

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 24 MARCH 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; Service Manager (D Dunbar); Development Management Coordinator (B Whittle); Senior Planning Officer (A Finlayson); Roads Development Officer (C Russell); Transport Planning Officer (K Short); Senior Forward Planning Officer (R Teed); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

DECLARATION OF INTEREST: Councillor Martin declared a non financial interest in agenda item 10 (minute P202) as an employee with Network Rail and advised that he would take no part in consideration of this item of business.

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 applications P/08/0938/OUT, P/09/0826/FUL and P/09/0879/FUL (minute P194, P196 and P197) but that he would take part in consideration of planning application P/09/0536/FUL (minute P195) as he was sufficiently familiar with the site.
- 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/08/0938/OUT, P/09/0826/FUL and P/09/0879/FUL (minute P194, P196 and P197) but that she would take part in consideration of planning application P/09/0536/FUL (minute P195) as she was sufficiently familiar with the site.
- Councillor Carleschi informed the Committee that, while he had not attended the site visits, he would take part in consideration of planning applications P/09/0536/FUL and P/09/0826/FUL (minute P195 and P196) as he was sufficiently familiar with the sites.

P192. OPENING REMARKS

Prior to the commencement of business, the Convener

- (a) informed Members that planning applications P/09/0483/OUT (agenda item 17) - Development of Land for Residential Development at Parkhall Farm, Vellore Road, Maddiston, Falkirk and P/09/0527/OUT (agenda item 18) - Development of Land for Residential Purposes on land to the east of Toravon Lodge, Vellore Road, Maddiston, Falkirk had been withdrawn by the applicants; and
- (b) invited the Development Manager to provide an update on the West Carron Landfill, Stenhouse Road, Carron.

An update was provided on the proposal for a joint Working Group.

P193. MINUTES

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 24 February 2010; and
- (b) Minute of Meeting of the Planning Committee On Site held on 8 March 2010.

P194. 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 (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 24 February 2010 (Paragraph P183 refers), Committee gave further consideration to Report (circulated) dated 16 February 2010 by the Director of Development Services and an additional Report (circulated) dated 16 March 2010 by the said Director 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 that Committee is **MINDED** to **GRANT** detailed planning permission, subject to the Director of Development Services obtaining such further information as she requires to fully assess the cost of developing and remediating the site in order that she may be satisfied on the robustness of the financial statement submitted with the application. In the event that the number of houses proposed as 'enabling' the development significantly exceeds nine or the said Director is not satisfied with regard to the financial statement, the application will be reported back to Committee for further consideration, otherwise the said Director is authorised to grant planning permission subject to such conditions as she considers appropriate.

NOTED the intention of the said Director that any planning permission to be granted would contain a condition which would address the distance between overhead power lines and housing development.

P195. ERECTION OF 12 FLATTED DWELLINGS ON LAND TO THE SOUTH OF 48 WOOD STREET, CHISHOLM PLACE, GRANGEMOUTH FOR FALKIRK COUNCIL - P/09/0536/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 24 February 2010 (Paragraph P184 refers), Committee gave further consideration to Report (circulated) dated 16 February 2010 by the Director of Development Services and an additional Report (circulated) dated 16 March 2010 by the said Director 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 **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) Prior to the commencement of any work on site, a contaminated land assessment shall be approved in writing by the Planning Authority. The contaminated land assessment shall determine the nature and extent of any contamination of 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. Where contamination (as defined by Part 11A of the Environmental Protection Act 1990) is identified, the assessment shall include a detailed remediation strategy, including timescales.
- (3) In circumstances where a contaminated land assessment approved in writing by the Planning Authority identifies contamination (as defined by Part 11A of the Environmental Protection Act 1990), and a detailed remediation strategy has subsequently been approved in writing by the Planning Authority, no part of the development shall be occupied until such time as a contamination remediation report has been approved in writing by the Planning Authority.
- (4) The screen planting, the details of which shall be submitted to and approved in writing by the Planning Authority, on the west side of the timber acoustic fence facing Beancross Road shall be planted prior to the occupation of any of the flats.
- (5) Prior to the commencement of works on-site, the tree protective fencing shown on Drawing GRA-6587-002 Revision B shall be erected and remain erected until the completion of the development. The tree protective fencing may only be removed with the written approval of the Planning Authority. During the period when the tree protective fencing is erected at the site, no materials or equipment of any kind shall be located for any purpose within the area bounded by the fencing.

- (6) All new trees to be planted shall be planted prior to the occupation of the first flat by the end of the first planting season following the occupation of the first flat. For the purpose of the condition, the planting season shall be considered to end on 31 March.
- (7) The development shall be implemented in accordance with the approved drawings and any other submitted details, which have been approved in writing by the Planning Authority.
- (8) Before any work commences on site, drainage details for the treatment of foul waste and surface water run-off shall be approved in writing by the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2-3,
5-6) To safeguard the environmental amenity of the area.
- (4) To safeguard the visual amenity of the area.
- (7) To ensure the development is carried out to the satisfaction of the Planning Authority.
- (8) To ensure adequate drainage.

Informative(s):-

- (1) The applicant should be aware that part of the existing roadway currently comprising a parking lay-by at Chisholm Place, at the frontage of the site to Chisholm Place, would require to be stopped up.
- (2) For the avoidance of doubt, the plan(s) for which the decision refer(s) bears the reference numbers 01, 02C, 03A, 04, 05, 06A, 07, 08, 09, 10 and 11.

NOTED that the Director of Development Services would consider the powers she has available to her under Roads legislation to establish white lines between the driveways at Chisholm Place and 48 Wood Street.

P196. EXTENSION TO DWELLINGHOUSE (FRONT EXTENSION) AT 42 TWEED STREET, GRANGEMOUTH FK3 8HA FOR MR BUCHANAN - P/09/0826/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 24 February 2010 (Paragraph P186 refers), Committee gave further consideration to Report (circulated) dated 16 February 2010 by the Director of Development Services and an additional Report (circulated) dated 16 March 2010 by the said Director 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 **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) Prior to the occupation of the extension hereby approved, the window facing onto 44 Tweed Street, Grangemouth, on the approved plan (drawing number 03) shall be obscured glazing and thereafter retained as such.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To safeguard the privacy of the occupants of adjacent properties.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the reference numbers 01, 02, 03A, 04 and 05.
- (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.

P197. DEMOLITION AND REPLACEMENT OF EXISTING DWELLINGHOUSE (RETROSPECTIVE) AT TIPPETCRAIG, BONNYBRIDGE FK4 2EU FOR MR AND MRS G BURNS - P/09/0879/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 24 February 2010 (Paragraph P187 refers), Committee gave further consideration to Report (circulated) dated 16 February 2010 by the Director of Development Services and an additional Report (circulated) dated 16 March 2010 by the said Director 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 **GRANT** planning permission.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the reference numbers 01 – 12 inclusive.

P198. ERECTION OF DWELLINGHOUSE AND DOMESTIC GARAGE ON LAND TO THE SOUTH WEST OF FORTHVIEW, STANDRIGG ROAD, FALKIRK FOR MR DEREK SCRYMGEOUR - P/09/0749/FUL

There was submitted 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.

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

P199. ERECTION OF DWELLINGHOUSE WITH INTEGRATED DOMESTIC GARAGE AT KERSIE BANK, KERSIE TERRACE, SOUTH ALLOA FK7 7NJ FOR MR PATERSON - P/09/0849/FUL

There was submitted 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 with an integrated domestic garage at Kersie Bank, Kersie Terrace, South Alloa.

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

P200. USE OF LAND TO FORM 6 PERMANENT GYPSY/TRAVELLER HOUSEHOLDS AND 2 VISITOR PITCHES WITH FACILITIES FOR ACCESS, PARKING, FENCING, SCREENING AND UTILITY UNITS AT BIRCHWOOD FARM, BONNYBRIDGE FK4 2ET FOR MRS MARY KENNEDY - P/09/0364/FUL

There was submitted Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission, in retrospect, for the use of land to form 6 permanent gypsy/traveller sites, two visitor pitches with facilities for access, parking, fencing, screening and utility units and extending to 1.39 hectares, lying in open countryside to the south of High Bonnybridge.

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

P201. ERECTION OF 20 FLATTED DWELLINGS AND ASSOCIATED ROADS, FOOTWAYS AND PARKING AREAS ON LAND TO THE SOUTH WEST OF 11 SHIEL GARDENS, FALKIRK FOR FALKIRK COUNCIL - P/10/0038/FUL

There was submitted Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of 20 two bedroom flats, in three blocks, with access taken from Shiel Gardens, Falkirk, 25 car parking spaces and landscaping.

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

P202. ERECTION 18 FLATTED DWELLINGS AND ASSOCIATED ROADS, FOOTWAYS AND PARKING AREAS ON LAND TO THE NORTH OF HALLGLEN SPORTS CENTRE, ISLANDS CRESCENT, FALKIRK FOR FALKIRK COUNCIL - P/10/0037/FUL

There was submitted Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of 18 flatted dwellings (providing 3 blocks of 3 storey flats) and associated roads, footways and 23 parking spaces on land extending to 0.21 hectares encompassing an existing vacant building and neighbouring open space adjoining Hallglen Sports Centre, Islands Crescent, 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) Prior to the commencement of works on site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.
- (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) Provision shall be made for the parking of bicycles in appropriate racks to the satisfaction of the Planning Authority. Details, including number and location, shall be submitted to and approved by the Planning Authority prior to the commencement of works. Thereafter the facilities approved will be provided before the use of the premises commences.
- (6) Before the building is occupied, the car parking shown on the Approved Plan shall be completed.
- (7) Prior to any works on site, details of the surface water drainage strategy including SUDS shall be submitted to and approved in writing by the Planning Authority.
- (8) At any junctions within the site, a visibility splay of 2.4m by 30.0m shall be maintained, within which there shall be no obstruction to visibility over 0.6m, in height.
- (9) Development shall not begin until details of the scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
 1. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 2. location of new trees, shrubs, hedges and grassed areas;
 3. schedule of plants to comprise species, plant sizes and proposed numbers/density; and
 4. programme for completion and subsequent maintenance.

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.
- (3,9) To safeguard the visual amenity of the area.
- (4,8) To safeguard the interests of the users of the highway.
- (5,7) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (6) To ensure that adequate car parking is provided.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the reference numbers 01, 02a, 03a, 4, 5, 6, 7, 8, 9 and 10.

P203. ERECTION OF DWELLINGHOUSE AT CAVALIER INN, CROSS BRAE, SHIELDHILL, FALKIRK FK1 2EQ FOR MR MCMILLAN - P/09/0743/FUL

There was submitted Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of a one and a half storey dwellinghouse in the yard/garden area at the rear of the Cavalier Inn public house, Cross Brae, Shieldhill, Falkirk.

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

P204. 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

There was submitted Report (circulated) dated 17 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of 16, two bedroom flatted dwellings in two blocks with varying heights of two to two and a half storeys, with pitched roofs and dormer windows in front and rear, and a mixture of buff render and facing block together with associated parking and landscaping on ground at Park Terrace, Brightons, Falkirk.

Councillor McLuckie, seconded by Councillor Buchanan, moved that Committee was minded to grant planning permission, in accordance with the recommendations set out in the Report. Following a request for a site visit however, Councillor McLuckie, with the consent of Councillor Buchanan (both as seconder and Convener), and with the unanimous consent of the meeting as required by Standing Order 19.8, withdrew his motion.

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

P205. ERECTION OF 15 METRE HIGH MONOPOLE MAST INCORPORATING 3 NO. ANTENNAE AT SITE TO THE WEST OF 71 BRECHIN DRIVE, GILSTON CRESCENT, POLMONT FOR VODAFONE LTD - P/09/0610/FUL

There was submitted Report (circulated) dated 16 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of a 15 metre high streetworks style monopole mast incorporating 3 antennae at a site to the west of 71 Brechin Drive, Gilston Crescent, Polmont, Falkirk.

AGREED to **REFUSE** planning permission, on the basis that the proposed structure would have a detrimental impact on the visual amenity of the area.

P206. CHANGE OF USE OF SHOP TO CAFE, SHOP AND HOT FOOD TAKEAWAY AND ALTERATIONS TO SHOPFRONT AT 3 PRETORIA PLACE, STATION ROAD, BRIGHTONS FK2 0UF FOR GIANNINO'S RESTAURANTS LTD - P/09/0897/FUL

There was submitted Report (circulated) dated 17 March 2010 by the Director of Development Services on an application for detailed planning permission for a change of use of an existing vacant shop unit to a café and delicatessen with an element of a hot food takeaway, including the demolition of a previous rear extension and storage area, the formation of a small car parking area and the installation of a ventilation stack on the rear of the property facing south onto this parking area, all located on the ground floor of an existing stone built building two storeys in height at 3 Pretoria Place, Station Road, Brightons, Falkirk and to the south of Polmont railway station.

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

P207. ERECTION OF DWELLINGHOUSE AT 2 SCOTT AVENUE, POLMONT, FALKIRK FK2 0PN FOR MR E SOMERVILLE - P/09/0449/FUL

There was submitted Report (circulated) dated 17 March 2010 by the Director of Development Services on an application for detailed planning permission for the erection of a two story detached dwellinghouse located on the southern part of former garden ground at 2 Scott Avenue, Polmont, Falkirk.

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

P208. ALTERATION AND EXTENSION TO HOTEL TO PROVIDE APPROXIMATELY 200 ADDITIONAL BEDROOMS, ERECTION OF SPA AND LEISURE FACILITIES, FORMATION OF NEW ACCESS JUNCTION, CAR PARKING FACILITIES, ASSOCIATED ROADS AND INFRASTRUCTURE INCLUDING A SUSTAINABLE URBAN DRAINAGE SCHEME, HARD AND SOFT LANDSCAPING AND WOODLAND PLANTING AT GLENBERVIE HOUSE, LARBERT FK5 4SJ FOR GLENBERVIE HOUSE HOTEL LTD - P/08/1012/OUT

There was submitted Report (circulated) dated 19 March 2010 by the Director of Development Services on an application for outline planning permission (now planning permission in principle) for the alteration and extension to a hotel to provide approximately 200 additional bedrooms, the erection of a spa and leisure facilities, the formation of a new access junction, car parking facilities, associated roads and infrastructure, including a sustainable urban drainage scheme, hard and soft landscaping and woodland planting on a site in the countryside close to the M876 to the south and accessed from the A9 by a single track carriageway leading to the existing Glenbervie House Hotel and bounded by Glenbervie Golf Course to the north west and north east.

Glenbervie Garden Centre and Nursery bounds part of the south east part of the site and is screened by mature woodland.

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