

P78. Redevelopment of Existing Farm Buildings to Form 6 Dwellinghouses and Erection of 4 Dwellinghouses at Burnhouse Farm, Denny FK6 6QY for Rustic ECO Properties Ltd - P/17/0437/FUL – Continuation

With reference to Minute of Meeting of the Planning Committee held on 12 September 2018 (Paragraph P67 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 redevelopment of existing farm buildings to form 6 dwellinghouses and erection of 4 dwellinghouses at Burnhouse Farm, Denny.

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

The committee agreed not to hear the deputation.

Councillor Blackwood, seconded by Councillor Hughes, moved that the application be refused on the grounds that:-

- (1) the development would have an adverse impact on road safety;
- (2) the road and access would be unsuitable for the traffic generated by the development, and
- (3) there would be non compliance with the National Road Development Guide in that the access road would not be to adoptable standard.

As an amendment, Councillor Alexander, seconded by Councillor Bouse, moved that:-

The committee agrees that is it minded to grant planning permission subject to the satisfactory conclusion of a Section 75 Planning Obligation within 6 months of the minded to grant decision and index linked from that date. The planning obligation being required to secure the payment of an education contribution in the sum of £21,000. Thereafter, 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 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 shall not commence until the exact details of the colour and specification of all proposed external finishing materials and surface finishes have been submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

3. The development shall not commence until the exact details of the location, height, construction and colour of all proposed walls, fences and any other means of enclosure have been submitted to and approved in writing by this Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
4. The development shall not commence until details of a scheme of soft landscaping works have been submitted to and approved in writing by this Planning Authority. 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, hedge and grassed areas;
 - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/ density; and
 - (iv) A programme for completion and subsequent maintenance

Thereafter, the development shall be carried out in accordance with the approved details. No existing vegetation shall be removed prior to approval of the scheme of soft landscape works.

5. The proposed development shall be carried out in accordance with the Construction Phasing and Traffic Statement submitted 5th April 2018 (unless otherwise agreed). The maximum number of units under construction at any one time shall be four (unless otherwise agreed).
6. The applicant shall keep a record of daily construction traffic flow including vehicle type and time of arrival/ departure, which shall be made available to the Planning Authority upon request.
7. The development shall not commence until a scheme for enhancing the biodiversity of the site has been submitted to and approved in writing by this Planning Authority. The scheme shall be informed by the potential enhancement measures set out in the Extended Phase 1 Habitat Survey, and consider opportunities for habitat creation at the SUDS facility. Thereafter the development shall be carried out in accordance with the approved details and a timescale(s) for completion of the approved details.
8. The development shall be carried out in accordance with the Bat Protection Plan and the best practice measures to safeguard otters and badgers detailed in the Extended Phase 1 Habitat Survey.
9. No site preparation works such as demolition, vegetation removal or soil stripping shall be carried out between mid-March and late August unless a pre-construction breeding bird survey has been submitted to and approved in writing by this Planning Authority.

10. An updated protected species survey shall be submitted for the written approval of this Planning Authority if the development does not commence within 12 months of the date of the carrying out of the previous survey(s).
11. The development shall not commence until a Tree Protection Plan has been submitted to and approved in writing by this Planning Authority (unless otherwise agreed). Any necessary temporary protective fencing shall be erected prior to each respective phase of the development commencing, in accordance with the approved details and to the satisfaction of this Planning Authority.
12. Any temporary protective fencing required by condition 11 shall remain in place until all works within the respective development phase have been completed. No tree removal, excavation, level changes, trenching, material storage or machinery access shall take place within the fenced off areas.
13. The development 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 this Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by this Planning Authority.

14. The development shall not commence until an historic building survey has been carried out. Following commencement of the development, the changes made during the construction work shall also be recorded. Copies of the survey shall be lodged with the archives at Callendar House and at the National Monuments Record, in accordance with a timescale to be agreed.
15. The development shall not commence until the exact details of the proposed active open space provision have been submitted to and approved in writing by this Planning Authority. The approved active open space provision shall be fully completed prior to the commencement of phase 2 of the development (unless otherwise agreed).

16. The development shall not commence until the detailed design of the surface water drainage arrangements and measures to control the rate of flow to the 'feature' water channel have been submitted to and approved in writing by this Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
17. The development shall not commence until a contaminated land assessment has been submitted to and approved in writing by this Planning Authority (unless otherwise agreed). The development shall not be occupied until (a) any necessary remedial works to make the ground safe have been carried out in accordance with an approved remediation strategy and (b) any necessary remediation completion report/ validation certificate has been submitted to and approved in writing by this Planning Authority.
18. The final details and the timing of implementation of the proposed access improvement works shall be subject to the written approval of this Planning Authority before the development commences. The existing access (i.e. from its junction with the C67 to the point of the new section of road) shall be upgraded in accordance with the approved details before the development commences.
19. Following completion of the works to the existing access approved under condition 18, and prior to the development commencing, a roads conditions survey shall be carried out, in consultation with the Planning Authority.
20. Within 2 months of completion of each phase of the proposed development (or at any other time determined by the Planning Authority), any remedial works considered necessary by this Planning Authority at the end of each phase, to return the private access road to the condition as recorded in the pre-development roads conditions survey, shall be fully completed to the satisfaction of this Planning Authority.
21. The development shall not be occupied until the proposed maintenance arrangements for the common ownership areas and infrastructure to serve the proposed development have been submitted to and approved in writing by this Planning Authority. Thereafter the development and infrastructure shall be maintained in accordance with the approved details.

Reasons for the conditions above:-

1. As these drawings and details constitute the approved development.
- 2- 4. To safeguard the visual amenity of the area.
5. To ensure an appropriate phasing of development and scale of construction appropriate to the area.

6. To ensure monitoring of compliance with the submitted Construction Phasing and Traffic Statement.
7. To promote biodiversity.
- 8, 10. To safeguard the interests of protected species.
9. To safeguard the interests of breeding birds.
- 11-12. To safeguard the visual amenity of the area.
13. To ensure the development achieves the required CO2 emission reduction as a result of development.
14. To record the historic and architectural interest of the buildings to be converted.
15. To ensure the development includes appropriate provision of active open space.
16. To ensure the provision of adequate and appropriate surface water drainage and flood mitigation measures.
17. To ensure the ground is suitable for the proposed development.
- 18-20. To safeguard the interests of the users of the private access road.
21. To ensure that appropriate maintenance arrangements are put in place.

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, 03E, 04A, 05, 06, 07, 08, 09, 10, 11, 12, 13A, 14, 15, 16, 17A, 18A, 19A, 20, 21, 22B, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34A.
2. 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.
3. The proposals to install advance warning signs and junction marker bollards on the C67 would require the approval of the Roads Authority.
4. The applicant is advised to ensure that noisy works that are audible at the site boundary are only conducted within the following hours:-

Monday to Friday	0800 to 1900 hours
Saturday	0800 to 1300 hours
Sunday/Bank Holidays	No noise audible at the site boundary
5. It is advised that the residents of the proposed development may, from time to time, be exposed to noise or dust emanating from Northfield Quarry, which lies to the north of the site.
6. SEPA have advised that the size of the proposed foul treatment plant will require an application to SEPA for a discharge licence.
7. SEPA have advised that minor bridges across a watercourse, with no construction on the beds or banks, are covered by General Binding

Rule 6 of the Water Environment (Controlled Activities) (Scotland) Regulations (CAR).

8. SEPA have advised that they should be contacted at any early stage, as there may be requirement for a CAR licence for the construction works and abstraction of flows from the main watercourse channel.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 9 members present with voting as undernoted:-

For the Motion (4) –Councillors Bissett, Blackwood, Coombes and Hughes.

For the Amendment (5) – Provost Buchanan and Councillors Alexander, Bouse, Munro and Murtagh.

Decision

The committee agreed the amendment.