

FALKIRK COUNCIL

**Subject:** CHANGE OF USE OF FORMER INDUSTRIAL LAND TO FORM TRANSFER STATION AT LAND TO THE WEST OF 2 HILLVIEW ROAD, HILLVIEW ROAD, HIGH BONNYBRIDGE (RETROSPECTIVE) FOR ANGUS BRAIDWOOD - P/09/0397/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 16 June 2010

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Councillor Billy Buchanan  
Councillor Tom Coleman  
Councillor Linda Gow

**Community Council:** None

**Case Officer:** Brent Vivian (Senior Planning Officer) ext: 4935

## 1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application is for a local development and seeks detailed retrospective planning permission for the change of use of industrial land to form a waste transfer station.
- 1.2 The application site is accessed by a private road off Hillview Road, High Bonnybridge. The site is bounded to the east by a vehicle scrap yard, to the west by open countryside and to the north by the main Edinburgh-Glasgow railway line. To the north of the railway line is housing. The topography of the area is undulating and rises from north to south. The nearby housing is at a lower level than the application site. Mature woodland to the south frames the site.
- 1.3 The use of the site as a waste transfer station involves the processing, recycling and storage of inert material arising from demolition, construction and excavation operations. The types of material likely to be processed and recycled include brickwork, concrete, stone, timber, steelwork, soil and sub-soil. The material is delivered to the site, separated, crushed and screened where appropriate, stored and made available for either sale or further disposal.
- 1.4 The scale of the operation varies and is influenced at present by the economic downturn reducing the demand for processed and recycled material. In recent times, three excavators and a mobile crusher have operated on the site. However, at the time of writing of this report operations had ceased. The mobile crusher is transported to the site on average 2 to 3 times per year and the route used is Beam Road, Lochgreen Road and Slamannan Road. A mobile screener is transported to the site to grade material when required. The vehicles used for transporting materials are 32 Tonne lorries and the number of movements depends on demand. Prior to ceasing of operations, the operator's own vehicles averaged 20 to 30 trips per week in total.

- 1.5 The application site sits at two levels and there are four stockpile areas which are accessed by a site road. The crusher is moved around the site according to the area where the processing is taking place. There is a defined segregation area where mixed waste is sorted for sale or processing. There is a small compound of structures in the south west corner which are used as an office, a toilet and for storage. There is a line of mature trees and an earth bund on or near the southern boundary of the site.
- 1.6 The operator (JR Masterton and Son (Demolitions) Ltd) has its offices and yard at Boyd Street, Falkirk, and the site at High Bonnybridge. The operator has advised that it is looking to relocate and operate fully from one site. Accordingly, the operator would be content with temporary planning permission to authorise continued operation until the intended relocation.

## **2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application requires Committee consideration because granting it would be contrary to the Development Plan.

## **3. SITE HISTORY**

- 3.1 Temporary planning permission (ref: F/97/0320) was granted in January 1998 for the change of use of industrial land to form a transfer station. This permission expired on 30 November 2001 and no further planning permission has been granted to use the site for this purpose. It is understood that the transfer station has continued to operate since the expiry date of the permission, therefore it is unauthorised development.

## **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has advised that vehicle movements associated with the operation would appear to be low, based on the information submitted with the application, and that it has no record of any complaints having been received regarding the impact of traffic associated with the site. An upgrade of the surfacing and visibility at the access junction is requested.
- 4.2 The Environmental Protection Unit has advised that it has carried out an assessment of noise produced at the site involving the operation of a crushing plant and excavators. The assessment was undertaken in accordance with BS4142:1997 (Method for rating industrial noise affecting mixed residential and industrial areas) and noise measurements were obtained from the garden areas of dwellings within Reilly Gardens. The results indicated that the difference between the background noise level and the measured noise level is of marginal significance, when the crushing plant is operating where it was sited at the time of assessment (at the lower site level, between two existing stockpiles). These stockpiles provide a noise barrier between housing in the area. Should complaints of excessive noise nuisance be received by the Environmental Protection Unit, investigations would be carried out and appropriate action taken within the terms of the relevant environmental legislation. In addition, the Environmental Protection Unit has requested the submission of a contaminated land assessment.

- 4.3 SEPA has advised that the development would appear to conform to the National Waste Strategy as it provides for waste recycling and supports the principle of shifting the emphasis away from landfilling. SEPA has also advised that there is a valid Waste Management License for the site, the site is inspected on a monthly basis and it has not received any nuisance complaints in connection with this site. Trade effluent, other foul drainage and surface water run-off requires authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) and any storage of oils must comply with the general requirements of the Water Environment (Oil Storage) (Scotland) Regulations 2006.

## **5. COMMUNITY COUNCIL**

- 5.1 There is no Community Council for this area.

## **6. PUBLIC REPRESENTATION**

- 6.1 Eighty-eight objections to the application have been received. The concerns raised in these objections can be summarised as follows:

- The site became more active in Spring 2009.
- The height and visual impact of the stockpiles.
- Noise from the processing plant, machinery and vehicles.
- Burning of material.
- Dust and dirt nuisance.
- Long operating hours.
- Proximity to housing (Reilly Gardens).
- Existing high levels of traffic in the area.
- Local roads are inadequate for large vehicles (e.g. HGV's).
- Serious effect on local road network.
- Danger for pedestrians/inadequate footpaths in the area.
- The previous planning conditions have not been complied with.
- Neighbours were not notified.
- No consultation with local residents.
- Depreciation in house values.

## 7. DETAILED APPRAISAL

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

### 7a The Development Plan

#### *Approved Falkirk Council Structure Plan*

7a.1 Policy ENV.1 ‘Countryside and Protected Areas’ states:

- “(1) *There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.*
- (2) *The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.*”

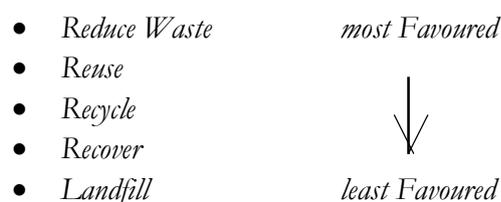
7a.2 The application site lies outwith the urban limits, within the countryside, as defined in the adopted Bonnybridge and Banknock Local Plan. With reference to the terms of Policy ENV 1, the waste transfer station does not inherently require a countryside location and it does not represent a form of agricultural diversification. The development is therefore contrary to this policy.

7a.3 Policy ENV.11 ‘General Approach to Waste Management’ states:

*“Provision will be made for a range of waste management facilities which will adequately treat the waste generated in the area and assist in meeting any specific regional waste management needs identified by the National Waste Strategy and any subsequent Regional Waste Strategy, subject to the following general principles:*

- (1) *A general presumption in favour of new facilities which support the aims of the ‘Waste Hierarchy’ (see Figure 2) in shifting the emphasis away from landfilling of waste towards other options including; waste minimisation, re-use of materials, re-cycling and recovery of waste materials.*

Fig. 2: The Waste Hierarchy



- (2) *The treatment of waste as close as possible to the area in which it is generated.*

- (3) *The minimisation of the impact on the local environment and the amenity of communities through the selection of appropriate sites and adoption of best operational practices.*

*The preferred location for new waste management facilities will be within or adjacent to existing waste management sites or alternatively within general industrial areas.”*

- 7a.4 The waste transfer station is considered to support the National Waste Strategy as it involves the re-use, recycling and recovery of materials and supports the aims of the Waste Hierarchy to shift the emphasis away from landfilling. It therefore accords with this aspect of the policy. The site lies within an historical industrial area, which is indicated in the policy as a preferred location for waste management facilities. However, with regard to part (3) of the policy, it is recognised that the operation has the potential to impact on the local area. However, whilst the proximity of the site to housing is acknowledged, it is considered that compliance with the requirements of the Waste Management License and the imposition of appropriate conditions on any grant of planning permission would mitigate the impacts of the development to acceptable limits. The Waste Management License controls the operational aspects of the development in accordance with an approved Working Plan, the quantity and type of waste treatment, the hours of operation and sources of pollution e.g. dust and mud on roads.
- 7a.5 Subject to compliance with the conditions of the Waste Management License and any grant of planning permission, the development is considered to accord with this policy.

#### ***Adopted Bonnybridge and Banknock Local Plan***

- 7a.6 As detailed in paragraph 7a.2, the application site lies outwith the urban limits, within the countryside, under the adopted Bonnybridge and Banknock Local Plan. Accordingly the countryside policies of the adopted Rural Local Plan apply, as noted below.

#### ***Adopted Rural Local Plan***

- 7a.7 Policy RURAL 1 ‘New Development in the Countryside’ states:

*“That within the countryside (as defined in paragraph 3.19), there will be a general presumption against new development except in the following circumstances :-*

1. *Housing development absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location. The occupation of new houses shall be limited to persons employed in agriculture as defined in Section 275(1) of the Town and Country Planning (Scotland) Act 1972, or to persons employed in forestry or other appropriate rural activities and the dependants of such persons.*
2. *On the Slamannan Plateau as indicated on the Policies and Proposals Map, single dwellinghouses developed in conjunction with significant tree planting schemes. Such proposals will be considered on merit with due regard to the provisions of the District Council’s “Guide to Tree Planting/ Housing Proposals on Slamannan Plateau”.*
3. *Appropriate infill development where a clear gap site exists which would not contribute to ribbon, backland or sporadic development forms.*
4. *Industrial/ business development where there is an overriding national or local need and a rural site is the only suitable location.*

5. *Development for tourism and countryside recreation purposes where the District Council is satisfied that the proposal requires a rural setting, is appropriate in terms of its type, scale and location and that it would enhance the image of the District. Proposals which accord with the District Council's Tourism Strategy are particularly welcomed.*
6. *Telecommunications development and development relating to the temporary use of land particularly for the working of minerals. Such proposals will be considered on merit, with due regard to the relevant specialised policies of the District Council.*

*The scale, siting and design of those developments which are granted permission will be strictly controlled. Building designs compatible with the District Council's "Design Guide For Buildings In The Rural Areas" and sympathetic to vernacular architectural forms will be expected."*

7a.8 This policy generally presumes against new development in the countryside except in limited circumstances. In this instance it is considered that none of these circumstances are satisfied. Whilst circumstance (4) provides for industrial development where there is an overriding national or local need and a rural site is the only suitable location, no evidence has been presented to suggest that this would be the case here. The development is therefore contrary to this policy.

7a.9 Policy RURAL 8 'Changes of Use in the Countryside' states:

*"That proposals for changes of use relating to existing industrial, commercial and institutional uses within the countryside will generally be considered favourably, provided that they comply with the criteria outlined in POLICY RURAL 1."*

7a.10 Prior to the operator establishing the waste transfer station in the late 1990's, the application site formed part of a redundant brickworks. Under Policy Rural 8, the change of use of industrial land located in the countryside for historical reasons will generally be considered favourably, provided the criteria of Policy Rural 1 is satisfied. However, for the reasons detailed in Paragraph 7a.8, Policy Rural 1 is not complied with. Accordingly, the development is also contrary to Policy Rural 8.

7a.11 Accordingly, overall, the application does not accord with the Development Plan.

## **7b Material Considerations**

7b.1 The material planning considerations in respect of the application are National Planning Policy and Guidance, the Falkirk Council Local Plan Finalised Draft (Deposit Version), the planning history for the site, the consultation responses, the representations received and impacts on amenity.

### ***National Planning Policy and Guidance***

7b.2 Scottish Planning Policy (February 2010) states that the Scottish Government has adopted zero waste as a goal. Towards that end, the reuse and recycling of material is promoted, in accordance with the Waste Hierarchy. Scottish Planning Policy recognises that a significant increase in the number, range and type of waste management installations will be required. It states that the 'proximity principle' requires waste to be dealt with as close as possible to where it is produced. The waste transfer station subject to this application is considered to be broadly supported by Scottish Planning Policy as it provides for recycling and reuse and therefore reduces the need for landfilling. In addition, the site lies on the outskirts of an urban area, close to potential sources of waste.

7b.3 Scottish Planning Policy indicates that a 100 metre buffer may be appropriate between new facilities such as recycling facilities and sensitive receptors (for example, housing), whilst recognising that appropriate buffer zones will depend on the specific characteristics of the site. In this instance, the application site lies approximately 23 metres to the south of housing at Reilly Gardens, at a higher level, although the intervening land use is the main Edinburgh to Glasgow railway line, which provides a context within which to consider potential noise nuisance.

***Falkirk Council Local Plan Finalised Draft (Deposit Version)***

7b.4 The application site lies outwith the urban limits, within the countryside, and adjoins a Business and Industry Retention Area under the Falkirk Council Local Plan Finalised Draft (Deposit Version).

7b.5 Policy EQ19 - 'Countryside' states:

*“(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:*

- it can be demonstrated that they require a countryside location;*
- they constitute appropriate infill development; or*
- they utilise suitable existing buildings.*

*(2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:*

- the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council's 'Design Guide for Buildings in the Rural Areas'; and*
- boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7b.6 Within the terms of this policy, the development requires assessment against Policy EP5 (Business and Industrial Development in the Countryside).

7b.7 Part 2 of the policy seeks to ensure that development that meets the relevant countryside policy criteria has no adverse impact of the character of the countryside. In this instance, the area has an industrial character given the former brickworks use of the land and the adjoining scrap yard use. The main issue in relation to this policy is the visual impact of the development. The stockpiles at the site are visible from certain vantage points given that the site is elevated. However, the site is partially screened by existing trees and an earth bund along or adjacent to the southern boundary and the stockpiles do not break the skyline as they are framed by mature tree planting to the south. Subject to the stockpiles being restricted to an appropriate height and the provision of adequate screening, the visual impact on the area would be acceptable.

7b.8 Subject to compliance with Policy EP5, the development is considered to accord with this policy.

7b.9 Policy EP5 'Business and Industrial Development in the Countryside' states:

*"New business and industrial development in the countryside will only be permitted in the following circumstances:*

- (1) Areas specifically identified for business and industrial development on the Proposals Map;*
- (2) Business/industrial development where the need for a countryside location is demonstrated and the proposal could not more appropriately be accommodated within the Urban or Village Limits;*
- (3) Proposals involving the reuse of vacant industrial, commercial or institutional land or premises, or the conversion of farm or other buildings for business use where the scale and nature of the activity is compatible with the location;*
- (4) Limited extensions to existing established businesses in the countryside which can be accommodated without any additional adverse impact on the rural environment: or*
- (5) Proposals for the processing of secondary materials including construction and demolition wastes at existing mineral sites in addition to industrial sites;*
- (6) Appropriate leisure and tourism development that accords with Policy EP16.*

*Proposals will be subject to rigorous assessment of their impact on the rural environment, having particular regard to Local Plan policies protecting natural heritage (EQ19-EQ30) and built heritage (EQ12-EQ18)."*

7b.10 Circumstance (3) of this policy is relevant as it provides for the reuse of existing industrial land in the countryside where the scale and nature of the activity is compatible with the location. In this instance, the waste transfer station reuses a former brickworks in an historical industrial area. Concerns in relation to the scale and nature of the operation are raised in objections. However, it is considered that impacts associated with the operation can be controlled to acceptable limits by compliance with the conditions of the Waste Management License and any grant of planning permission. Subject to compliance with such conditions, the development is considered to accord with this policy.

### ***Planning History***

7b.11 The planning history for the site is set out in Section 3 of this report. As detailed, temporary planning permission (ref: F/97/0320) was granted in January 1998. This permission expired on 31 November 2001 and the use has continued unauthorised since that time.

7b.12 The reason that the permission was temporary was due to concerns raised by the Roads Unit at the extra traffic that would be generated, particularly as the roads in the area are restricted in width, substandard in alignment and passage is difficult due to various bridges. Temporary permission was granted to ensure monitoring of the land use and the traffic problems perceived by the Roads Unit. As detailed in paragraph 4.1 of this report, the Roads Development Unit has advised that vehicle movements associated with the operation would appear to be low, based on the information submitted with the application, and that it has no record of any complaints having been received regarding the impact of traffic associated with the site.

## ***Consultation Responses***

- 7b.13 The consultation responses are summarised in Section 4 of this report. The matters raised by the Roads Development Unit and the Environmental Protection Unit could be the subject of conditions of any grant of permission. The applicant has agreed to undertake upgrade works at the access junction, with the detail being subject to the approval of this Planning Authority. At the time of writing of this report, a contaminated land assessment had been submitted and was being considered by the Contaminated Land Officer. Any outstanding matters in relation to the contaminated land assessment could be the subject of a condition of any grant of permission.
- 7b.14 SEPA has advised that it regularly inspects the site, and has not received any complaints in connection with the operation of the site. However, SEPA has been made aware of the large number of objections to the planning application. The site has a valid Waste Management Licence.

## ***Impact on Amenity***

- 7b.15 It has been recognised in this report that the waste transfer station has the potential to impact on the local area. As evidence of this, a significant body of objection has been received from local residents. The concerns raised in these objections have been summarised in Section 6 and they include concerns with the visual impact of the stockpiles, noise emanating from plant and machinery, the operating hours and dust and dirt nuisance.
- 7b.16 As detailed in paragraph 4.2 of this report, the Environmental Protection Unit has carried out a noise assessment and is satisfied that the noise generated by the site crusher at its location at the time of assessment is of marginal significance taking into account background noise levels. At the time of assessment, the crusher was operating between two stockpiles which acted as a noise barrier. However, the crusher is mobile and therefore may operate from other parts of the site where noise is not mitigated by existing stockpiles and noise impacts may be of greater significance. Accordingly the applicant will be required to provide a suitable acoustic barrier between the crusher and the noise sensitive premises (dwellinghouses) at all times of operation at all locations on the site. The details regarding this could be the subject of a condition of any grant of permission. If the crusher is not behind a suitable bund or stockpile, a portable acoustic barrier may be considered.
- 7b.17 The visual impact of the development has been assessed in paragraph 7b.7 of this report. Subject to the provision of adequate screening and a restriction on the height of the stockpiles, the visual impact can be adequately mitigated. The temporary permission granted in 1998 (ref: F/97/0320) restricted the height of the stockpiles to 5 metres, however this height has been exceeded at times. However, taking account of the lower level of the northern part of the site, and the proposal for an enhanced bund, it is considered that a stockpile height to 7.5 metres at the lower level would not cause any undue visual impact. At the higher level, it is considered that a 5 metre height restriction should apply. The overall development does not break the skyline and is no higher than other development in the immediate area.
- 7b.18 Whilst objectors have raised concerns at the hours operated on the site, the operator has advised that these hours accord with the restrictions under the previous planning permission and the Waste Management License. These hours are Monday to Friday 07.30am to 18.30pm, Saturday 08.30am to 17.00pm and Sunday 11.00am to 16.00pm. These hours are considered to safeguard amenity to acceptable limits as they are restricted to daytime and are more restrictive at weekends.

7b.19 Dust nuisance is controlled by the terms of the Waste Management License. The license requires the site to be sprayed with water or otherwise treated to prevent or suppress airborne dust in dry weather or whenever necessary. In that regard the applicant has advised that the mobile crusher is fitted with a water fed dust suppression system. Compliance with the license condition would mitigate the potential for dust nuisance. However, it is appreciated that it may not be practicable to prevent dust nuisance at all times, given the proximity of housing downwind of the prevailing wind. However, SEPA has advised that it has not received any nuisance complaints in relation to the operation.

### ***Representations Received***

7b.20 The concerns raised in the representations have been summarised in Section 6 of this report. In response to these concerns, the following comments are considered to be relevant:

- It is understood that the site became more active in Spring 2009 in response to concerns by SEPA that the levels on the site were being permanently raised. The increase in activity was to process and stockpile material to restore the original levels.
- Concerns in relation to visual impact, noise, dust and hours of operation have been discussed in detail in this report.
- A condition of the Waste Management License prohibits the burning of any material within the boundaries of the site. SEPA should be notified of any such incidents.
- The Roads Development Unit has not raised any concerns regarding traffic impacts based on the information submitted with the application and has no record of any traffic related complaints.
- It is a legitimate course of action to address a breach of planning control by applying for retrospective planning permission.
- All neighbours to the application site were notified of the application in accordance with statutory requirements.
- The impact of development on property values is not a material planning consideration.

### **7c Conclusion**

7c.1 This application, for the change of use of former industrial land to a waste transfer station, does not accord with the Development Plan, for the reasons detailed in this report. However, it is considered there are material considerations to outweigh the terms of this Plan in this instance. The site lies within an historical industrial area and its current use as a waste transfer station is longstanding and until recently would appear to have been operating at a relatively small scale and without complaint, albeit as an unauthorised development since November 2001. It is understood that an increase in activity in Spring 2009 was in order to reinstate the original site levels to address concerns by SEPA. In addition, it is considered that compliance with the conditions of the Waste Management License and any grant of planning permission would mitigate impacts on the local area to acceptable limits.

7c.2 It is, however, acknowledged that the site lies in close proximity to a residential area and, given the nature of the operation and the operator's stated intention to relocate, it may be appropriate to consider further temporary permission in order to review the acceptability of permanent use of the site having regard to activity levels and any associated impacts on the local area. Accordingly, temporary planning permission is recommended.

## **8. RECOMMENDATION**

8.1 It is recommended that the Planning Committee grant temporary planning permission subject to the following conditions:-

- (1) This permission shall be valid for a limited period until 30 June 2012 and, at the end of that time, unless a further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition in accordance with a restoration plan approved in writing by this Planning Authority.
- (2) At all times of operation of the crusher, an acoustic barrier shall be provided between the crusher and noise sensitive premises (dwellinghouses) in accordance with details to be approved in writing by this Planning Authority prior to operation of the crusher at each respective location.
- (3) The existing tree screen indicated on approved plan 02B shall be retained for the lifetime of the development hereby approved.
- (4) No material shall be stored in excess of 5 metres in height above existing ground level in stockpile area 1 and no material shall be stored in excess of 7.5 metres in height above existing ground level in stockpile areas 2, 3 and 4.
- (5) No work shall be carried on within the site outwith the hours of Monday to Friday 07.30am to 18.30pm, Saturday 08.30am to 17.00pm and Sunday 11.00am to 16.00pm.
- (6) Within 3 months of the date of this permission, a Contaminated Land Assessment shall be submitted to and approved in writing by this Planning Authority. Any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy and timescale, and any necessary remediation completion reports/validation certificates shall be submitted to and approved in writing by this Planning Authority.
- (7) Within 3 months of the date of this permission, the access road entrance shall be surfaced in a manner to ensure that no loose material or surface water is discharged onto the public road, in accordance with details approved in writing by this Planning Authority.
- (8) Within 3 months of the date of this permission, a visibility splay of 2.4 metres x 215 metres shall be provided in both directions of the access road entrance unless alternative provision for visibility is agreed in writing by this Planning Authority. Within the approved splay, there shall be no obstruction to visibility over 1 metre in height above carriageway level.

**Reason(s):**

- (1) The proposal is not considered to be a suitable form of permanent development.
- (2-5) To safeguard the amenity of the area.
- (6) To ensure the ground is appropriately remediated.
- (7-8) In the interests of road safety.

**Informative(s):**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our reference number(s) 01 and 02B.
- (2) Trade effluent, other foul drainage and surface water run-off require authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) and any storage of oils must comply with the general requirements of the Water Environment (Oil Storage) (Scotland) Regulations 2006.

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**Director of Development Services**

**Date:** 8 June 2010

**LIST OF BACKGROUND PAPERS**

- 1. Approved Falkirk Council Structure Plan.
- 2. Adopted Bonnybridge and Banknock Local Plan.
- 3. Adopted Rural Local Plan.
- 4. Scottish Planning Policy (February 2010).
- 5. Falkirk Council Local Plan Finalised Draft (Deposit Version).
- 6. Letter of Objection from Jean Fettes 4 Reilly Gardens Bonnybridge FK4 2BB 18 August 2009
- 7. Letter of from Mr and Mrs A Easton 68 Reilly Gardens Bonnybridge FK4 2BB
- 8. Letter from John Park 31 July 2009
- 9. Letter of Objection from Mr & Mrs Pennington 78 Reilly Gardens Bonnybridge FK4 2BB 10 August 2009
- 10. Letter of Objection from Mrs Anne Russell 72 Reilly Gardens High Bonnybridge FK4 2BB 30 July 2009
- 11. Letter of Objection from Janet & Allan Mclelland 80 Reilly Gardens High Bonnybridge FK4 2BB 2 August 2009
- 12. Letter of Objection 86 Reilly Gardens Bonnybridge FK4 2BB 20 August 2009

	from Mr Craig McWilton		
13.	Letter of Objection from Alfred Hargreaves	40 Reilly Gardens High Bonnybridge Bonnybridge FK4 2BB	8 March 2010
14.	Letter of Objection from Mr James Aitken	48 Reilly Gardens High Bonnybridge Bonnybridge FK4 2BB	6 August 2009
15.	Letter of Objection from Mr Frank Fettes	2 Reilly Gardens High Bonnybridge Bonnybridge FK4 2BB	30 July 2009
16.	Letter of Objection from Mrs Anne Russell	72 Reilly Gardens High Bonnybridge FK4 2BB	30 July 2009
17.	Letter of Objection from Mr John Lees	76 Reilly Gardens High Bonnybridge FK4 2BB	2 August 2009
18.	Letter of Objection from Miss Gloria Graham	39 Reilly Gardens Bonnybridge FK4 2BB	4 August 2009
19.	Letter of Objection from Mr Thomas Owens	35 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB	3 August 2009
20.	Letter of Objection from Joseph McGuire	62 Reilly Gardens Bonnybridge FK4 2BB	3 August 2009
21.	Letter of Objection from Mr Bill Jarvie	34 Reilly Gardens, High Bonnybridge, Bonnybridge FK4 2BB	3 August 2009
22.	Letter of Objection from Mr Chris and Diane Geraghty	88 Reilly Gardens, High Bonnybridge, FK42BB	3 March 2010
23.	Letter of Objection from Mrs Anne Russell	72 Reilly Gardens, High Bonnybridge, FK4 2BB	30 July 2009
24.	Letter of Objection from Mrs Anne McVeigh	38 Church Street, High Bonnybridge, Bonnybridge FK4 2AZ	28 July 2009
25.	Letter of Objection from Mr William Upton	21 Reilly Gardens, High Bonnybridge, FK4 2BB	30 July 2009
26.	Letter of Objection from Mr Robert Armstrong	90, Reilly Gardens, High Bonnybridge FK4 2BB	3 August 2009
27.	Letter of Objection from John Park		20 August 2009
28.	Letter of Objection from Mr and Mrs Tortora		6 August 2009
29.	Letter of Objection from Mr Hugh Brown	54 Reilly Gardens Bonnybridge FK4 2BB	4 March 2010
30.	Letter of Objection from Christine Brown	Churchview 87 Broomhill Road High Bonnybridge Bonnybridge	16 March 2010
31.	Letter of Objection from Mr Steve Tortora	92 Reilly Gardens Bonnybridge FK4 2BB	3 March 2010
32.	Letter of Objection from Ms Kathleen N'Oustra	3 Reilly Gardens Bonnybridge FK4 2BB	3 March 2010
33.	Letter of Objection from Mr Stephen Deans	27 Reilly Gardens Bonnybridge FK4 2BB	12 March 2010
34.	Letter of Objection	5 Reilly Gardens Bonnybridge FK4 2BB	5 March 2010

from Mr Hugh McNair

35.	Letter of Objection from Margaret and Stanley Thorburn	1 Reilly Gardens Bonnybridge FK4 2BB	5 March 2010
36.	Letter of Objection from Alex and Margaret Bryson	14 Reilly Gardens Bonnybridge FK4 2BB	5 March 2010
37.	Letter of Objection from Sharon Kiloh	11 Reilly Gardens Bonnybridge FK4 2BB	5 March 2010
38.	Letter of Objection from Mr and Mrs John and Elizabeth Boyd	30 Reilly Gardens Bonnybridge FK4 2BB	8 March 2010
39.	Letter of Objection from Mr and Mrs Drennan	16 Reilly Gardens Bonnybridge FK4 2BB	9 March 2010
40.	Letter of Objection from Mr William Regan	52 Reilly Gardens Bonnybridge FK4 2BB	9 March 2010
41.	Letter of Objection from Mr Ian Wilkie	56 Reilly Gardens Bonnybridge FK4 2BB	9 March 2010
42.	Letter of Objection from Mr Frank Walton	48A Broomhill Road High Bonnybridge Bonnybridge FK4 2AY	17 March 2010
43.	Letter of Objection from Mr Richard Green	14 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL	17 March 2010
44.	Letter of Objection from James & Wilma Casey	15 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL	17 March 2010
45.	Letter of Objection from Jean Rutherford	63 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	17 March 2010
46.	Letter of Objection from Gwen Rae	42 Reilly Gardens Bonnybridge FK4 2BB	17 March 2010
47.	Letter of Objection from Deborah Rosiek	10 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL	17 March 2010
48.	Letter of Objection from Barbara Binnie	34 Millar Place Larbert Falkirk FK2 8QB	17 March 2010
49.	Letter of Objection from Graeme Healy	4 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL	17 March 2010
50.	Letter of Objection from Mrs Douglas	53 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	17 March 2010
51.	Letter of Objection from Claire Guyan	59 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	17 March 2010
52.	Letter of Objection from Liz Douglas	Lyndeen Cottage 61 Broomhill Road High Bonnybridge Bonnybridge	17 March 2010
53.	Letter of Objection from Mrs Alton	Lyndeen Cottage 61 Broomhill Road High Bonnybridge Bonnybridge	17 March 2010
54.	Letter of Objection from Martin Guyan	59 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	17 March 2010
55.	Letter of Objection from Sally & Alex Spiers	75 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	17 March 2010
56.	Letter of Objection from May Fallon	36 Reilly Gardens Bonnybridge FK4 2BB	23 March 2010
57.	Letter of Objection from Robert &	4A Church Street High Bonnybridge Bonnybridge FK4 2AZ	23 March 2010

Margaret Anderson

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|-----|---|---|---------------|
| 58. | Letter of Objection from Anton Mayer          | 12 Reilly Gardens Bonnybridge FK4 2BB                   | 23 March 2010 |
| 59. | Letter of Objection from Brian & Anne McVeigh | 38 Church Street High Bonnybridge Bonnybridge FK4 2AZ   | 23 March 2010 |
| 60. | Letter of Objection from Herbert Brown        | 15 Reilly Gardens Bonnybridge FK4 2BB                   | 11 March 2010 |
| 61. | Letter of Objection from Christine Stuart     | 29 Reilly Gardens Bonnybridge FK4 2BB                   | 10 March 2010 |
| 62. | Letter of Objection from Mr David Reid        | 66 Reilly Gardens Bonnybridge FK4 2BB                   | 10 March 2010 |
| 63. | Letter of Objection from Ms Kelly Harris      | 38 Millar Place Bonnybridge FK4 2AR                     | 24 March 2010 |
| 64. | Letter of Objection from L C Rice             | 13 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL | 24 March 2010 |
| 65. | Letter of Objection from Mr Ernie Hannigan    | 70 Reilly Gardens High Bonnybridge FK4 2BB              | 2 March 2010  |
| 66. | Letter of Objection from Mr Adam Baird        | 17 Reilly Gardens Bonnybridge FK4 2BB                   | 3 March 2010  |
| 67. | Letter of Objection from Mr James Lapsley     | 33 Reilly Gardens Bonnybridge FK4 2BB                   | 3 March 2010  |
| 68. | Letter of Objection from Mrs A F Owens        | 35 Reilly Gardens Bonnybridge FK4 2BB                   | 3 March 2010  |
| 69. | Letter of Objection from Ms Jacqueline Wright | 82 Reilly Gardens Bonnybridge FK4 2BB                   |               |
| 70. | Letter of Objection from Mrs A Duncan         | 23 Reilly Gardens Bonnybridge FK4 2BB                   | 3 March 2010  |
| 71. | Letter of Objection from Mr A Dunsmore        | 31 Reilly Gardens Bonnybridge FK4 2BB                   | 15 March 2010 |
| 72. | Letter of Objection from Mr Stuart Irving     | 3 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL  | 16 March 2010 |
| 73. | Letter of Objection from Mrs Ann Irving       | 3 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL  | 16 March 2010 |
| 74. | Letter of Objection from Mrs A Campbell       | 71 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT  | 16 March 2010 |
| 75. | Letter of Objection from Mr and Mrs Peebles   | 81 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT  | 16 March 2010 |
| 76. | Letter of Objection from Ms Margaret Mulligan | 48B Broomhill Road High Bonnybridge Bonnybridge FK4 2AY | 16 March 2010 |
| 77. | Letter of Objection from Mr and Mrs Nugent    | 7 Millar Place Bonnybridge FK4 2AR                      | 16 March 2010 |
| 78. | Letter of Objection from Mr and Mrs Lucy      | 11 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL | 16 March 2010 |
| 79. | Letter of Objection from Eleanor McCutcheon   | 69 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT  | 18 March 2010 |

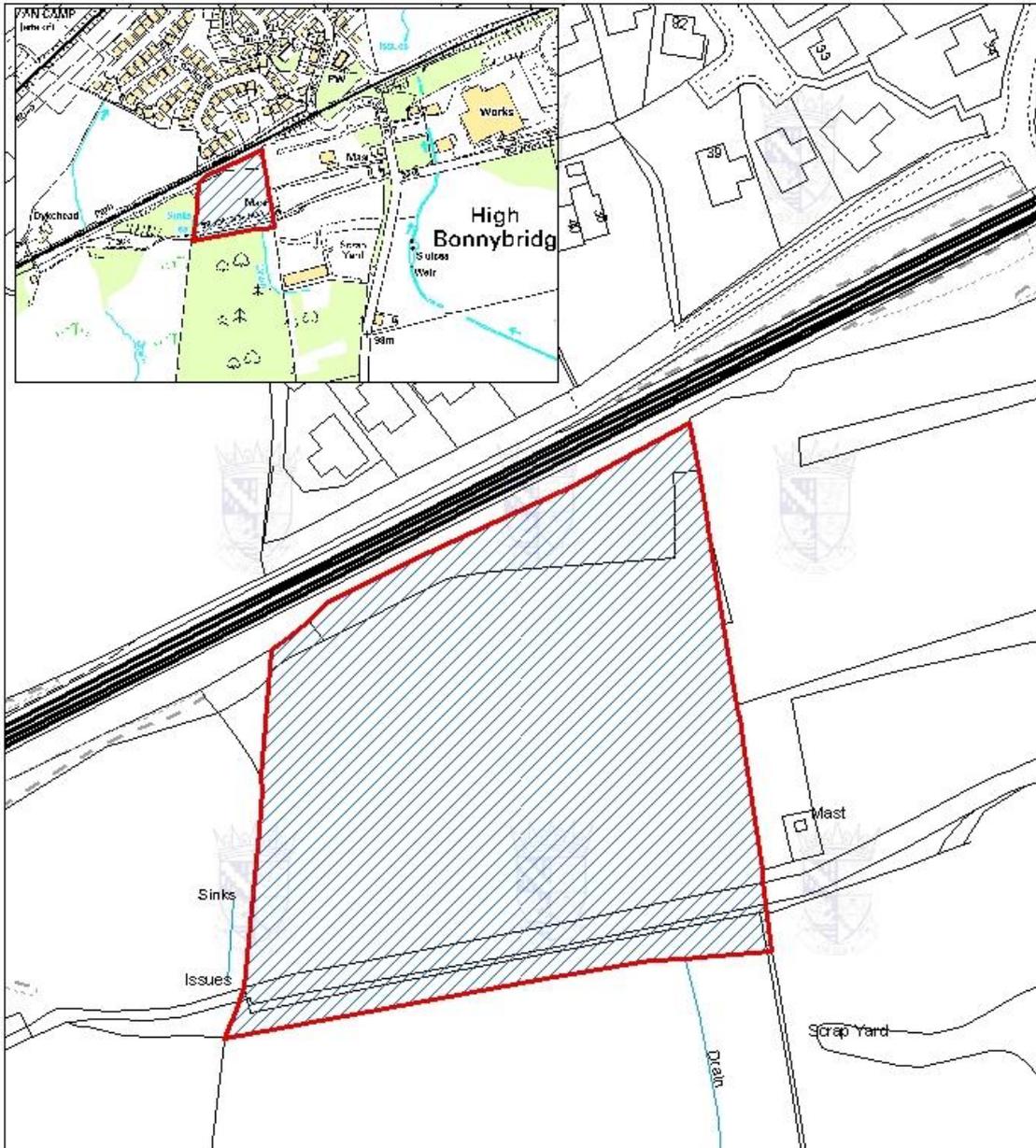
80.	Letter of from Michelle McCourt & Steven McCaughey	64 Reilly Gardens Bonnybridge FK4 2BB	18 March 2010
81.	Letter of Objection from Samantha Mayer	30 Millar Place Bonnybridge FK4 2AR	18 March 2010
82.	Letter of Objection from Mr David Cochran	38 Reilly Gardens Bonnybridge FK4 2BB	22 March 2010
83.	Letter of Objection from David N Turner	37 Reilly Gardens Bonnybridge FK4 2BB	25 March 2010
84.	Letter of Objection from Mr William Fettes	4 Reilly Gardens Bonnybridge FK4 2BB	4 March 2010
85.	Letter of Objection from Mr and Mrs Adams	8 Reilly Gardens Bonnybridge FK4 2BB	4 March 2010
86.	Letter of Objection from Mr Frank Fettes	2 Reilly Gardens Bonnybridge FK4 2BB	4 March 2010
87.	Letter of Objection from R & A Fagan	22 Reilly Gardens Bonnybridge FK4 2BB	4 March 2010
88.	Letter of Objection from Mr Alexander Sleith	20 Reilly Gardens Bonnybridge FK4 2BB	4 March 2010
89.	Letter of Objection from Mr John Ellis	74 Reilly Gardens High Bonnybridge Falkirk FK4 2BB	3 March 2010
90.	Letter of Objection from Mr Robert Craig	Grange Cottage 50 Broomhill Road High Bonnybridge Bonnybridge	19 March 2010
91.	Letter of Objection from Miss J Ellis	77 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	19 March 2010
92.	Letter of Objection from Derek and Margaret Duff	18 Millar Place Bonnybridge FK4 2AR	19 March 2010
93.	Letter of Objection from Thomas Hoy	89 Broomhill Road High Bonnybridge Bonnybridge FK4 2AT	19 March 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian (Senior Planning Officer).

# Planning Committee

## Planning Application Location Plan **P/09/0397/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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