

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant depicts a stag's head with large antlers. The bottom-left quadrant contains a beaver. The bottom-right quadrant shows a grizzly bear standing on its hind legs. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

# **Agenda Item 4**

## **Minute**

Draft

**FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held remotely on Thursday 21 January 2021 at 10.00 a.m.**

**COUNCILLORS:** David Alexander (Convener)  
Provost W Buchanan (Depute Convener)  
Robert Bissett  
Jim Blackwood  
Gary Bouse  
Joan Coombes  
Gordon Hughes  
James Kerr  
Adanna McCue  
John McLuckie  
Laura Murtagh  
Malcolm Nicol

**OFFICERS:** Donald Campbell - Development Manager  
Karen Chambers - Committee Services Officer  
John Cooney - Assistant Planning Officer  
Jack Frawley - Team Leader – Committee Services  
Iain Henderson - Legal Services Manager  
Kevin Brown - Planning Officer  
Julie Seidel - Planning Officer  
Russell Steedman - Network Co-Ordinator  
Brent Vivian - Senior Planning Officer  
Bernard Whittle - Acting Development & Building Standards Manager

**P50. Apologies**

Apologies were received from Councillor Murtagh though she joined the meeting after item 1.

**P51. Declarations of Interest**

Councillor Blackwood declared an interest in item 5 as he has received correspondence from and been involved in discussions with constituents in relation to the section 75 planning obligation for the previous planning application for 6 dwellinghouses. Having regard to the objective test in the Councillors' Code of Conduct, he considered that he required to recuse himself from discussion and voting on the item.

**P52. Minute**

**Minute of Meeting of the Planning Committee held on 18 November 2020 was approved.**

**P53. Erection of 3 Dwellinghouses and Road at Land to the East of Maple Lodge, Braeface Road, Banknock, Bonnybridge for Mr John Penman - P/19/0649/PPP – Continuation**

The committee considered a report by the Acting Director of Development Services on an application for the erection of 3 dwellinghouses and road at land to the East of Maple Lodge, Braeface Road, Banknock, Bonnybridge for Mr John Penman.

With reference to Standing Order 33.5 the convener referred to a deputation request received from the applicant, Mr Penman, to be heard in relation to this item.

The committee agreed to hear the deputation.

**Decision**

**The committee agreed to continue consideration of the application to the March 2021 meeting of the Committee or sooner if possible in order to allow officers to review information received from the applicant in December 2020, to have further discussions with the applicant and to report back with further information.**

**P54. Erection of 24 Flatted Dwellings, 6 Dwellinghouses and Associated Infrastructure at 6 Commissioner Street, Bo'ness, EH51 9AF for MGR Holdings Ltd - P/20/0191/FUL**

The committee considered a report by the Acting Director of Development Services on an application for the erection of 24 flatted dwellings, 6 dwellinghouses and associated infrastructure at 6 Commissioner Street, Bo'ness, EH51 9AF for MGR Holdings Ltd.

**Decision**

**The committee granted Planning Permission subject to:-**

- (a) notification of the application to Scottish Ministers in relation to the HSE objection, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009;**

- (b) conclusion of a Legal Agreement in terms satisfactory to the Director of Development Services within 6 months of the date of a Mindful to Grant decision and index linked from that date, as follows:**
- **Contributions of £5,292 (£882 per dwellinghouse) for improvements to Victoria Park, Bo'ness; and**
  - **The provision of a minimum of 15% of affordable housing (social rented accommodation to be accommodated on site)**
- (c) thereafter, remit to the Director of Development Services, to grant 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) (i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**
- (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority;**
- (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority**

**immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue;**

- (3) No development shall commence on site until a material schedule, of all external materials, has been submitted to and approved in writing by the Planning Authority. Thereafter, only the approved materials shall be used, unless otherwise agreed in writing;**
- (4) No development shall commence on site 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**
  - (ii) a Statement of Conformity which confirms that 12%, 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.**

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.**
- (2) To ensure the ground is suitable for the approved development.**
- (3) To safeguard the visual amenity of the area.**
- (4) To ensure the development achieves the required CO2 emission reduction as a result of development.**

**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, 02B, 03B, 04B, 05A and Supporting Documents.**

- (3) It is recommended that water resilient materials should be incorporated into the design of the flatted dwellings.**
- (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**

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

**P55. Erection of Dwellinghouse at Land to the West of Rumah, Shieldhill Road, Reddingmuirhead for Mr Ashley Beaumont - P/20/0279/FUL**

The committee considered a report by the Acting Director of Development Services on an application for the erection of dwellinghouses at land to the West of Rumah, Shieldhill Road, Reddinghead of Mr Ashley Beaumont.

**Decision**

**The committee granted planning permission 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) (i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority;**
  - (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made**

**suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority;**

- (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority;**
  - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue;**
- (3) 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 12%, 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.**

- (4) Notwithstanding the details on the approved plans, and prior to the commencement of development, full details of all external finishing 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;**
- (5) Development shall not begin until details of the scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):**

- (i) 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) location of new trees, shrubs, hedges and grassed areas;
- (iii) schedule of plants to comprise species, plant sizes and proposed numbers/density;
- (iv) programme for completion and subsequent maintenance.

**Reason(s):-**

- (1) As these drawings and details constitute the approved development.
- (2) To ensure the ground is suitable for the proposed development.
- (3) To ensure the development achieves the required CO2 emission reduction as a result of development.

**(4-5) To safeguard the visual amenity of the area.**

**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 03;
- (2) 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;
- (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**

- (4) Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Protection Unit;



- (5) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority).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.

**P56. Part-Demolition, Extension and Conversion of Church (Class,10 ) to Form 15 Flatted Dwellings with Associated Infrastructure at Erskine Church, Hodge Street, Falkirk, FK1 1BL for Erskine Community Halls Ltd - P/20/0364/FUL**

The committee considered a report by the Acting Director of Development Services on an application for the part-demolition, extension and conversion of church (class 10) to form 15 flatted dwellings with associated infrastructure at Erskine Church, Hodge Street, Falkirk, FK1 1BL for Erskine Community Halls Ltd.

**Decision**

**The Committee granted planning permission 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. 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.
3. The access and parking arrangements shown on the approved plan (our online reference No. 19) shall be completed and available for use, prior to the occupation of any of the flatted dwellings hereby approved.
4. Prior to the commencement of development on site the applicant shall submit information on the proposed future location/use of stained glass and the church organ.

**Reason(s):-**

1. As these drawings and details constitute the approved development.
2. To protect the character and appearance of the listed building.
3. To ensure that adequate car parking is provided.
4. To ensure that church features are reused / retained on or off site.

**P57. Part-Demolition, Extension and Conversion of Church to Form 15 Flatted Dwellings with Associated Infrastructure at Erskine Church, Hodge Street, Falkirk, FK1 1BL for Erskine Community Halls Ltd - P/20/0361/LBC**

The committee considered a report by the Acting Director of Development Services on an application for the part-demolition, extension and conversion of church to form 15 flatted dwellings with associated infrastructure at Erskine Church, Hodge Street, Falkirk, FK1 1BL for Erskine Community Halls Ltd.

**Decision**

**The Committee granted Listed Building Consent subject to the following condition(s):-**

1. The works hereby consented shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this consent.
2. 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.
3. Prior to the commencement of development on site the applicant shall submit information on the proposed future location/use of stained glass and the church organ.

**Reason(s):-**

1. As these drawings and details constitute the consented works.
2. To protect the character and appearance of the listed building.
3. To ensure that church features are reused / retained on or off site.

**Informative(s):-**

- 1. In accordance with section 16(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, this consent lapses on the expiration of a period of 3 years beginning with the date on which this consent is granted unless the development to which this consent 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) 01A, 02 - 22 and Supporting Documents.**

**P58. Erection of Outbuilding (Retrospective) at 13 Souillac Drive, Denny, FK6 5HE for Jamie Callaghan - P/20/0518/FUL**

The committee considered a report by the Acting Director of Development Services on an application for the erection of outbuildings (retrospective) at 13 Souillac Drive, Denny, FK6 5HE for Jamie Callaghan.

**Decision**

**The committee refused planning permission for the following reason(s):-**

- 1. The size, scale, design and position of the proposal fails to be sympathetic to the existing house, and is harmful to the character of the surrounding area. The proposal is contrary to the terms of Policy HC08 'Residential Extensions and Alterations' of the Local Development Plan.**

**Informative(s):-**

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