

**FALKIRK COUNCIL**

**MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 24 FEBRUARY 2010 at 9.30 A.M.**

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

**CONVENER:** Councillor Buchanan.

**APOLOGIES:** Councillors Constable and Nicol.

**ATTENDING:** Director of Development Services; Acting Director of Law and Administration; Head of Economic Development; Acting Head of Planning and Transportation; Development Manager; Senior Planning Officer (B Vivian); Roads Development Officer (B Raeburn); Senior Forward Planning Officer (R Teed); Transport Planning Officer (K Swanson); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

**DECLARATION OF INTEREST:** Councillor Lemetti declared a non-financial interest in agenda item 5 (minute P181 relating to application P/09/0769/FUL) due to a family member's support of the application unbeknown to himself and as he had concluded that there may be a perception that those views could be attributed to him, notwithstanding his lack of involvement in the matter. Councillor Lemetti took no part in the consideration of this item of business.

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

- Councillor Thomson informed the Committee that as she had not attended the site visits she would not take part in consideration of planning applications P/09/0214/FUL, P/09/0519/FUL and P/08/0923/OUT (minute P179, P180 and P181) but that she would take part in consideration of planning application P/09/0769/FUL (minute P182) as she was sufficiently familiar with the site.
- 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/09/0923/OUT (minute P181) but that he would take part in consideration of planning applications P/09/0214/FUL, P/09/0519/FUL and P/09/0769/FUL (minute P179, P180 and P182) as he was sufficiently familiar with the sites.
- Councillor Mahoney informed the Committee that as he had not attended the site visits he would not take part in consideration of planning applications P/09/0214/FUL, P/09/0519/FUL, P/08/0923/OUT and P/09/0769/FUL (minute P179, P180, P181 and P182).

- Councillor McNeill informed the Committee that as he had not attended the site visit he would not take part in consideration of planning application P/09/0519/FUL (minute P180).
- Councillor Carleschi informed the Committee that he had not attended the site visits but that he would take part in consideration of planning applications P/09/0214/FUL, P/09/0519/FUL and P/08/0923/OUT (minute P179, P180 and P181) as he was sufficiently familiar with the sites.

## **P177. OPENING REMARKS**

Prior to the commencement of business, the Convener invited the Development Manager to provide an update on the West Carron Landfill, Stenhouse Road, Carron.

Discussion took place in respect of the following:-

- The Certificate of Lawful Use or Development;
- The level of fill;
- The smell from the site, the effect on that of the recent cold weather and gas collection works;
- The completion timescales; and
- The proposal for a joint working group.

Councillor Carleschi entered the meeting during consideration of the foregoing item.

## **P178. MINUTES**

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 27 January 2010; and
- (b) Minute of Meeting of the Planning Committee On Site held on 15 February 2010.

## **P179. MIXED USE DEVELOPMENT COMPRISING CHANGE OF USE OF SHOP/ STORE TO HOT FOOD TAKEAWAY AND EXTENSION TO REAR OVER TWO TO PROVIDE TWO MAISONETTE FLATS FOR 234 GRAHAMS ROAD, FALKIRK FK2 7BH FOR MR J AKTHAR - P/09/0214/FUL (CONTINUATION)**

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 and an additional Report (circulated) dated 16 February 2010 by the said Director 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.

**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)
  - (i) Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites.
  - (ii) Where contamination (as defined by Part 11A of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
  - (iii) Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.
- (3) Development shall not begin until details of the scheme of hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority.
- (4) Before any work is commenced on site, details of the height, location and construction of all fences, walls and other means of enclosure shall be submitted to and approved by the Planning Authority.
- (5) Before any work is commenced on site, details of all materials to be used on the exterior of the building, including roof shall be submitted to and approved by the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.
- (3 -5) To safeguard the visual amenity of the area.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference numbers 01, 02, 03, 04 and 06.

**P180. ERECTION OF DWELLINGHOUSE ON LAND AT WHINNIE MUIR WOOD WEST OF TORWOOD HEAD COTTAGE, LARBERT FOR MR R MCCLURG - P/09/0519/FUL (CONTINUATION)**

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 and an additional Report dated 16 February 2010 by the said Director 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 on land at Whinnie Muir Wood, west of Torwood Head Cottage, Larbert.

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

- (1) It is considered that the proposal is contrary to Falkirk Council Structure Plan Policy ENV.1 (Countryside and Protected Areas), Rural Area Local Plan Policy Rural 1 (New Development in the Countryside) and Falkirk Council Local Plan Finalised Draft Deposit Version Policy SC3 (Housing Development in the Countryside) in that the essential justification for the dwelling to serve the existing fishery business has not been established nor that the business as a whole is capable of providing the main source of income for the occupant.
- (2) The proposal is considered contrary to the Planning Advice Note 72 (New Housing in the Countryside), Rural Area Local Plan Policy Rural 1 (New Development in the Countryside) and Falkirk Council Local Plan Finalised Draft Deposit Version Policy EQ19 (Countryside), in that the size, scale and design of the dwellinghouse is not sympathetic to vernacular building style in the area and the siting potentially injurious to visual amenity.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the reference number(s) 01, 02, 03, 04, 05, 06, 07 and 08.

**P181. DEVELOPMENT OF LAND FOR HOUSING PURPOSES AT CANAL BANK, STATION ROAD, BRIGHTONS, FALKIRK FOR MR WILLIAM SCOBIE - P/08/0923/OUT (CONTINUATION)**

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 and an additional Report (circulated) dated 16 February 2010 by the said Director 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 **GRANT** planning permission, subject to the following conditions:-

- (1) The permission is granted under the provisions of paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2009 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified before any development is commenced:-
  - (a) the siting, size, height, design and external appearance of the proposed development;
  - (b) details of the access arrangements; and
  - (c) details of landscaping of the site.
- (2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:-
  - (a) the expiration of 3 years from the date of the grant of outline permission; or
  - (b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
  - (c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed, whichever is the latest.

Provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (a) above.

- (3) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
  - (a) the expiration of 5 years from the date of the grant of the outline planning permission; or
  - (b) the expiration of 2 years from the final approval of the specified matters or, in the case of approval on different dates, the final of the last such matter to be approved.
- (4) For the avoidance of doubt the layout and elevation details on approved plan 03 (Drawing Number GB7013/02a) are for indicative purposes only and are not approved as part of the planning permission.
- (5)
  - (i) Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites.
  - (ii) Where contamination (as defined by Part 11A of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made

suitable for its intended use by the removal of any unacceptable risks caused by the contamination.

- (iii) Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.
- (6) A shared turning head, formed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Area shall be provided within the application site.
- (7) In-curtilage parking shall be provided within each plot, in accordance with the Design Guidelines and Construction Standards for Roads in Falkirk Council Area.

Reason(s):-

- (1) To comply with paragraph 4 (1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.
- (2-3) To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
- (4) To allow the Planning Authority to give future consideration to and control the layout and elevational details.
- (5) To ensure the ground is suitable for the proposed development.
- (6) To safeguard the interests of the users of the highway.
- (7) To ensure that adequate car parking is provided.

Informative:-

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

**P182. CHANGE OF USE FROM SOCIAL CLUB TO PUBLIC HOUSE AT WARRIORS SOCIAL CLUB, TRYST ROAD, STENHOUSEMUIR, LARBERT FOR OCHILVIEW BAR – P/09/0769/FUL (CONTINUATION)**

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 and an additional Report (circulated) dated 16 February 2010 by the said Director 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 **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) 01a, 02, 03, 04, 05, 06 and 07.
- (2) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning the proposal in respect of noise legislation which may affect the development.

In accordance with his declaration of interest, Councillor Lemetti left the meeting before, and re-entered the meeting following, consideration of the foregoing item of business.

**P183. RELOCATION OF EXISTING TIMBER PRODUCT BUSINESS, RESTORATION FOR GRAZING PURPOSES AND DEVELOPMENT OF LAND FOR HOUSING PURPOSES ON LAND AT FORMER SITE OF DUNMORE MILL, FALKIRK FOR MARGARET FERNS - P/08/0938/OUT**

There was submitted Report (circulated) dated 16 February 2010 by the Director of Development Services on an application for outline planning permission for the relocation of an existing timber product business, which occupies an area of 0.78 hectares within the site, to new premises to be developed on an area measuring 0.7 hectares to the west of the existing business site, within the application boundary, together with the restoration of the current site for grazing purposes and the development of land at Dunmore Mill, Falkirk, to the east side of the application site, for housing purposes.

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

Councillors Oliver and Martin left and re-entered the meeting during consideration of the following item of business.

**P184. ERECTION OF 12 FLATTED DWELLINGS ON LAND TO THE SOUTH OF 48 WOOD STREET, CHISHOLM PLACE, GRANGEMOUTH FOR FALKIRK COUNCIL - P/09/0536/FUL**

There was submitted Report (circulated) dated 16 February 2010 by the Director of Development Services on an application for detailed planning permission for the

erection of 12 flatted dwellings comprising three blocks of four flats of two storeys with pitched roofs on a site comprising 0.3 hectares at the corner of Wood Street and Chisholm Place, Grangemouth.

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

**P185. REDEVELOPMENT OF FORMER PAPER MILL TO PROVIDE 108 DWELLINGHOUSES AND 65 FLATS, 5700 SQ. FT. OF COMMERCIAL FLOORSPACE, ROADS INFRASTRUCTURE INCLUDING NEW ROUNDABOUT, OPEN SPACE, LANDSCAPING, WOODLAND MANAGEMENT AND PUBLIC PATHWAY PROVISION, CONSTRUCTION OF A FISH LADDER AND ALTERATIONS TO LISTED BUILDING TO RETAIN BUSINESS USE AT CARRONGROVE PAPER MILL, DENNY FK6 5HJ FOR MCTAGGART AND MICKEL - P/08/0296/FUL**

There was submitted Report (circulated) dated 16 February 2010 by the Director of Development Services on an application for detailed planning permission for the redevelopment of the former Carrongrove Paper Mill site to provide 108 dwellinghouses, 65 flats, 5,700 square feet of commercial floorspace, the alteration of a listed building to retain business use and the construction of a fish ladder at Carrongrove Paper Mill, Denny.

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

- (a) The satisfactory completion of an agreement within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of:-
  - (i) the payment of a financial contribution of £457,200 towards the provision and upgrade of educational facilities in the area;
  - (ii) the payment of a financial contribution of £550,000 towards the provision of a roundabout at the junction of Nethermain Road and Glasgow Road, Denny;
  - (iii) the payment of a financial contribution of £20,000 towards the upgrade of a former railway line for the purposes of a cyclepath (Safer Routes to School) between Stoneywood and Denny;
  - (iv) the payment of a financial contribution of £30,000 towards the provision, upgrade and maintenance of recreational facilities in the local area;
  - (v) the nature and provision of the 18 proposed live/work units; and
  - (vi) the nature and provision of the proposed affordable housing units.
- (b) The submission of a Stage 2 Road Safety Audit for the written approval of the Planning Authority. The audit shall assess all of the new road infrastructure to be constructed by the applicant and include the short internal link between the priority access junction on the B818 and the first internal junction;
- (c) And thereafter, on conclusion of the foregoing matters, to remit to the Director of Development Services to grant planning permission subject to the following conditions:-



- (1) The development to which the permission relates must be begun within five years from the date of the permission.
- (2) Before the development commences, details of the phasing of the proposed development and the location(s) of the works compound and construction vehicle parking areas shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be completed in accordance with the approved details.
- (3) Before the development commences, full details of the colour and specification of all proposed external finishes shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be completed in accordance with the approved details.
- (4) Before the development commences, full details of a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
  - (i) existing and proposed finished ground levels in relation to a fixed datum, preferably ordnance;
  - (ii) the location of all new trees, shrubs, hedges and grassed areas;
  - (iii) a schedule of plants to comprise species, plant sites and proposed numbers/density;
  - (iv) the location, height, colour and specification of all proposed walls, fences, gates and any other means of enclosure;
  - (v) the location, colour and specification of all proposed hard surface materials;
  - (vi) existing and proposed services such as cables, pipelines, sub-stations, etc.; and
  - (vii) other artefacts and structures such as seating, litter bins, dog bins, external lighting, bollards, trail and interpretive signage and viewing galleries. Thereafter, the development shall be completed in accordance with the approved details.
- (5) Before the development commences, a scheme for the provision of active recreational facilities shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:-
  - (i) the location of a toddler/junior play area and a Multi Use Games Area (MUGA) and the type and location of all associated play equipment, seating, fences, walls and litter bins;
  - (ii) the surface treatment of play areas;
  - (iii) the location and specification of all proposed cycleways and footways within the application site and proposed connections to the wider network. Gradient and cross-section details shall be submitted as appropriate; and
  - (iv) details of the proposed pedestrian/cycle crossing point on the B818, east of the new access roundabout. The details shall include a plan showing relevant dropped kerbs, suitable connection details into Kirkland Drive and a central island.
- (6) The existing stone wall along the frontage of the site to the B818 shall be made good and re-built where gaps exist or damage has occurred or where sections

have been removed to achieve the required visibility splays, in accordance with details approved in writing by the Planning Authority.

- (7) Before the development commences, a final statement and plan confirming the existing trees proposed to be removed shall be submitted to and approved by the Planning Authority. No existing trees shall be removed until the final statement and plan have been approved in writing. The existing trees proposed for removal shall be marked, and the Planning Authority shall be notified when the trees are marked, in order to provide the opportunity for an inspection of the marked trees.
- (8) Before the development commences, a Tree Protection Plan shall be submitted to and approved in writing by the Planning Authority. The plan shall include details of the exact location and specification of the temporary fencing to protect the areas of retained habitat. The protective fencing shall be put in place before the development commences and shall remain in place until all construction works are complete. The Planning Authority shall be notified in order to provide an opportunity for inspection of the protective fencing once it is in place.
- (9) During construction, no excavation, level changes, material storage, fires or vehicle movement shall take place within the fenced off areas indicated in the approved Tree Protection Plan.
- (10) Before the development commences, the exact details of the proposed environmental measures as detailed in Section 6, Table 9, of the Ecological Impact Assessment prepared by Heritage Environmental Limited, dated March 2009, shall be submitted to and approved in writing by the Planning Authority, in consultation with SEPA and SNH (as appropriate). Thereafter, the development shall proceed in accordance with the approved details.
- (11) Before the development commences, a Species Protection Plan for otter shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall proceed in accordance with the approved details, under the supervision of a suitably experienced ecologist acting as Ecological Clerk of Works.
- (12) Before the development commences, an Environmental Management Plan shall be submitted to and approved in writing by the Planning Authority. The plan shall include woodland management measures and consider the opportunities for access and recreation within the various habitat areas. Thereafter, the development shall proceed in accordance with the approved details.
- (13) In respect of otter:-
  - (a) No vehicular access, works or pedestrian access shall occur within 30 metres of the otter resting places identified in the otter survey(s). This exclusion zone shall be marked on the site with temporary posts and high visibility tape or similar before the development commences (to be removed at the end of the contract). The positioning and erection of fences demarcating the boundaries of exclusion zones shall be supervised, and subsequently monitored, by a suitably experienced ecologist acting as Ecological Clerk of Works.

- (b) The existing scrub/trees screening the otter resting places from the area where works are proposed shall be retained.
  - (c) All personnel, including contractors and sub-contractors, shall be made aware of the presence of otters and their holts, their protected status and the conditions of any granted licence.
- (14) Should the development not commence within 12 months of the last survey of the site for badgers, a further walk-over survey of the site shall be conducted and the results of the survey submitted for the written approval of the Planning Authority.
  - (15) Tree, scrub and hedgerow removal shall only occur between the months of September to March (inclusive) in order to avoid the destruction of birds nesting during the breeding season.
  - (16) Before the development commences, the presence and breeding status of any barn owls on the site shall be confirmed by a suitably experienced consultant. Should their presence and breeding be confirmed, restrictions on timings of works as per other breeding bird species shall apply, such that works may only be carried out between the months of September to March (inclusive).
  - (17) Before the development commences, a contaminated land assessment shall be submitted to and approved in writing by the Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out 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.
  - (18) Waste management facilities for the proposed development shall be provided in accordance with the Council's Refuse and Recycling Collection Requirements for Housing and Commercial Developments.
  - (19) Before the development commences, the design and construction details of the proposed fish ladder shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
  - (20) Within one year of the commencement of the development, a separate planning application shall be submitted for the provision of a small-scale hydro-electric power scheme. The application shall include the detailed design for the scheme and an assessment of its potential impacts on flooding and flood management.
  - (21) All new road and footway design and construction shall be carried out in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, October 1997, as amended January 2000.
  - (22) All individual driveways shall be constructed to meet the public road at right angles, with a maximum gradient of 1:10, and in a manner to ensure that no surface water or loose material is discharged onto the public road.
  - (23) Parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area. All dedicated car

parking spaces for the proposed commercial and business uses shall be demarcated for that purpose.

- (24) The proposed development shall be carried out in accordance with the recommendations detailed on page 37 of the Flood Risk and Drainage Impact Assessment, Revision E, prepared by Waterman Civils Limited, dated July 2009.
- (25) Before the development commences, details of the arrangements for the maintenance of the proposed and existing culverts and outfalls that cross/adjoin the application site shall be submitted to and approved in writing by the Planning Authority. Thereafter, maintenance of the culverts shall be carried out in accordance with the approved details.
- (26) Before the development commences, details of the location and specification of all proposed bus stop infrastructure shall be submitted to and approved in writing by the Planning Authority. The details shall include provision of new bus shelters for eastbound stops, with appropriate flagpoles and timetable information. Thereafter, the development shall be carried out in accordance with the approved details.
- (27) One cycle locker per flat shall be provided, in accordance with details to be submitted to and approved in writing by the Planning Authority before the development commences.
- (28) Before the first unit is occupied, a Travel Plan Welcome Pack shall be submitted to and approved in writing by the Planning Authority and distributed to households prior to occupation.
- (29) Before the cycleway/pedestrian path to the B818 at the western end of the site is brought into use, a section of footpath to link the cycleway/pedestrian path to the existing footpath at Fankerton shall be constructed in accordance with the Design Guidance and Construction Standards for Roads in the Falkirk Council Area, October 1997, as amended January 2000.
- (30) Before the development commences, details of the party (parties) to implement the Environmental Management Plan, and the timescale thereof, and details of the on-going future management and maintenance of the hard and soft landscaping areas, the active recreational facilities and the fish ladder, shall be submitted to and approved in writing by the Planning Authority. Documentary evidence shall be submitted to demonstrate the long-term securing of the management and maintenance of these areas and infrastructure.
- (31) Before the first residential unit is occupied, the new pedestrian/cyclist crossing point of Fintry Road and the new bus stop infrastructure shall be fully completed in accordance with the approved details.
- (32) Unless otherwise agreed in writing by the Planning Authority, the new entrance roundabout to serve the proposed development shall be fully completed before the first residential unit is occupied, in accordance with the approved details.
- (33) No residential unit shall be occupied until a mini-roundabout has been constructed at the junction of Stirling Street and Nethermain Road in accordance with an approved Road Construction Consent.

- (34) Before the 50<sup>th</sup> residential unit is occupied, the toddler/junior play area and the fish ladder shall be fully completed in accordance with the approved details.
- (35) Before the 70<sup>th</sup> residential unit is occupied, the alterations to the listed building (Carrongrove House) to retain business/office use shall be fully completed in accordance with the approved details.
- (36) Before the 100<sup>th</sup> residential unit is occupied, the Multi Use Games Area (MUGA) shall be fully completed in accordance with the approved details.
- (37) The ground floor commercial area of proposed Block 3 shall be restricted to a use within Classes 1, 2 and 4 of the Schedule of the Town and Country Planning (Use Classes) (Scotland) Order 1997, and any other use will require to be the subject of a further planning application to and approved by the Planning Authority.
- (38) The listed building (Carrongrove House) shall be restricted to a use within Class 4 of the Schedule of the Town and Country Planning (Use Classes) (Scotland) Order 1997, and any other use will require to be the subject of a further planning application to and approved by the Planning Authority.
- (39) Notwithstanding the approved details, before the development commences, the design of the south facing elevation of the 3 storey flatted building shall be subject to further consideration and the submission of amended proposals for the written approval of the Planning Authority. Thereafter, the development shall proceed in accordance with the approved details.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997
- (2) To enable the Planning Authority to consider these aspects in more detail.
- (3-4) To safeguard the visual amenity of the area.
- (5) To ensure the provision of adequate and appropriate recreational facilities.
- (6) To safeguard the visual amenity of the area.
- (7-9) To safeguard the visual and environmental amenity of the area.
- (10-16) To safeguard the environmental amenity of the area and ecological and biodiversity interests.
- (17) To ensure the ground is suitable for the proposed development.
- (18) To ensure the provision of appropriate waste management facilities.
- (19) To enable the Planning Authority to consider these aspects in more detail.

- (20) To secure an application for the provision of a small scale hydro-electric scheme, in accordance with the requirements of the Planning Brief.
- (21-22) To safeguard the interests of the users of the highway.
- (23) To ensure the provision of appropriate parking facilities.
- (24-25) To safeguard the site against the risk of flooding.
- (26-29) To ensure the provision of facilities and measures to support sustainable modes of transport.
- (30) To secure the ongoing maintenance of the common areas and facilities.
- (31-36) To secure the timeous provision of facilities and infrastructure which are a requirement of the proposed development.
- (37-38) In order to retain proper control over the use of the development.
- (39) In the interests of design quality and visual amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plans to which this decision refers bear the reference numbers 01, 02C, 03C, 04B, 05B, 06F, 07C, 08C, 09C, 10C, 11B, 12B, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22A, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34C, 35, 36A, 37A, 38, 39, 40, 41, 42D, 43B, 44B, 45G, 46F, 47F, 48A, 49A and 50.
- (2) All proposed adoptable roads, cycleways and footpaths will require Road Construction Consent, issued by Falkirk Council Development Services.
- (3) Bollards and lighting within roads and footpaths to be adopted as public will require to satisfy the Council's Design Guidelines and Construction Standards. The Council specification for bollards is Marshalls Steel Rhino Bollard RB119.
- (4) Retaining structures should be outwith a 1 in 2 slope zone of a footpath or carriageway to be adopted as public. Design calculations and drawings for any structure within this zone will require to be submitted to Falkirk Council as part of the Road Construction Consent process.
- (5) The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) (CAR) require general binding rule (GBR) 10 of CAR to be complied with in relation to surface water drainage. GBR 10 makes Sustainable Urban Drainage Systems (SUDS) a requirement for new development. SEPA has requested the submission of a Drainage Management Plan, including details of proposed SUDS systems, prior to works commencing on site.
- (6) The proposal for modifications to the bank of the Carron River and other works within the vicinity of the river will require SEPA authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) (CAR).

- (7) SEPA has requested the submission of information on the feasibility of an eel pass on the River Carron.
- (8) Scottish Water has requested the developer to make contact in order to understand the proposed phasing and timescales, to enable consideration of the options for connections and the impact of the development on existing infrastructure.
- (9) Scottish Natural Heritage should be contacted to ensure that valid licenses are in place for the carrying out of works that will affect European protected species or their shelter/breeding places.
- (10) Due to proximity to the River Carron, which hosts species that respond to changing light levels, including salmonid fish and otters, careful consideration should be given to the design of street lighting to minimise impact on the river. Scottish Natural Heritage recommends that proposals for lighting are reviewed in accordance with the Scottish Governments Guidance Note on Controlling Light Pollution and Reducing Light Energy Consumption.
- (11) The level of provision for the toddler/junior play area and the Multi Use Games Area (MUGA) will require to be commensurate with a total cost of £100,000 inflation adjusted at the time of provision.

**P186. EXTENSION TO DWELLINGHOUSE (FRONT EXTENSION) AT 42 TWEED STREET, GRANGEMOUTH FK3 8HA FOR MR BUCHANAN - P/09/0826/FUL**

There was submitted Report (circulated) dated 16 February 2010 by the Director of Development Services on an application for detailed planning permission for a single storey extension to a two storey semi detached dwellinghouse, comprising a bay window to the front of the property to accommodate additional living space, measuring 3.2 metres in width and 1.5 metres in depth, at 42 Tweed Street, Grangemouth.

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

**P187. DEMOLITION AND REPLACEMENT OF EXISTING DWELLINGHOUSE (RETROSPECTIVE) AT TIPPETCRAIG, BONNYBRIDGE FK4 2EU FOR MR AND MRS G BURNS - P/09/0879/FUL**

There was submitted Report (circulated) dated 16 February 2010 by the Director of Development Services on an application for detailed planning permission, in retrospect, for the demolition, in part, and the replacement of, an existing dwellinghouse at Tippetcraig, Bonnybridge.

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