

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 27 JANUARY 2010 at 9.30 A.M.**

**PRESENT:** Councillors Buchanan, Carleschi, Constable, Lemetti, A MacDonald, McLuckie, McNeill, Mahoney, C Martin, Nicol, Oliver and Thomson.

**CONVENER:** Councillor Buchanan.

**ATTENDING:** Director of Development Services; Acting Director of Law and Administration; Development Manager; Development Management Co-ordinator (B Whittle); Transport Planning Officer (K Short); Roads Development Officer (B Raeburn); and Committee Officer (A Sobieraj).

**DECLARATION OF INTEREST:** Councillor MacDonald declared a non-financial interest in agenda item 4 (minute P159 relating to application P/09/0354/FUL) as an objector to an application for the grant of a new House in Multiple Occupation Licence at this location. Councillor MacDonald took no part in the consideration of this item of business.

Councillor McNeill advised that he would not take part in consideration of agenda item 4 (minute P159 relating to application P/09/0354/FUL) as he had concluded that he may be perceived as having pre-judged the matter.

Prior to consideration of business, the Members below made the following statements:-

- Councillor MacDonald informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/09/0687/FUL (minute P162).
- Councillor Carleschi informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0804/FUL, P/09/0128/FUL, P/09/0356/FUL, P/09/0687/FUL and P/09/0373/FUL (minute P157, P158, P161, P162 and P164) but that he would take part in consideration of planning applications P/09/0354/FUL and P/09/0214/FUL (minute P159 and P160) as he was sufficiently familiar with the sites.
- Councillor Constable informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/09/0356/FUL and P/09/0687/FUL (minute P161 and P162) but that he would take part in consideration of planning applications P/08/0804/FUL, P/09/0128/FUL, P/09/0354/FUL, P/09/0214/FUL and P/09/0457/OUT (minute P157, P158, P159, P160 and P163) as he was sufficiently familiar with the sites.
- Councillor Oliver informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/09/0687/FUL (minute P162) but that he would take part in consideration of planning applications P/09/0128/FUL, P/09/0354/FUL, P/09/0214/FUL, P/09/0356/FUL,

P/09/0457/OUT and P/09/0373/FUL (minute P158, P159, P160, P161, P163 and P164) as he was sufficiently familiar with the sites.

- Councillor Mahoney informed the Committee that that as he had not attended the site visits he would not take part in consideration of planning applications P/09/0214/FUL and P/09/0356/FUL (minute P160 and P161) but that he would take part in consideration of planning applications P/08/0804/FUL and P/09/0128/FUL (minute P157 and P158) as he had attended the previous site visits and was sufficiently familiar with the sites.
- Councillor McNeill informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/08/0804/FUL, P/09/0128/FUL, P/09/0214/FUL and P/09/0356/FUL (minute P157, P158, P160 and P161) but that he would take part in consideration of planning application P/09/0373/FUL (minute P164) as he was sufficiently familiar with the site.

#### **P155. OPENING REMARKS**

Prior to the commencement of business, the Convener welcomed the new Depute Convener, Councillor McLuckie, and thanked the former Depute Convener, Councillor Nicol, for his service and commitment to the role. The Convener also welcomed Councillor Thomson as a new member of the Committee.

#### **P156. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 2 December 2009;
- (b) Minute of Meeting of the Planning On Site held on 11 January 2010; and
- (c) Minute of Meeting of the Planning Committee On Site held on 12 January 2010, with the addition of Councillor Oliver to the sederunt, having intimated that he had attended part of the site visit to application P/08/0804/FUL (minute P157).

#### **P157. 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 Reports (circulated) dated 10 June and 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 20 January 2010 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.

Councillor Constable, seconded by Councillor Oliver, moved that the application be refused on the grounds that it would be contrary to:-

- Policy RURAL B, being detrimental to the visual and landscape amenity of the area; and
- Policy RURAL I, in not establishing the necessity for a development of this nature at this location.

By way of an Amendment, Councillor Buchanan, seconded by Councillor Martin, moved that the application be granted as detailed in the Report, together with the additional condition that the manager's living accommodation would only be used as living accommodation and should not at any future time later be sold or rented out for any other purpose and that this should be the subject of a Section 75 Agreement.

On a division, 4 Members voted for the Motion and 6 voted for the Amendment.

**AGREED** that Committee is **MINDED** to **GRANT** planning permission subject to the satisfactory completion of an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997. The purpose of the agreement will be to restrict occupation of the living accommodation to a person employed as manager of the stables, livery and riding school or a dependant of such a person residing with him or her. Thereafter, on conclusion of the agreement, permission shall be granted subject to the following conditions:-

- (1) The manager's living accommodation shall be granted for a limited period until 31 December 2011 and at that time, unless further permission is granted, the site should be reinstated in accordance with an approved reinstatement plan. Within 1 month of occupation of the manager's living accommodation, the site office and toilet accommodation shall be removed from the site and the site shall be reinstated in accordance with as approved reinstatement plan.
- (2) Within 3 months of the date of the permission, a scheme of soft landscaping works shall be submitted to and approved in writing by the 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 new trees, shrubs, hedges 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.

- (3) All approved landscaping works shall be implemented in accordance with the approved scheme of landscaping by the end of the first planting and seeding session following the date of the decision.
- (4) Within 3 months of the date of the permission, a contaminated land assessment shall be submitted to and approved in writing by the Planning Authority. Within 6 months of the date of this decision, any necessary remedial works to make the ground safe shall be completed in accordance with an approved remediation strategy and any necessary remediation completion reports/validation certificates shall be submitted to and approved in writing by the Planning Authority.
- (5) The hours of opening of the stables, livery and riding school shall be restricted to 10:00 to 20:00 hours.
- (6) The number of show jumping events per annum shall be restricted to no more than 9 unless otherwise agreed in writing by the Planning Authority by grant of an application to amend the condition.
- (7) The use of any PA system or any other amplification system shall require the written approval of the Planning Authority.
- (8) Prior to the operation hereby approved being brought into use, the new vehicular access shall be formed from the B818 and shall be a minimum of 6m wide, with 10.5m radius to the east and 6m radius to the west to form a bellmouth access, constructed at right angles to the public carriageway and at a gradient no greater than 1:10 in accordance with details approved in writing by the Planning Authority. The details shall include cross section, gradient and retaining structure details; the existing access to the site shall be closed to all vehicles simultaneously to the new access being brought into use.
- (9) The vehicular access shall be constructed in a manner to ensure that no surface water or loose material is discharged on to the public carriageway.
- (10) Within 3 months of the date of this permission, the applicant shall install a kerb line on the opposite side of the B818 to the vehicular access and a delineation kerb for the B818 across the vehicular access, in accordance with details to be approved in writing by the Planning Authority.
- (11) Within 3 months of the date of the permission, a 2.4 metre by 125 metre visibility splay shall be provided of either side of the new vehicular access, to the extent practicable within the confines of the site, within which there shall be no obstruction in visibility greater than 1 metre in height above existing carriageway level.
- (12) The 9 car parking spaces indicated on approved plan 03A shall be maintained free of obstruction at all times.
- (13) Two car park spaces shall be provided for the manager's accommodation in accordance with details approved in writing by the Planning Authority within 3 months of the date of the permission. Thereafter the approved spaces shall be maintained free of obstruction at all times.

- (14) The overflow car park indicated on approved plan 10 shall be made available for use on such occasions as necessary in order to avoid parking on the verge of the B818 and obstruction of access to the car parking spaces detailed in conditions 12 and 13 of the permission.
- (15) Before any work is commenced on the site a fence shall be erected in a position to be agreed with the Planning Authority around the tree crown spread of any trees to be retained and no materials, vehicles, plant or machinery shall be stored or any excavations carried out within the fenced off areas.

**P158. 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 Reports (circulated) dated 10 June and 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 19 January 2010 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.

**AGREED** to **GRANT** planning permission, subject to the following conditions:-

- (1) The hours of operation of the outdoor arena shall be restricted to 10:00 and 20:00 hours.
- (2) Within one month of the date of the decision, details of the luminance (brightness) and light spill generated by the portable floodlighting unit shall be submitted to and approved in writing by the Planning Authority. Thereafter the floodlighting shall be operated in accordance with the approved details, including any necessary measures to mitigate light nuisance. For the avoidance of doubt, the portable floodlighting unit shall be sited in accordance with approved plan 01, unless otherwise agreed in writing by the Planning Authority.

Reason(s):-

- (1) To safeguard the amenity of the area.
- (2) To safeguard the amenity of the area and the interests of the users of the public highway.

Informative:-

- (1) For the avoidance of doubt, the plans to which this decision refers bear the references 01, 02, 03 and 04.

In accordance with their declarations of interest, Councillors MacDonald and McNeill left the meeting prior to consideration of the following item of business.

**P159. TWO STOREY EXTENSION AND ALTERATIONS TO HOTEL TO PROVIDE ADDITIONAL BEDROOMS, LOUNGE AND KITCHEN AREA AT 35 KERSE ROAD, GRANGEMOUTH FK3 8HY FOR MR DHILLON - P/09/0354/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P141 refers), Committee gave further consideration to Report (circulated) dated 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 20 January 2010 by the said Director on an application for detailed planning permission for a two-storey extension at first floor level and alterations to the existing 48 bedroom hotel to provide 20 additional bedrooms, lounge and kitchen areas at 35 Kerse Road, Grangemouth.

**AGREED** to **REFUSE** planning permission on the basis that:-

- (1) The proposed development would represent a loss of amenity in the area from overshadowing adjacent residential properties and would be incompatible with the surrounding residential area; and
- (2) The lack of adequate parking to serve the development would have an adverse impact on road safety.

Councillors MacDonald and McNeill re-entered the meeting following consideration of the foregoing item of business.

Councillor Mahoney left and re-entered the meeting during consideration of the following item of business.

**P160. 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 (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P142 refers), Committee gave further consideration to Report (circulated) dated 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 20 January 2010 by the said Director on an application for detailed planning permission for a mixed use development comprising the 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.

**AGREED** to **CONTINUE** consideration of this item of business to allow a further inspection of the site by Committee and to request that the applicant provide access to the rear of the property in order to view this area.

Councillor Constable left the meeting prior to consideration of the following item of business.

Councillor Carleschi left the meeting during consideration of the following item of business

**P161. EXTENSION TO HOT FOOD TAKEAWAY, THE WILLOW, GLEBE STREET, DENNY FK6 6AA FOR MR S M LI - P/09/0356/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P144 refers), Committee gave further consideration to Report (circulated) dated 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 20 January 2010 by the said Director 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 the flat roof with a pitched roof at the Willow, Glebe Street, Denny.

**AGREED** to **GRANT** planning permission subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Details of a ventilation system capable of dispersing cooking odours shall be submitted to and approved by the Planning Authority in writing prior to the commencement of the approved use. The approved ventilation system shall be installed and operational before the hot food unit commences trading.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To safeguard the environmental amenity of the area.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference number(s) 01, 02 and 03A.
- (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.

**NOTED** that the condition of the premises would be overseen by Environmental Health.

Councillor Carleschi re-entered the meeting following consideration of the foregoing item of business.

Councillor Oliver left the meeting prior to consideration of the following item of business.

Councillor MacDonald left the meeting during consideration of the following item of business.

**P162. EXTENSION TO DWELLINGHOUSE (CONSERVATORY TO REAR) AT 8 COLONSAY AVENUE, POLMONT, FALKIRK FK2 0UZ FOR MRS DUNNING - P/09/0687/FUL (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P145 refers), Committee gave further consideration to Report (circulated) dated 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 19 January 2010 on an application for detailed planning permission for a single storey extension by way of a conservatory to the rear of the existing extension operating as a dining room on the one and a half storey dwellinghouse at 8 Colonsay Avenue, Polmont, Falkirk.

**AGREED** to **GRANT** planning permission, subject to the following condition:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.

Reason:-

- (1). To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the 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 builder 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 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

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

Councillors Constable, MacDonald and Oliver re-entered the meeting following consideration of the foregoing item of business.



**P163. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES ON LAND TO THE NORTH EAST OF BURNSIDE, VELLORE ROAD, MADDISTON FOR MANOR FORREST LTD - P/09/0457/OUT (CONTINUATION)**

With reference to Minute of Meeting of the Planning Committee held on 2 December 2009 (Paragraph P147 refers), Committee gave further consideration to Report (circulated) dated 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 20 January 2010 by the said Director on an application for outline planning permission for the development of farmland (approximately 1.2 hectares) for residential purposes on land to the north east of Burnside, Vellore Road, Maddiston.

Councillor McLuckie, seconded by Councillor Nicol, moved that the application be granted subject to clarification from the applicant on the type of tenure having regard to the clear need for affordable housing in the area which supported Government guidance, that appropriate consultation with the statutory consultees on the proposals and the satisfactory negotiation, determination and conclusion of a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the provision of education for the required improvements.

By way of an Amendment, Councillor Constable, seconded by Councillor MacDonald, moved that the application be refused on the grounds as detailed in the Report.

On a division, 6 Members voted for the Motion and 6 Members voted for the Amendment.

In accordance with Standing Order 21.6, in the case of an equality of votes, the Convener used his casting vote for the Motion.

Accordingly, **AGREED** that Committee is **MINDED** to **GRANT** planning permission subject to:-

- (1) Clarification that there is no objection from statutory consultees, or
- (2) If statutory consultees maintain objections to the proposal, referral of the application to the Scottish Government in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009;
- (3) The satisfactory completion of an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997. The purpose of the agreement will be to regulate the nature, including type and tenure, of affordable housing provision within the site and, to secure the provision of financial contributions from the applicant to the Council towards education provision and the upgrade of nearby play facilities; and
- (4) Thereafter, on conclusion of the foregoing matters remit to the Director of Development Services to grant planning permission, subject to appropriate conditions.

**P164. USE OF LAND FOR OUTDOOR SPORTS (AIRSOFT) AND ERECTION OF ANCILLARY SHELTERS AND FORMATION OF CAR PARK ON LAND TO THE SOUTH OF GREENRIGG FARM, FALKIRK FOR PLAYERS OF WAR AIRSOFT - P/09/0373/FUL (CONTINUATION)**

With reference to Minutes of Meetings of the Planning Committee held on 4 November and 2 December 2009 (Paragraphs P116 and P131 refer), Committee gave further consideration to Reports (circulated) dated 27 October and 25 November 2009 by the Director of Development Services and an additional Report (circulated) dated 19 January 2010 by the said Director on an application for detailed planning permission to increase the frequency of use of the application site for war gaming to a maximum of once a week and a minimum of twice a month, and for the erection of ancillary shelters and the formation of a car park on land to the south of Greenrigg Farm, Falkirk.

**AGREED** to **GRANT** planning permission, subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) The development shall operate on not more than one day of a week and within the hours of 08.30 and 18.00 hours only.
- (3) The locations of the structures indicated on approved plan 5A are hereby not approved. Within 2 months of the date of this decision, the new locations for the game structures and their design shall be agreed in writing by the Planning Authority.
- (4) The No Play/exclusion zone indicated hatched on approved plan 10A shall be enforced during the operation of all war games and shall be demarcated in accordance with details approved in writing by the Planning Authority.
- (5) Warning signs shall be posted along the adjoining core path during the operation of all war games. The exact location and details of the signs shall be subject to the written approval of the Planning Authority; the no play/exclusion zone shall come into force within 2 months of the date of the permission.
- (6) Within 2 months of the date of this decision, the existing Safe Zone shall be reinstated in accordance with an approved restoration plan and the new Safe Zone, car park and vehicular access indicated on approved plan 5A shall be fully completed in accordance with details approved in writing by the Planning Authority. Once completed, the new car park and vehicular access shall provide the sole means of access and parking facility for the operation.
- (7) The 30 metre exclusion zones around the two badger setts indicated on approved plan 10A shall be enforced during the operation of all war games and shall be demarcated by high-visibility tape of a height at least one metre above the ground.
- (8) The unsurveyed area of the site indicated on approved plan 11 shall be subject to a badger survey. Any necessary mitigation measures shall be agreed in writing by the Planning Authority in consultation with Scottish Natural Heritage. This area shall not be used for war games until the approved measures have been fully

implemented. Thereafter, the approved measures shall be enforced during the operation of all war games.

- (9) The ping area No Play Zone indicated on approved plan 5A shall be enforced during the operation of all war games and shall be demarcated in accordance with details approved in writing by the Planning Authority.
- (10) The vehicular access to the site shall have a minimum width of 6 metres, with a 12 metre radii to form a bellmouth, and shall extend at a minimum width of 6 metres for at least 15 metres as measured from the edge of the carriageway.
- (11) The vehicular access shall be constructed at right angles to the carriageway, at a gradient of 1 in 10, and in a manner to ensure that no surface water run-off or loose material is discharged onto the public road.
- (12) There shall be no obstruction to visibility greater than one metre in height above the carriageway for a minimum distance of 65 metres east of the vehicular access.
- (13) Notwithstanding the provisions of Class 15 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), any use of the site for war games or associated development, following the date of grant of the permission, shall be carried out in accordance with the conditions of the permission.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2-6) To safeguard the environmental amenity of the area.
- (7-8) To safeguard the interests of a protected species.
- (9) To preclude an area which is not suitable for use.
- (10-12) To safeguard the interests of the users of the highway.
- (13) To ensure proper control over the use of the site.

Informative(s):-

- (1) For the avoidance of doubt, the plans to which this decision refers bear the reference numbers 01, 02, 03, 04, 05A, 06, 07, 08, 09, 10A, 11 and 12.
- (2) The vehicular access will require a Minor Roadworks Consent, issued and approved by Roads Services, Earls Road, Grangemouth.
- (3) The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) regulate the disposal of sewage effluent to the water environment. The applicant should contact the SEPA local area team to ensure that any proposals for foul drainage are agreed and can be authorised under CAR.

- (4) Surface water drainage is required to comply with General Binding Rules (GBRs) 10 and 11 of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR).
- (5) Any noise or odour complaints would be investigated by the Environmental Health Unit and acted upon as appropriate under Statutory Nuisance Legislation contained in the Environmental Protection Act.
- (6) Any tree thinning or felling that would disturb badgers or damage their setts would require a licence from the Scottish Government's Habitats and Species Unit.
- (7) That the applicants provide biodegradable pellets only and ensure that those bringing their own pellets only use these pellets.

The Convener agreed a 5 minute recess prior to consideration of the following item of business. The meeting reconvened with all Members present as per the sederunt.

**P165. CHANGE OF USE OF UNIT 5 FROM CLASS 4 (BUSINESS) TO CLASS 2 (FINANCIAL, PROFESSIONAL AND OTHER SERVICES) AT 80 WALLACE STREET, GRANGEMOUTH FK3 8JU FOR MR ALEX MILLER - P/09/0737/FUL**

There was submitted Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for the change of use of Unit 5, located in a row of 3 Class 4 units with residential accommodation on the first floor at the corner of Jackson Avenue and Wallace Street, at 80 Wallace Street, Grangemouth, from Class 4 (Business) to Class 2 (Financial, Professional and other Services).

**AGREED** to **GRANT** planning permission, subject to the following condition:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.

Reason:-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference number(s) 01, 02 and 03.

**P166. CHANGE OF USE OF UNIT 1 FROM CLASS 4 (BUSINESS) TO CLASS 2 (FINANCIAL, PROFESSIONAL AND OTHER SERVICES) AT 80 WALLACE STREET, GRANGEMOUTH FK3 8JU FOR MR ALEX MILLER - P/09/0738/FUL**

There was submitted Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for the change of use of Unit 1, located in a row of 3 Class 4 units with residential accommodation on the first floor at the corner of Jackson Avenue and Wallace Street, at 80 Wallace Street, Grangemouth, from Class 4 (Business) to Class 2 (Financial, Professional and other Services).

**AGREED to GRANT** planning permission, subject to the following condition:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.

Reason:-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference number(s) 01, 02 and 03.

**P167. ALTERATIONS TO SHOPFRONT AT 4 – 6A YORK ARCADE, GRANGEMOUTH FK3 8BA FOR FALKIRK COUNCIL - P/09/0841/FUL**

There was submitted Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for alterations to the existing shopfront, with the removal of a glazed panel and the installation of a new glazed entrance door, within the Town Centre at 4 to 6A York Arcade, Grangemouth.

**AGREED to GRANT** planning permission, subject to the following condition:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.

Reason:-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative:-

- (1). For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference number(s) 01, 02, 03 and 04.

**P168. ERECTION OF DWELLINGHOUSE ON LAND AT WHINNIE MUIR WOOD WEST OF TORWOOD HEAD COTTAGE, LARBERT FOR MR R MCCLURG - P/09/0519/FUL**

There was submitted 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 had also installed a temporary caravan and related outbuilding, with roadway access, all on land at Whinnie Muir Wood, west of Torwood Head Cottage, Larbert.

**AGREED** to **CONTINUE** consideration of this item of business to allow an inspection of the site by Committee.

**P169. CHANGE OF USE FROM SOCIAL CLUB TO PUBLIC HOUSE AT 2 DUNDAS STREET, GRANGEMOUTH FK3 8BX FOR MR ROBERT DOUGLAS HANNIGAN - P/09/0785/FUL**

There was submitted Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for the change of use of an existing social club to a public house, at the edge of the Town Centre, bounded to the west by a railway, to the south by a further social club, to the north by a public car park and across Dundas Street to the east by a block of three storey flats at 2 Dundas Street, Grangemouth.

**AGREED** that the Committee is **MINDED** to **GRANT** planning permission, subject to:-

- (1) The application being referred to Scottish Ministers under the terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.
- (2) And thereafter, provided the matter is not referred to Scottish Ministers for determination, on conclusion of the foregoing matter, remit to the Director of Development Services to grant planning permission subject to the following condition:-
  - (a) The development to which the permission relates must be begun within three years of the date of the permission.

Reason:-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative(s):-

- (1) 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.
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference number(s) 01, 02A and 03.
- (3) That appropriate disabled access be included in the building design as required by Building Standards Regulations.

Councillor Thomson left the meeting during consideration of the foregoing item of business.

**P170. DEVELOPMENT OF LAND FOR HOUSING PURPOSES AT CANAL BANK, STATION ROAD, BRIGHTONS, FALKIRK FOR MR WILLIAM SCOBIE - P/08/0923/OUT**

There was submitted 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.

**AGREED** to **CONTINUE** consideration of this item of business to allow an inspection of the site by Committee.

**P171. WORKS TO IMPROVE PEDESTRIAN CIRCULATION IN CHURCHYARD INCLUDING RELAYING OF SETTS, NEW STONE-WALL SEATING PROVISION, NEW CAR PARKING, IMPROVED LIGHTING FOR MEMORIALS AND CHURCH, RE-SITING OF ROTARY CLOCK ON UPPER NEWMARKET STREET TO ALLOW IMPROVED BUS SHELTER PROVISION, INCLUDING NEW BUS SHELTERS WITH REAL TIME INFORMATION SIGNS, HANDRAILS FOR STEPS AND CAST IRON FENCES WILL ALSO BE REPLACED THROUGHOUT THE SITE FOR ST MODANS AND FALKIRK OLD PARISH CHURCH, MANSE PLACE, FALKIRK FK1 1JN FOR MS GILLIAN SMITH - P/09/0757/FUL**

There was submitted Report (circulated) dated 19 January 2010 by the Director of Development Services on an application for detailed planning permission for alteration works to ensure improved pedestrian access and safety with enhanced access to monuments and to the history of the site, church and church yard both being listed surrounding St Modans and Falkirk Old Parish Church.

**AGREED** to **GRANT** planning permission, subject to the following condition:-

- (1) The development to which the permission relates must be begun within three years from the date of the permission.

Reason:-

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative(s):-

- (1) This application was submitted on-line, and the decision notice is issued without plans. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the on-line reference number(s) 01, 02, 03, 04, 05, 06, 07 and 08.
- (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.

**P172. CHANGE OF USE FROM SOCIAL CLUB TO PUBLIC HOUSE AT WARRIORS SOCIAL CLUB, TRYST ROAD, STENHOUSEMUIR, LARBERT FOR OCHILVIEW BAR – P/09/0769/FUL**

There was submitted 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 the Warriors Social Club, Tryst Road, Stenhousemuir, Larbert.

**AGREED** to **CONTINUE** consideration of this item of business to allow an inspection of the site by Committee.