

FALKIRK COUNCIL

Subject: **ALTERATIONS AT REAR OF PREMISES TO REMOVE EXISTING GARAGE, FORM NEW ACCESS WITH STEPS AND FORM LOADING BAY AT 3 PRETORIA PLACE, STATION ROAD, BRIGHTONS, FALKIRK, FK2 0UF FOR GIANNI CROLLA – P/10/0558/FUL**

Meeting: **PLANNING COMMITTEE**

Date: **22 September 2010**

Author: **DIRECTOR OF DEVELOPMENT SERVICES**

Local Members: **Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo**

Community Council: **Brightons**

Case Officer: Kevin Brown (Planning Officer) ext, 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application proposes the demolition of an existing garage area and the construction of access steps and loading bay doors to serve the storeroom to an existing shop unit. The proposed development is located to the rear of an existing row of shop units within the local centre of Brightons. The proposed access doors and steps will open out onto a small private car park area.
- 1.2 The application site consists of a vacant shop unit which previously accommodated a wine shop. The site has been vacant for a couple of years and has been subject to two separate applications to change the use to a café and restaurant. These applications were refused by Falkirk Council with an appeal also being dismissed for the same development. It is not considered that these previous applications and subsequent decisions have any impact on the current proposal.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application called to Committee by Councillor Steven Jackson

3. SITE HISTORY

- 3.1 P/08/0189/FUL – change of use of shop to café/bistro and hot food takeaway – refused 02 February 2009 – subsequent appeal dismissed on 02 July 2009.

- 3.2 P/09/0897/FUL – change of use of shop to café, shop and hot food takeaway – refused 21 May 2010.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has no objections.
- 4.2 The Environmental Protection Unit has no objections.

5. COMMUNITY COUNCIL

- 5.1 Brightons Community Council did not comment.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, 1 letter of objection was received. The salient issue is summarised below:

- Concerns over road safety.

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

Falkirk Council Structure Plan

- 7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Polmont Local Plan

- 7a.2 Policy POL 2.2 ‘Urban Limit’ states:

“The Urban Limit, as indicated on the Policies, Proposals and Opportunities Map, is regarded as the desirable limit to the growth of the urban and village areas of Polmont and District for the period of the Plan. Accordingly, there will be a general presumption against development proposals which would extend the urban area beyond this limit or which would constitute sporadic development in the countryside.”

- 7a.3 The proposed development is located within the urban limits as set out in the Polmont and District Local Plan. The proposal therefore accord with the terms of the Development Plan.

7b Material Considerations

- 7b.1 The material considerations to be assessed are the Falkirk Council Local Plan Finalised Draft (Deposit Version), assessment of public representations.

Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010)

- 7b.2 There are no relevant policies within the emerging local plan.

Assessment of Public Representations

- 7b.3 The Roads Development Unit has assessed the proposal and have raised no concerns in respect to road safety. The property currently has access doors which can open out onto this parking area. The fact that they have not been used in a while is not considered to be a material consideration. The proposed demolition would increase turning provision and result in a general improvement in orientation space and help to reduce the possibility of vehicles needing to reverse out onto the public road. It is not considered that the proposed development will create any additional road safety hazards.

7c Conclusion

- 7c.1 The proposal is an acceptable form of development and is in accordance with the terms of the Development Plan. There are no material planning considerations that warrant a refusal of planning permission in this instance.

8. RECOMMENDATION

- 8.1 It is recommended that the Planning Committee grant planning permission subject to the following condition(s):-

- (1) The development to which this permission relates must be begun within three years from the date of this permission.

Reason(s):

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative(s):

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our on line reference number(s) 01-07 inclusive.

- (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.

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Director of Development Services

Date: 15 September 2010

LIST OF BACKGROUND PAPERS

1. Approved Falkirk Council Structure Plan.
2. Polmont and District Local Plan.
3. Falkirk Council Local Plan Finalised Draft (Deposit Version) as amended by the Final Proposed Modifications (June 2010).
4. Letter of objection received from Mr Richard Poodle, Pretoria Place, Station Road, Brightons, Falkirk FK2 0UF on 21 August 2010.

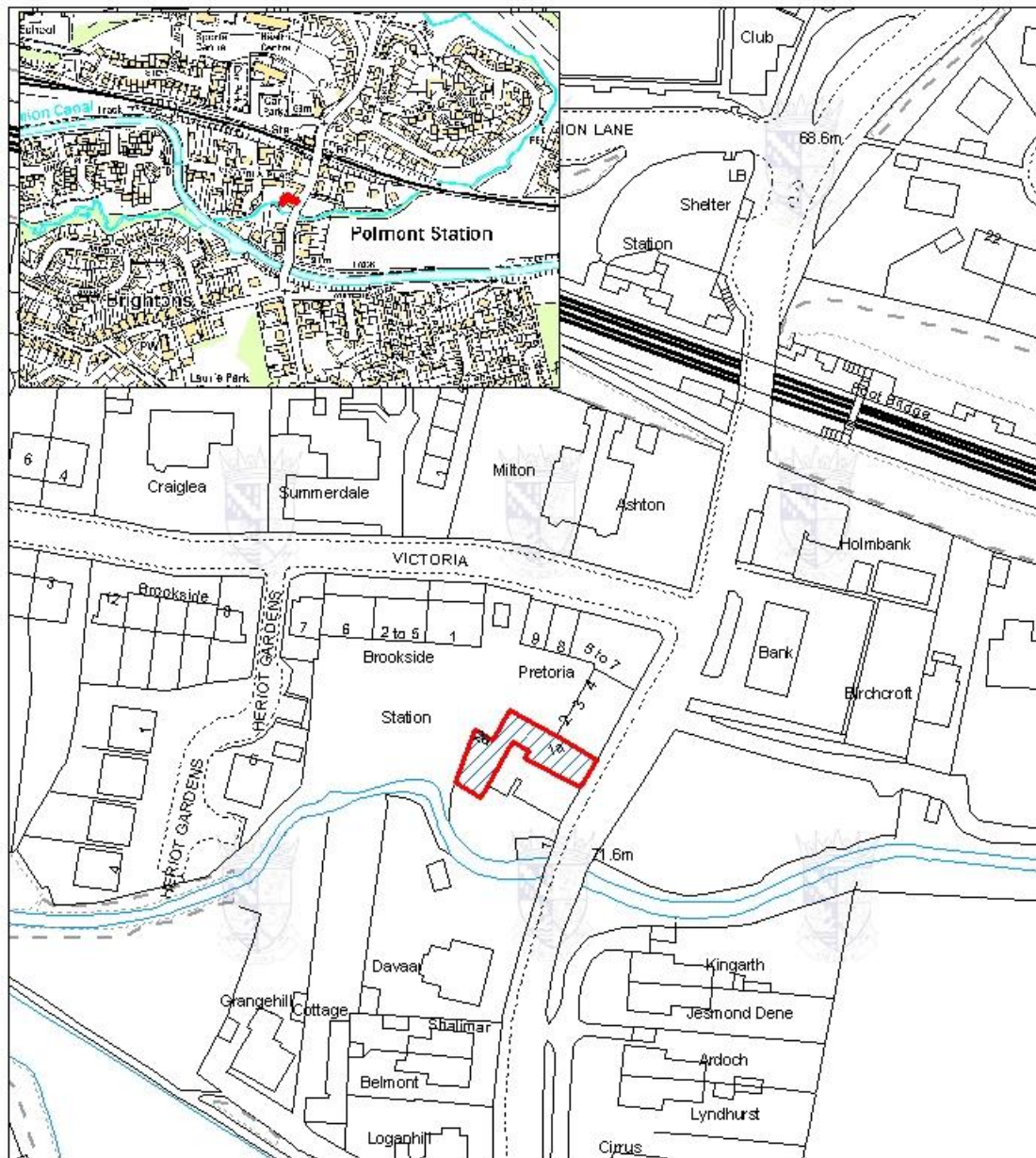
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown (Planning Officer).

Planning Committee

Planning Application Location Plan

P/10/0558/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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