

FALKIRK COUNCIL

Subject: SITING OF SNACK VAN AT MEEKS ROAD CAR PARK, MEEKS ROAD, FALKIRK, FOR HAZEL NIBBLO – P/10/0665/FUL
Meeting: PLANNING COMMITTEE
Date: 26 January 2011
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk North
Provost Pat Reid
Councillor David Alexander
Councillor Craig R. Martin
Councillor Cecil Meiklejohn

Community Council: Grahamston, Middlefield and Westfield

Case Officer: Gavin Clark (Assistant Planning Officer) Ext. 4704

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located in the south-east corner of Meeks Road Car Park, adjacent to Falkirk Grahamston railway station.
- 1.2 It is proposed to locate a snack van on site. The applicant has indicated that the proposed operating times would be Monday-Friday 07.30 – 14.00 and Saturday and Sunday 09.00 – 14.00.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application relates to land in the ownership of the Council and, under the Council's amended Scheme of Delegation, such applications require to be consideration by the Planning Committee.

3. SITE HISTORY

- 3.1 There is no relevant site history.

4. CONSULTATIONS

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

5. COMMUNITY COUNCIL

- 5.1 Grahamston, Middlefield and Westfield Community Council have made no comment.

6. PUBLIC REPRESENTATION

- 6.1 During the consideration of the application, three letters of objection were received. The grounds of objection relate to the proximity of existing businesses, litter and traffic problems associated with the intended use.

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 The proposed development is not of a strategic nature. The policies of the Falkirk Council Structure Plan do not therefore apply.

Falkirk Council Local Plan

- 7a.2 Policy EP10 - 'Mobile Snack Bar Outlets' states:

"Proposals for mobile snack bar vans will not be permitted as permanent uses. Temporary consent may be granted within the Urban or Village Limits where:

- (1) A specific need is demonstrated, which cannot be met by existing permanent facilities;*
- (2) There is no adverse affect on local amenity or the visual quality of the area, particularly as viewed from major transport routes; and*
- (3) Parking and access requirements are satisfied."*

- 7a.3 Given the site's location, existing permanent facilities are not within easy reach of the proposed snack van which would presumably meet the needs of rail travellers.

- 7a.4 It is not considered that the proposal will have an adverse affect on local amenity, or the visual quality of the area, and parking and access requirements have been satisfied.

- 7a.5 The proposal is considered to accord with Policy EP10 of the Falkirk Council Local Plan.

- 7a.6 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

Representations Received

- 7b.1 The proximity of businesses in the area is not a material planning consideration
- 7b.2 The Environmental Health Unit have no objections to the proposal, however, if complaints were to be received regarding noise, odour and litter nuisances the Environmental Protection Unit would be obliged to investigate and take action as necessary.
- 7b.3 The Roads Development Unit have no objections to the proposal, and have raised no concerns in terms of traffic generation.

7c Conclusion

- 7c.1 The proposed development is considered to accord with the Development Plan for reasons detailed in this report. The points raised through representation are addressed in this report. There are no material planning considerations which would justify refusal of planning permission.

8. RECOMMENDATION

- 8.1 It is therefore recommended that Committee grant planning permission subject to the following condition:
 - (1) This permission shall be valid for a limited period until 31st December 2013 and, at that time, unless further permission is granted, the site shall be vacated, cleared and left in a neat and tidy condition.

Reason:

- (1) The proposal is not considered to be a suitable form of permanent development.

Informative:

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02 and 03.

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Director of Development Services

Date: 18 January 2011

LIST OF BACKGROUND PAPERS

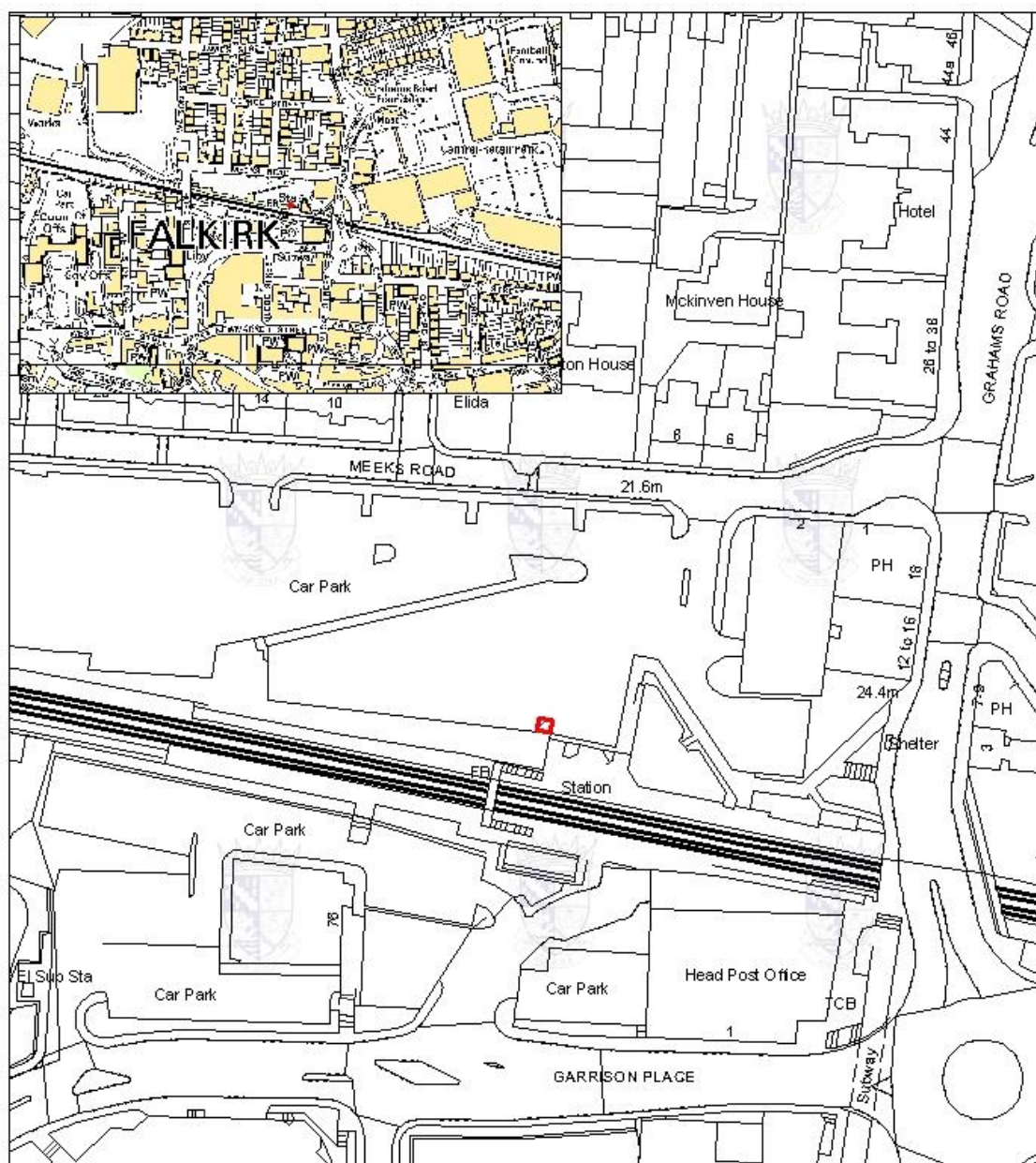
1. Structure Plan
2. Falkirk Council Local Plan.
3. Letter of Objection from Mrs J Forsyth, 6/6 Leishman Tower, Falkirk, FK1 1TP.
4. Letter of Objection from Mrs K Rutherford, 16 Meeks Road, Falkirk, FK2 7ES.
5. Letter of Objection from Mrs J Paterson, 28 Meeks Road, Falkirk, FK2 7ET.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504704 and ask for Gavin Clark, Assistant Planning Officer.

Planning Committee

Planning Application Location Plan **P/10/0665/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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