

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 15 FEBRUARY 2010 commencing at 9. 30 a.m.**

**PRESENT:** Councillors Buchanan, Constable, Carleschi (for application P/09/0769/FUL); Lemetti, A MacDonald, McLuckie and McNeill (for applications P/08/0923/OUT, P/09/0214/FUL and P/09/0769/FUL).

**CONVENER:** Councillor Buchanan.

**APOLOGIES:** Councillors Mahoney, Nicol and Thomson.

**ATTENDING:** Development Manager; Senior Planning Officer (J Milne) (for applications P/09/0769/FUL and P/09/0519/FUL); Planning Officer (S McClure) (for application P/09/0214/FUL); Roads Development Officer (B Raeburn); Solicitor (K Quin); and Committee Officer (A Sobieraj).

**DECLARATIONS OF INTEREST:** None.

**P173. DEVELOPMENT OF LAND FOR HOUSING PURPOSES AT CANAL BANK, STATION ROAD, BRIGHTONS, FALKIRK FOR MR WILLIAM SCOBIE - P/08/0923/OUT**

With reference to Minute of Meeting of the Planning Committee held on 27 January 2010 (Paragraph P170 refers), Committee gave further consideration to Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for outline planning permission for the development of land for housing purposes at a site bounded to the north by the Polmont Burn and to the south by the Union Canal, at Canal Bank, Station Road, Brightons, Falkirk.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

The applicant was heard in support of the application.

Mr Boyle, a neighbouring resident, was heard in relation to the application on the need for the safe disposal of asbestos by qualified removers from the existing buildings on site.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 24 February 2010.

**P174. 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 FOR 234 GRAHAMS ROAD, FALKIRK FK2 7BH FOR MR J AKTHAR - P/09/0214/FUL**

With reference to Minutes of Meetings of the Planning Committee held on 2 December 2009 and 27 January 2010 (Paragraphs P142 and P160 refer), Committee gave further consideration to Reports (circulated) dated 25 November 2009 and 20 January 2010 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 applicants' agent, was heard in support of the application.

No objectors or supporters were present at the site visit. The objections had been noted and minuted at the site visit on 12 January 2010 (minute P154).

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 24 February 2010.

**P175. CHANGE OF USE FROM SOCIAL CLUB TO PUBLIC HOUSE AT WARRIORS SOCIAL CLUB, TRYST ROAD, STENHOUSEMUIR, LARBERT FOR OCHILVIEW BAR – P/09/0769/FUL**

With reference to Minute of Meeting of the Planning Committee held on 27 January 2010 (Paragraph P172 refers), Committee gave further consideration to Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for the change of use from a social club to a public house forming part of the Stenhousemuir Football Club group of buildings at Warriors Social Club, Tryst Road, Stenhousemuir, Larbert.

The Convener introduced the parties present.

The Senior Planning Officer (J Milne) outlined the nature of the application.

Mr Sannachan, the applicants' representative, was heard in support of the application.

Mr Sannachan also spoke as an individual in support of the application.

The Convener read a letter from a supporter Mr Stevenson, who had submitted apologies for the meeting.

Mr Jenkins, a supporter, was heard in relation to the application.

The supporters highlighted the following issues:-

- That the proposal would be an asset to the local community;
- The lack of noise issues in the past; and
- That the property had been extensively refurbished to an acceptable degree.

The Convener read a letter from an objector Mr Serafini, who had submitted apologies for the meeting.

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

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

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

Mr Coyne, Russell and Aitken, Solicitors, provided clarification in relation to their representation, land related issues and access to the Tryst.

The objectors highlighted the following issues:-

- The road safety, access and parking issues;
- The increased risk of anti-social behaviour, noise, loud music, disturbance and public nuisance;
- The extended hours of operation;
- The lack of identified dedicated vehicular access for servicing or parking provision;
- That younger age of clients with no membership control over behaviour; and
- That the existing parking practices and use of land to the north had not been agreed with the landowner.

Questions were then asked by Members of the Committee.

Councillor Carleschi, 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 24 February 2010.

**P176. ERECTION OF DWELLINGHOUSE AT LAND AT WHINNIE MUIR WOOD WEST OF TORWOOD HEAD COTTAGE, LARBERT FOR MR R MCCLURG - P/09/0519/FUL**

With reference to Minute of Meeting of the Planning Committee held on 27 January 2010 (Paragraph P168 refers), Committee gave further consideration to Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for the erection of a dwellinghouse constructed over two floors, comprising a basement, wine cellar and two double garages and on the ground floor comprising one bedroom, a swimming pool, a lounge, a dining room, a study, a kitchen, a breakfast room, a

family room and a play room (with potential for a further bedroom), a utility room, a pool plant room, a hall and a vestibule and including access to a veranda, and on the upper floor comprising five bedrooms and a library. The site is adjacent to a commercial fishery which has been excavated for a pond with a grassed island feature. The applicant has also installed a temporary caravan and related outbuilding, with roadway access, all on land at Whinnie Muir Wood, west of Torwood Head Cottage, Larbert.

The Convener introduced the parties present.

The Senior Planning Officer (J Milne) outlined the nature of the application.

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

Ms Stevenson, on behalf of Torwood Community Woodland Group, an objector, was heard in relation to the application.

Mr Robertson, on behalf of Larbert, Stenhousemuir and Torwood Community Council, an objector, was heard in relation to the application.

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

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

The objectors highlighted the following issues:-

- That the application was contrary to the Local Plan, as there is no requirement for additional housing land in the Rural North area in the Local Plan period to 2012 and outwith the village limit;
- That the proposal was contrary to Policy Rural 1 'New Development in the Countryside';
- That the application would encroach on the protected woodland area;
- The loss of trees, existing woodland and no replanting;
- The loss of green space for walking, cycling and for wildlife and the loss of amenity in the area;
- That the development was detrimental to the local environment.
- That the dwelling was out of place and not conducive to a small business;
- That the size of the development would add to the ongoing creeping development and infrastructure constraints within the area;
- That there was no requirement for additional housing in the area and the backland development was excessively large for a manager's house; and
- That site access was from the dangerous A9.

Mr McLeod, a supporter, was heard in relation to the application on the value of the fishery and tourism in the area.

Questions were then asked by Members of the Committee.

Councillor Coleman, 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 24 February 2010.