

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING REVIEW COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 20 MAY 2010 at 2.00 P.M.

PRESENT: Councillors Carleschi, McLuckie, McNeill and Nicol.

CONVENER: Councillor McLuckie.

ATTENDING: Legal Services Manager (I Henderson); Development Management Coordinator (B Whittle); Team Leader, Legal Services (D Blyth); and Committee Officer (S Barton).

APOLOGY: Councillor Buchanan.

DECLARATION OF INTEREST: None

PRC3. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Planning Review Committee held on 22 April 2010.

PRC4. OPENING REMARKS

The Convener welcomed everyone in attendance to this meeting of the Planning Review Committee and following a short introduction asked Mr Henderson, Legal Services Manager, to provide a summary of the procedure to be followed at the Committee.

PRC5. APPLICATION FOR REVIEW – CHANGE OF USE FROM SHOP (GROUND AND 1ST FLOOR)(CLASS 1) TO LICENSED BETTING OFFICE (CLASS 2) AT 142 – 144 HIGH STREET, FALKIRK, FK1 1NR FOR CORAL RACING LTD – P/09/0760/FUL

There were submitted documents (circulated) in relation to the Application for Review submitted by Elias Topping (agents for Coral Racing Ltd) for the change of use from shop (Ground and 1st Floor)(Class 1) to licensed betting office (Class 2) at 142 to 144 High Street, Falkirk.

The Committee heard a presentation from the Planning Adviser, Mr Whittle, which included a short presentation showing photographs of the application site and surroundings.

The Committee **AGREED** that they had sufficient information in the written submissions to be able to take a decision at this meeting and considered:

- (a) the terms of the Development Plan, the Falkirk Council Structure Plan 2007, the Falkirk Local Plan 2000 and the Falkirk Council Local Plan Finalised Draft (Deposit Version);
- (b) vacancy levels within the town centre and the current economic climate;
- (c) the unit concerned having been vacant for over two years;
- (d) benefit to the retail function of the town centre of attracting footfall within the core area;
- (e) the vitality and viability of the town centre; and
- (f) that the decision should not be seen as a precedent for permitting other non-retail uses.

After discussion, the Committee **AGREED** that the application for planning permission be granted, subject to the following conditions and that the preparation of the decision notice be delegated to the Acting Director of Law and Administration Services:-

- (1) The development to which the permission relates must be begun within three years from the date of the permission.
- (2) The use of the site for any other purpose within Clause 2 of the schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 (or any Order Revoking and re-enacting that Order) will require to be the subject of a further planning application to, and approved by, the Planning Authority.

Reason(s):

- (1) To accord with the provisions for Section 58 of the Town and Country (Planning) Scotland Act 1997.
- (2) In order to retain control over the future Class 2 use of the property.

Informatives(s):

- (1) For the avoidance of doubt the plans to which the decision refers bear the online reference numbers 01 and 02.
- (2) The property is a category B listed building. Formal listed building consent and planning permission may also be required for alterations to the building. It is a criminal offence not to have obtained listed building consent before starting work on site.
- (3) A separate formal advertisement consent and listed building consent may be required for the signs associated with the proposed development. It is the applicant's responsibility to obtain the consent before any signs are displayed on site.