

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on TUESDAY 12 JANUARY 2010 commencing at 9.30 a.m.

PRESENT: Councillors Buchanan, Lemetti, A MacDonald, McLuckie, Nicol and Thomson.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors Constable, Mahoney, McNeill and Oliver.

ATTENDING: Development Manager; Senior Planning Officer (B Vivian) (for applications P/08/0804/FUL and P/09/0128/FUL); Planning Officer (S McClure) (for application P/09/0214/FUL); Assistant Planning Officer (K Hope) (for application P/09/0356/FUL); Roads Development Officer (B Raeburn); Solicitor (K Quin); and Committee Officer (A Sobieraj).

DECLARATIONS OF INTEREST: None.

P151. CHANGE OF USE OF FORMER AGRICULTURAL LAND/BUILDINGS TO STABLES LIVERY AND RIDING SCHOOL, SITING OF TEMPORARY STAFF OFFICE AND TOILET ACCOMMODATION (RETROSPECTIVE), ERECTION OF TEMPORARY MANAGER'S LIVING ACCOMMODATION AND FORMATION OF NEW VEHICULAR ACCESS AT RIVERSIDE FARM, DENNY FK6 5JF FOR MR AND MRS S RAE - P/08/0804/FUL (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 17 June and 2 December 2009 (Paragraphs P44 and P136 refer), Committee gave further consideration to Report (circulated) dated 10 June 2009 by the Director of Development Services and an additional Report (circulated) dated 25 November 2009 by the said Director on an application for detailed planning permission for the change of use, in retrospect, of former agricultural land and buildings to a stables, livery and riding school, siting of a temporary staff office and toilet accommodation and for the erection of temporary manager's living accommodation at Riverside Farm, Denny. The initial proposals now incorporated the formation of a new vehicular access to the Farm.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Smith, the applicants' agent, was heard in support of the application.

Mrs Kirkwood, an objector, was heard in relation to the application.

Mr Buchanan, an objector, was heard in relation to the application.

Ms Mitchell, an objector, was heard in relation to the application.

Ms Steele, an objector, was heard in relation to the application.

Ms Stephenson, an objector, and on behalf of Mr and Mrs Stephenson, was heard in relation to the application.

The objectors highlighted the following issues:-

- The retrospective nature of the application and the disregard of Planning rules;
- The development not being in keeping with the area, tourism potential or the Council's tourism activity;
- The noise, increased traffic and activity, the problem of parking and the effect on cyclists, walkers and other road users;
- The manager's accommodation as a 24 hour daily presence and small operation;
- The setting of a precedent for further log style cabins and obstruction of views of the River Carron;
- The impact on flora, fauna, wildlife, landscape, natural amenity and character of the area as an area free from urban development in the Carron area;
- That the development was within the Carron Glen SSSI;
- The obscuring of the Pictish settlement visible from the road;
- The effect on site hydrology and ground water drainage;
- The noise, dust, dirt, lights (including being on overnight), fumes and vibration nuisance; and pollution;
- The early morning and late night vehicular and other activity;
- The privacy, security and amenity of the neighbouring property and garden and associated noise;
- The unsightly portacabins close to the roadside;
- The road safety issues including passing place narrowness, poor visibility and unsuitability for increased traffic on the B818, narrow width and poor visibility;
- The issues relating to the site boundary drawings and land use;
- The widening of the access to the site and the extension of the site in all direction;
- The number of businesses operating from the site;
- The existing provision for stabling, livery, equestrianism facilities in the Denny area;
- The aggregate from near the River Carron and industrial dumping on the site;
- The increase in activity and disturbance from events;
- The use of the property for motorcross and quad biking at late night;
- The wellbeing of the horses;
- The location of the Plant Hire business;
- The removal of the dry stone dyke;
- The size of the site for equestrian business;
- The development of the business since lodged objections;
- The contaminated land assessment and its parameters;
- The consultation on the overflow car park;

- The safety and related issues associated with the proposed new access; and
- The fuel dependency and lack of sustainability.

Questions were then asked by Members of the Committee.

Councillor Oliver, as local Member for the area, was heard in relation to the application.

Councillor Waddell, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 January 2010.

P152. CHANGE OF USE FROM AGRICULTURAL LAND TO FORM FLOODLIT SCHOOLING AREA (RETROSPECTIVE), AT RIVERSIDE FARM, DENNY FK6 5JF FOR MR AND MRS RAE - P/09/0128/FUL (CONTINUATION)

With reference to Minutes of Meetings of the Planning Committee held on 17 June and 2 December 2009 (Paragraphs P45 and P137 refer), Committee gave further consideration to Report (circulated) dated 10 June 2009 by the Director of Development Services and an additional Report (circulated) dated 25 November 2009 by the said Director on an application for detailed planning permission for the change of use, in retrospect, of agricultural land to form a floodlit outdoor schooling arena at Riverside Farm, Denny.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Smith, the applicants' agent, was heard in support of the application.

Mr Kirkwood, an objector, was heard in relation to the application.

Mr Belbin, on behalf of Denny and District Community Council, an objector, was heard in relation to the application.

Mr Buchanan, an objector, was heard in relation to the application.

Ms Mitchell, an objector, was heard in relation to the application.

Ms Stephenson, an objector and on behalf of Mr and Mrs Stephenson, was heard in relation to the application.

The objectors highlighted the following issues:-

- The impact on the amenity, character and wildlife including bats and owls;
- That Planning rules were disregarded as the outdoor riding arena was constructed prior to application;
- The impact on the amenity, character and wildlife including bats and owls;
- The loss of agricultural land;
- The noise, increased traffic and activity associated with the riding school;

- The showcase events and announcement system increasing activity and disturbance;
- The light pollution and noise from the light generator (for floodlighting);
- The narrowness of the B818 and passing places, poor visibility and unsuitability for increased traffic;
- The increase in cars, trailers and horse transporting vehicles using the B818;
- The close proximity of the neighbouring farm's fields to the schooling area and the effect on the field's use;
- The safety risk from noise for the neighbouring farm's cattle from shouting, equipment and lorries, and the effect on cattle handling, calf birthing and the field/land use by the neighbouring farm;
- The loss of enjoyment, views, peace and amenity by elderly residents of the neighbouring property from noise, light pollution and reduced privacy;
- The light pollution across the Valley, homes and the neighbouring property; and
- The impact on the River Carron and neighbouring SSSI.

Questions were then asked by Members of the Committee.

Councillor Waddell, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 January 2010.

P153. EXTENSION TO HOT FOOD TAKEAWAY AT THE WILLOW, GLEBE STREET, DENNY FK6 6AA FOR MR S M LI – P/09/0356/FUL

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P144 refers), there was submitted Report (circulated) dated 25 November 2009 by the Director of Development Services on an application for detailed planning permission for an extension to the front and rear of the existing property, operating as a hot food takeaway, and the replacement of a flat roof with a pitched roof at the Willow, Glebe Street, Denny.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr White, the applicant's agent, was heard in support of the application.

The applicant was heard in support of the application.

Questions were then asked by Members of the Committee.

Councillor McNally, as local Member for the area, was heard in relation to the application.

Councillor Waddell, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 January 2010.

P154. MIXED USE DEVELOPMENT COMPRISING CHANGE OF USE OF SHOP/STORE TO HOT FOOD TAKEAWAY, AND EXTENSION TO REAR OVER TWO FLOORS TO PROVIDE TWO MAISONETTE FLATS AT 234 GRAHAMS ROAD, FALKIRK FK2 7BH FOR MR J AKTHAR - P/09/0214/FUL

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P142 refers), there was submitted Report (circulated) dated 25 November 2009 by the Director of Development Services on an application for detailed planning permission for a mixed use development comprising a change of use of a shop/store to a hot food takeaway, and an extension to the rear, over two floors, to provide two maisonette flats at 234 Grahams Road, Falkirk.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr McGill, the applicant's agent was heard in support of the application.

Councillor Meiklejohn, on behalf of local objectors, was heard in relation to the application.

The objectors highlighted the following issues:-

- The effect on neighbouring hot food takeaway businesses by taking away customers;
- That too many hot food takeaways already existed on Grahams Road;
- The additional smells, noise, litter on the streets and intoxicated persons particularly at night;
- That the street was not suitable for parking;
- That the building should be used for another business not related to food; and
- That the use of parking spaces in the elderly residents parking areas adjacent to the hotel would be increased and would affect residents, carers and home helps.

Questions were then asked by Members of the Committee.

Councillor Meiklejohn, as local Member for the area, was heard in relation to the application.

Provost Reid, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 27 January 2010.