

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on TUESDAY 30 MARCH 2010 at 5.15 P.M.

PRESENT: Councillors Buchanan, McLuckie, McNeill, A MacDonald, Mahoney, C Martin, Nicol and Thomson.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors Carleschi, Constable, Lemetti and Oliver.

ATTENDING: Director of Development Services; Acting Director of Law and Administration; Development Manager; Building Design Manager (R Millard), Service Manager (S Loudon) and Committee Officer (S Barton).

DECLARATIONS

OF INTEREST: None

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

- Councillor Nicol informed the Committee that as he had not attended the site visits he would not take part in consideration of planning application P/10/0038/FUL (minute P214) but that he would take part in consideration of planning applications P/09/0866/FUL and P/09/0749/FUL (minute P215 and P216) 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/10/0038/FUL and P/09/0749/FUL (minute P214 and P216) but that he would take part in consideration of planning application P/09/0866/FUL (minute P215) as he was sufficiently familiar with the site.
- Councillor A MacDonald informed the Committee that although he had only attended the site visit in relation to P/10/0038/FUL he was sufficiently familiar with all of the sites and would take part in consideration of all the applications.
- Councillor Martin informed the Committee that although he had not attended the site visits he was sufficiently familiar with all of the sites and would take part in consideration of all the applications.

P212. ERECTION OF 20 FLATTED DWELLINGS AND ASSOCIATED ROADS, FOOTWAYS AND PARKING AREAS AT LAND TO THE SOUTH WEST OF 11 SHIEL GARDENS, FALKIRK FOR FALKIRK COUNCIL - P/10/0038/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 March 2010 (Paragraph P201 refers), Committee gave further consideration to Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of 20 flatted dwellings and associated roads, footways and parking areas on land to the south west of 11 Shiel Gardens, Falkirk.

Councillor Thomson, seconded by Councillor A MacDonald, moved that the application be refused on the grounds that the development is not compatible with neighbouring properties in the locality, that there was the potential for loss of privacy through overshadowing from the development and there would be a loss of amenity and open space.

By way of an Amendment, Councillor McLuckie, seconded by Councillor McNeill, moved that the application be granted in accordance with the recommendations detailed in the Report.

On a division, 2 Members voted for the Motion and 4 Members voted for the Amendment.

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

- (1) The development to which the permission relates must commence within three years of the date of the permission.
- (2) Prior to the commencement of works on site, details of intrusive site investigations programmed in the approved phase 1 contaminated land assessment and subsequent phase 2 site investigations shall be submitted for the assessment and written approval of the Planning Authority. No development shall commence until all required remedial works are fully completed.
- (3) Prior to work commencing on site, a detailed specification for underground surface water attenuation including design calculations for 1:100 and 1:200 year storm events and overflow provision shall be submitted for the written approval of the Planning Authority.
- (4) Prior to work commencing on site, a Flood Risk Assessment shall be submitted for the assessment of the Planning Authority. No development shall commence until the written approval of the Flood Risk Assessment has been provided.

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) To ensure that adequate drainage is provided.

Informative(s):

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear the online reference number(s) 01, 02A, 03, 04, 06, 07, 08, 09, 10, 11, 12, 13 and 14.

P213. ERECTION OF 16 FLATTED DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING AT THE ROYAL BRITISH LEGION, PARK TERRACE, BRIGHTONS, FALKIRK FK2 0HY FOR LINK GROUP - P/09/0866/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 March 2010 (Paragraph P204 refers), Committee gave further consideration to Reports (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of 16 flatted dwellings with associated parking and landscaping at the Royal British Legion, Park Terrace, Brightons, Falkirk.

AGREED that Committee were minded to **GRANT** detailed planning permission, subject to the conclusion of an appropriate legal agreement outlining the tenure of the proposed affordable housing and securing the payment of £12,000 towards open space and play provision in the area. On completion of the Legal Agreement the Committee remits to the Director of Development Services to grant planning permission subject to the following conditions:-

- (1) The development to which the permission relates must commence within three years from the date of the permission.
- (2) Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
 - i. the nature, extent and types(s) of contamination on the site.
 - ii. measures to treat/remove contamination to ensure the site is fit for the use proposed.
 - iii. measures to deal with contamination during construction works.
 - iv. condition of the site on completion of decontamination measures.

Before any unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.
- (3) A schedule of all external finishing materials shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.
- (4) All road and footway construction shall be carried out in accordance with the "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, as amended January 2000".
- (5) A schedule outlining the proposed landscaping, planting and maintenance provisions shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.
- (6) All proposed access, parking and footpath construction shall be completed to the satisfaction of the Planning Authority prior to the occupation of the first flatted dwellinghouse.

Reason(s):

- (1) The development to which this permission relates must commence within five years from the date of this permission.
- (2) To ensure the ground is suitable for the proposed development.
- (3,5) To maintain the visual amenity of the area.
- (4,6) To safeguard the interests of the users of the highway.

Councillor Mahoney left the meeting at conclusion of the foregoing item of business.

P214. ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE AT LAND TO THE SOUTH WEST OF FORTHVIEW, STANDRIGG ROAD, FALKIRK FOR MR DEREK SCRYMGEOUR - P/09/0749/FUL

With reference to Minute of Meeting of the Planning Committee held on 24 March 2010 (Paragraph P198 refers), Committee gave further consideration to Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of a dwellinghouse and a domestic garage on land to the south west of Forthview, Standrigg Road, Falkirk.

Councillor McLuckie, seconded by Councillor Nicol moved that the application be granted subject to appropriate conditions as determined by the Director of Development Services.

By way of an Amendment, Councillor Macdonald seconded by Councillor Thomson moved that the application be refused in accordance with the recommendations detailed in the Report.

On a division, 5 Members voted for the Motion and 2 Members voted for the Amendment.

Accordingly, **AGREED** to **GRANT** planning permission, subject to appropriate conditions, as determined by the Director of Development Services.