Polmont Burn remains undisturbed and protected during construction.**
- 12. To allow a satisfactory range of goods and seasonal variation.**

Informative(s):-

- 1. 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.**
- 2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 -13 and Supporting Documents.**
- 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. If development involves any alterations or excavation in the public road or footway, a Minor Roadworks Consent will be required. Falkirk Council, Roads Services, Roads Depot, Earls Road, Grangemouth (01324 504600) will provide the relevant application form for a Minor Roadworks Consent and advise of conditions relevant to works in a public road**