

FALKIRK COUNCIL

Subject: EXTENSION TO SOCIAL CLUB, BO'NESS CHEMICAL WORKERS
SOCIAL CLUB, 69 LINLITHGOW ROAD, BO'NESS EH51 0DS FOR
BO'NESS CHEMICAL WORKERS SOCIAL CLUB – P/08/0278/FUL
Meeting: PLANNING COMMITTEE
Date: 22 April 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor John Constable
Councillor Harry Constable
Councillor Adrian Mahoney

Community Council: Bo'ness

Case Officer: Kevin Brown (Planning Officer), ext. 4701

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall this application was originally considered at the meeting of the Planning Committee on 25 March 2009 (copy of previous report appended), when it was agreed to continue the application and to undertake a site visit. This site visit took place on 6 April 2009.
2. At the site meeting, the applicants were heard in support of the proposal and responded to the recommended refusal reason by stating that a shortfall of 10 parking spaces is not a significant shortfall in present day circumstances. It was also pointed out that on-street parking and parking adjacent to local shops would be possible within close proximity of the application site.
3. Concerns were raised by objectors in relation to noise and anti-social behaviour issues associated with the existing operations at the site and the potential for these issues to increase in intensity as a result of the development. The agent acting on behalf of the applicant pointed out that the proposed extension would be constructed in materials designed to reduce noise levels. The Environmental Protection Unit has assessed these proposals and are happy with the noise reduction measures proposed. Councillor Nicol advised that concerns in relation to anti-social behaviour issues may be better dealt with through the licensing process as opposed to the planning process.

4. A number of concerns were raised by both the objector and Members of the Committee in relation to road safety and parking issues. The Roads Development Unit confirmed once more that the proposed parking numbers represented a shortfall of 10 spaces and that they were not in favour of a vehicular access out onto Linlithgow Road. The applicant has since confirmed that they would be happy to delete the proposed Linlithgow Road access. However, it is considered that this would in turn exacerbate problems with turning provision within the proposed car park areas which, as the Roads Development Unit has already stated, does not comply with current guidelines.

5. RECOMMENDATION

- 5.1 It is therefore recommended that Committee refuse detailed planning permission for the following reason:

- (1) It is considered that the proposed development is contrary to Policy BNS 15 'Business/Industrial Development Outwith Allocated Areas' of the Bo'ness Local Plan and Policy EP4 'Business and Industrial Development within the Urban and Village Limits' of the Falkirk Council Local Plan Finalised Draft (Deposit Version) as the car park would result in a shortfall of 10 vehicular spaces resulting in the exacerbation of on street parking and the proposed access onto Linlithgow Road would not be in the best interests of road safety.

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For Director of Development Services

Date: 15 April 2009

FALKIRK COUNCIL

Subject: EXTENSION TO SOCIAL CLUB, BO'NESS CHEMICAL WORKERS
SOCIAL CLUB, 69 LINLITHGOW ROAD, BO'NESS EH51 0DS FOR
BO'NESS CHEMICAL WORKERS SOCIAL CLUB – P/08/0278/FUL
Meeting: PLANNING COMMITTEE
Date: 25 March 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor John Constable
Councillor Harry Constable
Councillor Adrian Mahoney

Community Council: Bo'ness

Case Officer: Kevin Brown (Planning Officer), ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application proposes a single storey extension to an existing social club to provide a function suite, cellar, kitchen and toilet facilities. The application involves the creation of a car park to be accessed off Baker Street and Linlithgow Road. The submitted scheme indicates 16 vehicular parking spaces to be provided.
- 1.2 The existing Social Club is located at the corner of Baker Street and Linlithgow Road, Bo'ness. There is no off-street parking provision currently on site. Residential properties are located to the west, north and east of the site. Bo'ness United Football Stadium is located to the south.

2. REASON FOR CONSIDERATION BY COMMITTEE

- 2.1 This planning application has been called in by Councillor Angus MacDonald.

3. SITE HISTORY

- 3.1 F/96/0740 – Demolition of Cottage and Extension to Social Club (Detailed) – Granted 25 October 1997.
- 3.2 O6/0479/FUL – Alterations to Existing Outbuilding to Form Smoking Shelter – Granted on 13 June 2006.

4. CONSULTATIONS

- 4.1 The Environmental Health Unit have raised no objections to the proposal and are satisfied that the information provided by the applicant with regard to minimizing noise is adequate. The Unit advise that there is a spoil heap in close proximity to the application site and as such a site investigation for contamination is required.
- 4.2 The Roads and Development Unit advise that, as there is no parking to serve the existing social club, parking is required to serve the proposed extension only. On this basis a minimum of 26 parking spaces are required. Sixteen parking spaces are indicated on the submitted site plan with access being taken from Baker Street and Linlithgow Road. The Unit do not favour access via Linlithgow Road, a busy distributor road with a number of accesses and junctions in close proximity. An additional vehicular access at this point would not be in the interests of road safety. The proposal therefore results in a shortfall of 10 vehicular parking spaces and the access arrangements are unacceptable.

5. COMMUNITY COUNCIL

- 5.1 Bo'ness Community Council has not made any representation.

6. PUBLIC REPRESENTATION

- 6.1 Following neighbour notification procedures one letter of objection was received from an adjacent residential property. The issues raised are follows:
- Existing antisocial behaviour and noise problems with existing Social Club, which has worsened over the last 9 months. The application will make the existing problems worse;
 - House repainted, new front door and new boundary wall as a result of incidents related to the Social Club;
 - Proposed extension 80/90 feet closer to dwelling;
 - Smokers do not use the smoking shelter and stand at the front of the Club smoking, causing a road hazard; and
 - The proposed development would reduce the value of properties within the area.

7. DETAILED APPRAISAL

When determining planning applications, the status of the Development Plan is emphasised in Section 25 of the Town and Country Planning (Scotland) Act 1997. This requires that:

“the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

7a.1 There are no policies in the Structure Plan which are relevant to this particular proposal.

Bo'ness Local Plan

7a.2 Policy BNS 15 'Business/Industrial Development Outwith Allocated Areas' states:

"Proposals for business and industrial development within the urban area but outwith the areas specified for such use in the Local Plan, including extensions or alterations to existing premises, will only be considered favourably where it can be demonstrated that:

- (i) the nature and scale of the activity is compatible with the character of the surrounding area; and*
- (ii) there will be no adverse effect on local amenity including considerations of visual intrusion, noise, disturbance, traffic generation and environmental pollution.*

Proposals for extensions or alterations to existing premises will also be assessed in relation to the above criteria."

7a.3 The nature and scale of the proposed Social Club extension is compatible with the character of the surrounding area. Whilst the wider area is predominantly residential it is also characterised by other uses of a similar and larger scale to the proposal which include the Co-op food store, a petrol filling station, Bo'ness United football stadium, the Newtown Public House, the Richmond Park Hotel and other smaller retail units within the locality. The proposal is designed to harmonise with the existing Social Club building and, as a result, it would not have any adverse impact on the visual amenity of the area. The Environmental Protection Unit has advised that noise is not an issue in the assessment of this application and the Roads Development Unit has identified that the proposal would result in a shortfall of 10 vehicular parking spaces. It is considered that the proposed development would result in an increase in traffic generation at the application site and a significant increase in on street parking could occur as a result. The proposal is therefore considered to be contrary to the terms of this policy also and therefore the Development Plan.

7b Material Considerations

7b.1 Material considerations to be assessed in respect of this proposal are the Falkirk Council Local Plan Finalised Draft (Deposit Version), the consultation responses and grounds of representation.

Falkirk Council Local Plan Finalised Draft (Deposit Version)

7b.2 Policy EP4 ‘Business and Industrial Development within the Urban and Village Limits’ states:

- “(1) New business and industrial development, or extensions to such uses, will be supported within the business areas highlighted in Policy EP2 and EP3(1), where it accords with the use specified for the area, is compatible with the established level of amenity in the business area, and protected habitats and species are safeguarded in accordance with Policy EQ24. Office development will also be supported within the Town and District Centres, providing it is also consistent with the specific policies for the relevant centre, particularly with regard to the safeguarding of the centre’s retail function.*
- (2) Outwith these areas, proposals within the Urban Limit will only be permitted where the nature and scale of the activity will be compatible with the surrounding area, there will be no adverse impact on neighbouring uses or residential amenity, and the proposal is satisfactory in terms of access, parking and traffic generation.”*

7b.3 It is considered the above policy reinforces policy BNS 15 ‘Business/Industrial Development Outwith Allocated Areas’ of the adopted Bo’ness Local Plan. It is considered that the proposed development would result in a shortfall of 10 vehicular parking spaces and would result in an increase in on street parking thus having a detrimental impact on the residential amenity of the area. The proposal is not located in a business area and is unsatisfactory in terms of access and parking and as such the application fails to accord with the terms of the above policy.

Consultation Responses / Third Party Representation

7b.4 The proposed parking arrangement results in a shortfall of 10 vehicular spaces. However, it should be noted that the existing club currently has no in curtilage parking provision and the proposed extension represents an approximate doubling of the existing floorspace. Access is to be taken from Linlithgow Road and Baker Street. An additional vehicular access onto Linlithgow Road would not be in the best interests of road safety.

7b.5 A site investigation for contamination is required.

7b.6 The Environmental Protection Unit have no objections to the proposals on the grounds of noise generation. Anti-social behaviour issues are not a material planning consideration.

7b.7 It is accepted that the proposed extension would be closer to some of the adjacent residential properties than the existing building, however, no privacy issues would occur as a result of this development.

7b.8 The comments in relation to smokers outside the Social Club are noted, however they are not considered relevant to the assessment of this application.

7b.9 The effect on property values within the area is not a material planning consideration.

7c Conclusion

- 7c.1 This application, seeking detailed planning permission for the extension at Bo'ness Chemical Workers Social Club, has been assessed against the Development Plan and does not accord with its policies. The proposal is unsatisfactory in terms of parking and access and fails to accord with the Emerging Local Plan.
- 7c.2 The application is, therefore, recommended for refusal.
- 7c.3 If Members of the Committee are of a mind to support this planning application, this would represent a departure from the Development Plan. However, given that the impacts of this proposal would be confined to the locality around the application site, this is not considered to be a significant departure and therefore there would be no requirement to refer this planning application to Scottish Ministers.

8. RECOMMENDATION

- 8.1 It is therefore recommended that Committee refuse detailed planning permission for the following reason:
- (1) It is considered that the proposed development is contrary to Policy BNS 15 'Business/Industrial Development Outwith Allocated Areas' of the Bo'ness Local Plan and Policy EP4 'Business and Industrial Development within the Urban and Village Limits' of the Falkirk Council Local Plan Finalised Draft (Deposit Version) as the car park would result in a shortfall of 10 vehicular spaces resulting in the exacerbation of on street parking and the proposed access onto Linlithgow Road would not be in the best interests of road safety.



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For Director of Development Services

Date: 17 March 2009

LIST OF BACKGROUND PAPERS

1. Bo'ness Local Plan
2. Falkirk Council Local Plan Finalised Draft (Deposit Version)
3. Letter of representation received from Mr and Mrs Miller, Craiglea, 65 Linlithgow Road, Bo'ness, EH51 0DR.

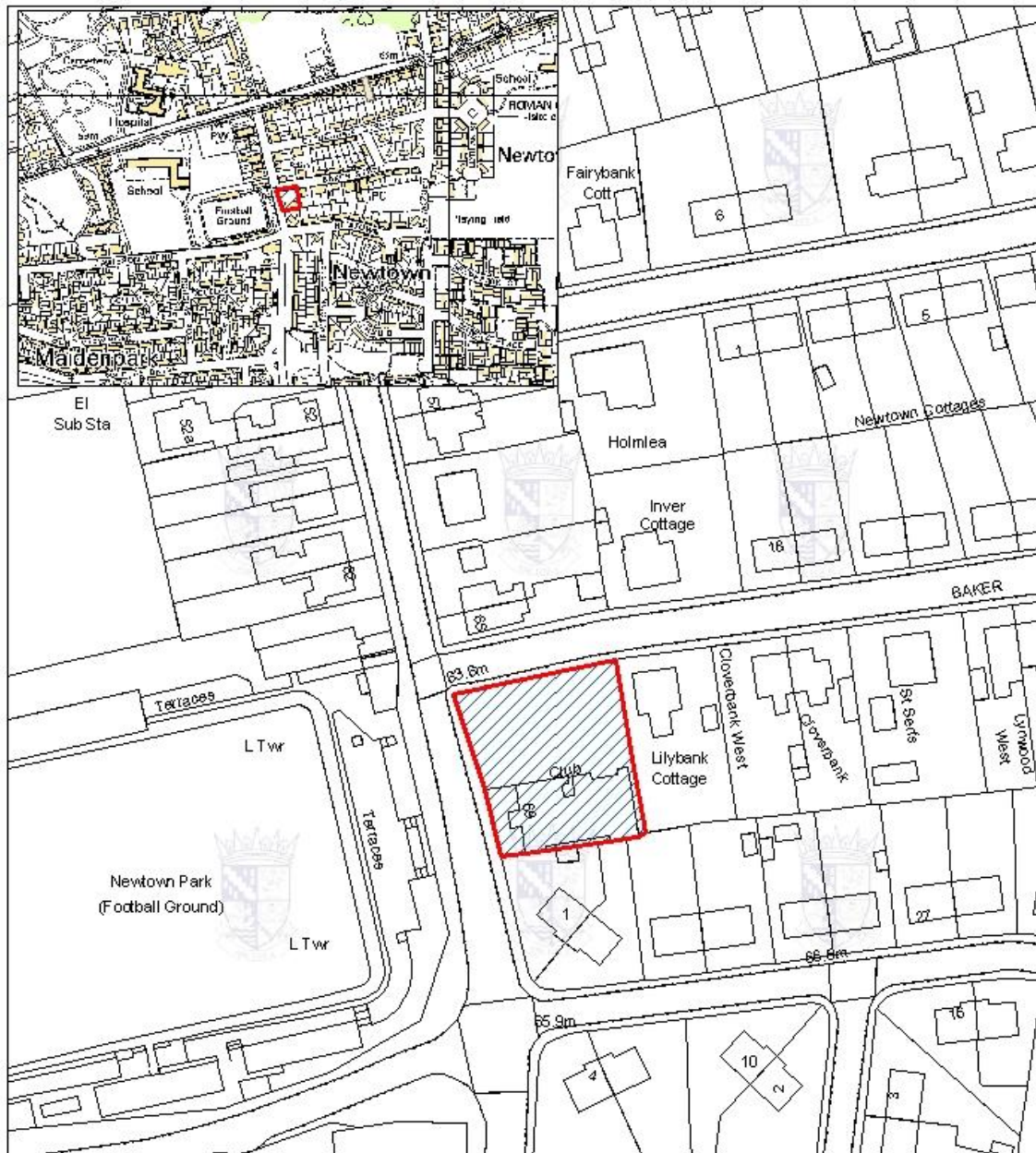
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown (Planning Officer).

Planning Committee

Planning Application Location Plan

P/08/0278/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



Falkirk Council

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