

DRAFT AGENDA ITEM 1 (b)

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on MONDAY 16 AUGUST 2010 commencing at 9.45 a.m.

PRESENT: Councillors Buchanan, Lemetti, A MacDonald, McLuckie, McNeill, Mahoney, Nicol, Oliver and Thomson.

CONVENER: Councillor Buchanan.

APOLOGY: Councillor C Martin.

ATTENDING: Development Manager (for applications P/10/0127/FUL, P/09/0409/FUL, P/09/0397/FUL, P/10/0002/FUL, P/09/0862/FUL and P/10/0180/FUL); Development Management Coordinator (D Campbell) (for application P/10/0127/FUL); K Collins, Transport Planning Coordinator (for application P/10/0180/FUL); Senior Planning Officer (B Vivian) (for application P/09/0397/FUL); Senior Planning Officer (A Finlayson) (for applications P/09/0409/FUL, P/10/0002/FUL and P/10/0180/FUL); Planning Officer (J Seidel) (for application P/09/0862/FUL); Assistant Planning Officer (G Clark) (for application P/10/0127/FUL); Roads Development Officer (B Raeburn) (for applications P/10/0127/FUL, P/09/0409/FUL and P/09/0397/FUL); Roads Development Officer (C Russell) (for applications P/10/0002/FUL, P/09/0862/FUL and P/10/0180/FUL); Environmental Health Officer (S Henderson); (for applications P/09/0397/FUL and P/09/0862/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

DECLARATIONS OF INTEREST: Councillor Lemetti declared a non-financial interest in planning application P/10/0127/FUL (P59) in consequence of his own business interests in Camelon and having regard to the issue of public perception in relation to the application would consequently not be present during consideration of this item of business.

In accordance with his declaration of interest in the following item of business, Councillor Lemetti was not present and took no part in the discussion on this matter.

P59. CHANGE OF USE FROM GENERAL STORE TO HOT FOOD TAKE AWAY AT 102 GLASGOW ROAD, FALKIRK FK1 4HR FOR MR MOHAMMED QADIR - P/10/0127/FUL

With reference to Minute of Meeting of the Planning Committee held on 16 June 2010 (Paragraph P54 refers), Committee gave further consideration to Report

(circulated) dated 8 June 2010 by the Director of Development Services on an application for full planning permission for the change of use of an existing vacant shop unit (Class 1) to a hot food take away at 102 Glasgow Road, Falkirk.

The Convener introduced the parties present.

The Development Management Coordinator (D Campbell) outlined the nature of the application.

Mr Qadir, the applicant, was heard in support of the application.

Mrs Ramsan, the operator of the premises, was heard in support of the application.

Mr Ramsay, an objector, was heard in relation to the application.

Mrs Adam, an objector, was heard in relation to the application.

Ms Lawrence, an objector, was heard in relation to the application.

The objectors highlighted the following issues:-

- The poor upkeep and general appearance of the property;
- The inadequate parking facilities and the problem of increased on-street parking;
- The loss of amenity of the area, increased noise, odours and the general effect on health;
- The increased anti-social behaviour and litter problems;
- The lack of the provision of litter bins immediately outside the premises within the application;
- The problem of the uninhabited building next door to the premises, the issue in break-ins, health and safety and vermin;
- There was no need for an additional hot-food takeaway in the area; and
- The issue of children's safety due to increased parking and traffic.

Questions were then asked by Members of the Committee.

Councillor Thomson, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 25 August 2010.

Following conclusion of the foregoing item of business, Councillor Lemetti entered the site meeting.

P60. ERECTION OF FARM SHOP, STABLES, BUNK HOUSE, CHALETs, TOILET BLOCK, FORMATION OF CARAVAN SITE AND ERECTION OF MANAGER'S HOUSE ON LAND TO THE NORTH OF GREENRIGG FARM, BONNYHILL ROAD, FALKIRK FOR THE DEANSTOUN PARTNERSHIP - P/09/0409/FUL

With reference to Minute of Meeting of the Planning Committee held on 16 June 2010 (Paragraph P49 refers), Committee gave further consideration to Report (circulated) dated 8 June 2010 by the Director of Development Services on an application for full planning permission for the erection of a manager's house for the existing farm, a farm shop, horse riding stables, a bunkhouse and chalets for rent, the formation of touring caravans, pitches and associated toilet facilities and infrastructure on land located to the south of Bonnyhill Road, Falkirk.

The Convener introduced the parties present.

Members of the Committee sought clarification on the description of the site from the applicants. Following further clarification from the Senior Planning Officer (A Finlayson) and the Solicitor (K Quin), the Convener asked the Senior Planning Officer to outline the nature of the application with the consent of all Members.

Mr Angus, the applicant's agent, was heard in support of the application.

Mr Simpson, agricultural consultant, on behalf of the applicant, was heard in support of the application.

The objector was not present although Members noted the concerns.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 25 August 2010.

P61. CHANGE OF USE OF FORMER INDUSTRIAL LAND TO FORM TRANSFER STATION ON LAND TO THE WEST OF 2 HILLVIEW ROAD, HILLVIEW ROAD, HIGH BONNYBRIDGE (RETROSPECTIVE) FOR ANGUS BRAIDWOOD - P/09/0397/FUL

With reference to Minute of Meeting of the Planning Committee held on 16 June 2010 (Paragraph P53 refers), Committee gave further consideration to Report (circulated) dated 8 June 2010 by the Director of Development Services on an application for full planning permission for the change of use, in retrospect, of former industrial land to form a transfer station said site being bounded to the east by a vehicle scrap yard, to the west by open countryside and to the north by the main Edinburgh to Glasgow railway line on land to the west of 2 Hillview Road, High Bonnybridge.

On arrival at the visit, the site's gates were locked. Neither the applicant nor their agent was present. The Convener invited Senior Planning Officer (B Vivian) to telephone the applicant to clarify representation and to request entry to the site. Thereafter following this request Mr Archer, Health and Safety Officer arrived and opened the gate to the site. The Convener then proceeded with the meeting with the consent of all Members.

The Convener introduced the parties present.

The Senior Planning Officer (B Vivian) outlined the nature of the application.

Mr Masterton entered the site. Mr Masterton indicated that he was the applicant on behalf of Masterton Demolition. The Convener agreed to continue the meeting with the consent of all Members.

The Senior Planning Officer thereafter continued outlining the nature of the application.

Mr Masterton, the applicant, was heard in support of the application.

Mr McLelland, an objector, was heard in relation to the application.

Mr Fulton, an objector, was heard in relation to the application.

Mr Lees, an objector, was heard in relation to the application.

Mr Ellis, an objector, was heard in relation to the application.

Mr Hoy, an objector, was heard in relation to the application.

Mr Lucy, an objector, was heard in relation to the application.

Ms Graham, an objector, was heard in relation to the application.

Mr McNair, an objector, was heard in relation to the application.

The objectors highlighted the following issues:-

- The retrospective nature and the time lapse since expiry of temporary planning permission;
- That the site became more active in Spring 2009;
- The non compliance with previous planning conditions;
- The unauthorised nature of development;
- The height and visual impact of the stockpiles, the close proximity to housing at Reilly Gardens and significantly closer than the required distance;
- The health and safety of local residents;
- The noise from the plant machinery and vehicles;
- The burning of material, dust and dirt;
- The long operating hours;
- The existing high levels of traffic in the area;

- The inadequacy of local roads for large vehicles and the serious effect on the local roads network;
- The danger for pedestrians/inadequate footpaths in the area;
- The lack of consultation with local residents; and
- The depreciation in house values.

Questions were then asked by Members of the Committee.

Councillor Coleman, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 25 August 2010.

P62. CHANGE OF USE FROM DWELLINGHOUSE TO DAY CARE CENTRE AT 6 MUIRHEAD ROAD, STENHOUSEMUIR, LARBERT FK5 4HZ FOR ALANMART LTD - P/10/0002/FUL

With reference to Minute of Meeting of the Planning Committee held on 16 June 2010 (Paragraph P56 refers), Committee gave further consideration to Report (circulated) dated 8 June 2010 by the Director of Development Services on an application for full planning permission for the change of use of an existing dwellinghouse to a day care centre at 6 Muirhead Road, Stenhousemuir, Larbert.

The Convener introduced the parties present.

The Senior Planning Officer (A Finlayson) outlined the nature of the application.

Mr McGill and Mr Taylor, the applicant's agents, were heard in support of the applicant.

Ms Moodie, an objector, was heard in relation to the application.

Ms Watson, an objector, was heard in relation to the application.

Mr Mitchell, an objector, was heard in relation to the application.

Ms Laird, an objector, was heard in relation to the application.

Ms Miller, an objector, was heard in relation to the application.

Mr Quin, Muirhead Buchanan Solicitors, on behalf of Mr Rautio and Ms Harkins, objectors, was heard in relation to the application.

The objectors highlighted the following issues:-

- The adverse impact on the residential amenity in relation to noise and privacy;

- The incompatibility of commercial use in a residential area;
- The issue of access, unsuitability, traffic generation and inadequate parking within the cul de sac;
- The limited space for the fire escape at the premises;
- The increase in water and sewage problems in the local vicinity; and.
- The concerns at the required number of staff and their parking requirements.

Questions were then asked by Members of the Committee.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 25 August 2010.

P63. CHANGE OF USE FROM BUILDERS STORAGE AREA (CLASS 6) TO SALE AND REPAIR OF MOTOR VEHICLES (RETROSPECTIVE) AT MORVEN CONSTRUCTION LTD, GRANARY SQUARE, BANKSIDE, FALKIRK FOR MORVEN MOTORCYCLES - P/09/0862/FUL

With reference to Minute of Meeting of the Planning Committee held on 16 June 2010 (Paragraph P50 refers), Committee gave further consideration to Report (circulated) dated 8 June 2010 by the Director of Development Services on an application for full planning permission for the change of use from a builders' storage area to use for the sale and repair of motor vehicles, in retrospect, on an existing business unit and parking area at Bankside, Falkirk.

The Convener introduced the parties present.

The Planning Officer (J Seidel) outlined the nature of the application.

Mr Campbell, the applicant, was heard in support of the application.

Mr Ferguson, an objector, was heard in relation to the application.

Ms Miller, an objector, was heard in relation to the application.

Mrs Black, an objector, was heard in relation to the application.

Councillor Meiklejohn, an objector and local Member, was heard in relation to the application.

The objectors highlighted the following issues:-

- The excessive noise and fumes due to the revving of cars and motorcycles;
- The doors and windows on the adjacent residential property cannot be left open due to fumes and noise;
- The adjacent residential property was only 4 metres from the site;
- The number of cars and motorcycles at the site at any time;
- The unacceptable impact on privacy of the adjacent property and the garden being unusable during the summer months;

- The operating hours of the premises;
- The retrospective nature of the application and the resultant noise and odour nuisance affecting the adjacent residential property;
- The revving of motorbikes during servicing at weekends; and
- The regular reports to Environmental Health regarding noise.

Questions were then asked by Members of the Committee.

Provost Reid, as local Member for the area, was heard in relation to the application.

Councillor Alexander, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 25 August 2010.

The Committee thereafter made a brief visual inspection of the proximity of the site at resident's garden at Hendry Street.

P64. ALTERATIONS AND EXTENSION TO DENTAL PRACTICE AT 18 MEEKS ROAD, FALKIRK FK2 7ES FOR CENTRAL ORTHODONTICS - P/10/0180/FUL

With reference to Minute of Meeting of the Planning Committee held on 16 June 2010 (Paragraph P52 refers), Committee gave further consideration to Report (circulated) dated 8 June 2010 by the Director of Development Services on an application for full planning permission for an extension to the existing building operated as a dental practice in the rear garden ground at 18 Meeks Road, Falkirk.

The Convener introduced the parties present.

The Senior Planning Officer (A Finlayson) outlined the nature of the application.

Mr Kelly and Mr Newey, the applicant's agents, were heard in support of the application.

Mr Gray, the applicant, was heard in support of the application.

Ms Rodger, NHS Forth Valley, was heard in support of the application.

Mr James, an objector, was heard in relation to the application.

Mr McLellan, on behalf of Grahamston, Middlefield and Westfield Community Council, an objector, was heard in relation to the application.

Ms Rutherford, an objector, was heard in relation to the application.

Mr Gordon, an objector, was heard in relation to the application.

Mr Cockburn, an objector, was heard in relation to the application.

Ms Russell, an objector, was heard in relation to the application.

Mr Hemsleie, an objector, was heard in relation to the application.

Mrs Hemsleie, an objector, was heard in relation to the application.

The objectors highlighted the following issues:-

- The unsuitability of an extended commercial building within an established residential area;
- The impact on privacy and the visual and residential amenity of the area;
- The proposal was contrary to Development Plan policy in terms of impact on amenity, noise disturbance, overbearance, and lack of parking provision;
- The height of the building, its domination and overshadowing of neighbouring properties and gardens;
- The exacerbation of parking by staff and clients of the premises on the nearby street limiting resident parking;
- The noise, dust and other impacts during construction;
- The lack of consultation with neighbouring residents; and
- The driver for the extension being commercial.

Questions were then asked by Members of the Committee.

Provost Reid, as local Member for the area, was heard in relation to the application.

Councillor Meiklejohn, as local Member for the area, was heard in relation to the application.

Councillor Alexander, as local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Planning Committee on 25 August 2010.