

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 22 AUGUST 2012 at 9.30 A.M.

PRESENT: Councillors Alexander, Black, Buchanan, Carleschi, Chalmers, Mahoney, C Martin, Meiklejohn, McLuckie, Nicol, Paterson and Turner.

CONVENER: Councillor Buchanan.

ATTENDING: Director of Development Services; Chief Governance Officer; Development Manager; Development Management Co-ordinator (D Campbell); Network Co-ordinator; Transport Planning Co-ordinator; Senior Forward Planning Officer (R Teed); Senior Planning Officer (Landscape) (P Harris); Legal Services Manager (I Henderson); and Committee Officer (A Sobieraj).

P46. APOLOGIES

No apologies were intimated.

P47. DECLARATIONS OF INTEREST

No declarations were made.

P48. MINUTES

There was submitted and **APPROVED:-**

- (a) Minute of Meeting of the Planning Committee held on 19 June 2012; and
- (b) Minute of Meeting of the Planning Committee held on On-Site on 6 August 2012.

P49. REQUESTS FOR SITE VISITS AND CONTINUATION

Having heard requests by Members for site visits, the Committee agreed to the continuation of planning applications P/11/0191/MS, P/12/0272/PPP, P/12/0261/FUL, P/12/0226/FUL, P/12/0163/PPP, P/12/0174/FUL, P/11/0734/FUL and P/12/0314/PPP to allow inspections of the sites by the Committee and in relation to item 7 (planning application P/12/0002/FUL) to continue consideration to ensure that the application was properly advertised.

Councillor C Martin entered the meeting prior to consideration of the following item of business.

P50. CHANGE OF USE AND EXTENSION TO SHOP (CLASS 1) TO HOT FOOD SHOP (AMENDMENT TO PLANNING PERMISSION P/07/1132/FUL) AT 168A ALMOND STREET, GRANGEMOUTH FK3 8PS FOR MR ABDUL KHALIQ - P/12/0055/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 19 June 2012 (Paragraph P35 refers), Committee gave further consideration to Report (circulated) dated 12 June 2012 by the Director of Development Services and an additional Report (circulated) dated 14 August 2012 by the said Director on an application for full planning permission for an amendment to a previously approved hot food takeaway unit within a predominantly residential area at 168A Almond Street, Grangemouth.

AGREED to GRANT planning permission, subject to a bollard being provided on the path opposite the site leading to the area of hardstanding and to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Details of a ventilation system capable of dispersing cooking odours and minimising odour nuisance shall be submitted to and approved by the Planning Authority in writing prior to the commencement of the use. Thereafter the approved ventilation system shall be installed and operational before the shop commences trading.
- (3) Before works start on site, details of facilities to be placed in the area in front of the shop for the disposal of litter shall be submitted to and approved in writing by the Planning Authority. The facilities shall be provided before use of the hot food shop commences and thereafter shall be retained and maintained in perpetuity.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To safeguard the environmental amenity of the area.
- (3) To safeguard the residential amenity of the area and prevent litter.

Informative(s):-

- (1) For the avoidance of doubt, the plans to which the decision refers bear the online reference numbers 01 and 02.
- (2) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected party 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.

P51. ERECTION OF STABLES, RE-SITING OF CARAVAN, FORMATION OF RIDING ARENA AND ANCILLARY HARDSTANDING (RETROSPECTIVE) ON LAND TO THE EAST OF AVONSIDE HOUSE, REDDOCH ROAD, POLMONT FOR MR A BUCHANAN - P/12/0069/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 19 June 2012 (Paragraph P36 refers), Committee gave further consideration to Report (circulated) dated 12 June 2012 by the Director of Development Services and an additional Report (circulated) dated 14 August 2012 by the said Director on an application for full planning permission for the erection of stables, the re-siting of a caravan, the formation of a riding arena and ancillary hardstanding (in retrospect) on land to the east of Avonside House, Reddoch Road, Polmont, Falkirk.

AGREED to **GRANT** planning permission, subject to the following conditions:-

- (1) The caravan hereby permitted shall be used solely as shelter associated with the equestrian use of the site, and at no time shall it be occupied as a separate dwelling.
- (2) The site shall be used solely for recreational purposes and at no time shall a business be operated from the site.

Reason(s):-

- (1) To retain control over the development and avoid the creation of an additional permanent dwellinghouse.
- (2) To ensure that the Planning Authority can control the future use of the premises.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02A, 03 and 04.

P52. INSTALLATION OF 2 NO WIND TURBINES (36.7M TO HUB, 47.1M TO TIP), ACCESS AND ASSOCIATED WORKS (2 X 100 KW) AT BALQUHATSTONE MAINS, STATION ROAD, SLAMANNAN, FALKIRK FK1 3BQ FOR MR JAMES HARVEY - P/12/0012/FUL (CONTINUATION)

Prior to consideration of this item, Councillor McLuckie intimated that he had been unable to attend the site visit and to assess the visual impact of the development and would therefore take no part in the decision.

With reference to Minute of Meeting of the Planning Committee held on 19 June 2012 (Paragraph P37 refers), Committee gave further consideration to Report (circulated) dated 12 June 2012 by the Director of Development Services and an additional Report

(circulated) dated 14 August 2012 by the said Director on an application for full planning permission for the installation of 2 wind turbines (36.7m to hub, 47.1m to tip), access and associated works (2 x 100 kW) at Balquhatstone Mains, Station Road, Slamannan, Falkirk.

AGREED to GRANT planning permission, subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2)
 - (a) Unless otherwise agreed in writing, no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites.
 - (b) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
 - (c) Prior to the commencement of development, the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.
- (3) The final colour of the turbines shall be agreed and approved in writing by the Planning Authority prior to work commencing on-site.
- (4) The route of the cable trenching shall follow the route of the access track.
- (5) Any landscape features such as boundary hedges, trees, walls and fences that need to be removed for the access track and the construction vehicle access point to the public road shall be reinstated on completion of the turbines in accordance with details to be submitted and approved in writing by the Planning Authority.
- (6) The new access track to the turbines shall be of stone/type 1 finish.
- (7) There shall be no obstruction to the adjacent public pathways during the construction phase
- (8) Owing to the wildlife designation which covers the site, a method statement shall be submitted to and approved in writing by the Planning Authority, prior to the commencement of works on-site. The method statement shall include the following:-

- (a) Working methodologies and clearly marked access, storage and work areas to ensure that disturbance to species during construction is minimised, the overall area of habitat disturbance is minimised and that more sensitive areas of damp grassland, marsh and mire/bog are avoided.
- (b) Access routes to be used. These should use existing tracks as far as possible, limit the extent of new track and ensure that new tracks avoid particularly sensitive areas of damp habitat (marsh, drainage ditches, wet furrows etc).
- (c) Plans to reinstate/re-vegetate areas of hard standing and foundations. The most appropriate approach is likely to be to store and reuse top soil to create a layer of top soil (with its existing seed source) over the areas of foundation/hard standing which will re-vegetate naturally. If bought seed is to be used this should be an appropriate acid grassland mix.
- (d) An assurance that where excavated material is to be used elsewhere on site this is not deposited on any areas of valuable habitat (particularly areas of fen, bog, marsh or species-rich unimproved grassland).
- (e) If construction takes place during the bird nesting season it will be necessary to check the area for ground nesting birds prior to work commencing. If any nests are found these should be left undisturbed.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.
- (3-6,8) To safeguard the environmental amenity of the area.
- (7) To safeguard the interests of the users of the highway.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03, 04 and 05.

In accordance with the decision taken at the start of the meeting, **NOTED** the following item had been continued to a future meeting to ensure that the application was properly advertised.

P53. ERECTION OF SINGLE WIND TURBINE (HUB HEIGHT 49 METRES, ROTOR DIAMETER 56 METRES, AND MAXIMUM TOTAL TIP HEIGHT OF 77 METRES), WITH ASSOCIATED FOUNDATION, HARD STANDING, TRANSFORMER AND ACCESS TRACK (500KW) AT GLENHEAD FARM, CALIFORNIA, FALKIRK FK1 2DG FOR MR THOMAS MILLER - P/12/0002/FUL (CONTINUATION)

P54. FORMATION OF SINGLE FAMILY TRAVELLERS SITE COMPRISING 2 STATIC CARAVANS, ANCILLARY PARKING & HARDSTANDING, SEPTIC TANK, ERECTION OF WALLS/FENCES AND STORAGE UNITS (RETROSPECTIVE) AT HAYFIELD FARM, BONNYBRIDGE FK4 2ET FOR JOHN REID - P/11/0611/FUL (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 19 June 2012 (Paragraph P39 refers), Committee gave further consideration to Report (circulated) dated 12 June 2012 by the Director of Development Services and an additional Report (circulated) dated 14 August 2012 by the said Director on an application for full planning permission for the formation of a single family travellers site comprising two static caravans, ancillary parking and hardstanding, a septic tank, the erection of walls, fences and storage units (in retrospect) at Hayfield Farm, Bonnybridge.

AGREED to **GRANT** planning permission, subject to the following conditions:-

- (1) The permission shall enure for the benefit of the applicants and their dependants within the travelling/gypsy community only.
- (2) The number of caravans occupying the site shall not exceed two static caravans and two touring caravans, unless otherwise agreed in writing by the Planning Authority.
- (3) Within three months of the date of the decision, the application site shall be laid out in full accordance with approved plan 05D, except as may otherwise be indicated in Condition 4.
- (4) Unless otherwise agreed in writing, the proposed boundary planting and mound indicated on approved plan 05D shall be fully implemented by the end of the first planting season following the date of this decision, in accordance with a schedule of plants (to comprise species, plant sizes and proposed numbers/density) and profiles for the mound approved in writing by the Planning Authority.
- (5) For a period of five years from the date of planting (as agreed in writing by the Planning Authority), any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.
- (6) The vehicular access shown on approved plan 05D shall be constructed and maintained in a manner to ensure that no surface water or loose material is discharged onto the public road.
- (7) The 2.5 metre wide visibility zone shown on approved plan 05D shall be maintained clear of any obstruction to visibility exceeding 1 metre in height above carriageway level at all times.
- (8) There shall be no open storage of scrap or waste, vehicle parts, tyres or other material on the site.

- (9) The parking spaces shown on approved plan 05D shall be maintained for vehicle parking, free of obstruction, at all times, unless otherwise agreed in writing by the Planning Authority.

Reason(s):-

- (1) In recognition of the particular needs of the travelling family and to ensure that the site is not occupied by people for whom these needs do not apply.
- (2) To control the scale of the development, in the interests of local amenity.
- (3-5,8) To protect the visual amenity of the surrounding countryside.
- (6-7) To safeguard the interests of the users of the public highway.
- (9) To ensure that adequate parking is maintained on the site.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03, 04 and 05D.
- (2) The vehicular access will require a Minor Roadworks Consent, approved and issued by Development Services, Earls Road, Grangemouth.
- (3) The foul discharge is required to comply with the Water Environmental (Controlled Activities) (Scotland) Regulations (CAR) administered by SEPA.
- (4) The Planning Authority should be contacted if any made ground or suspect material is encountered during any site works, as there would be a requirement to undertake an appropriate contaminated land assessment.

P55. ERECTION OF 2 DWELLINGHOUSES ON LAND SOUTH OF 7 BLACKBRAES ROAD, FALKIRK FK1 2BG FOR MR COLIN MCMILLAN - P/12/0310/PPP

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for planning permission in principle for the erection of 2 dwellinghouses on land to the south of 7 Blackbraes Road, California, Falkirk.

AGREED to **GRANT** planning permission in principle, subject to the following condition(s):-

- (1) The permission is granted under the provisions of paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified before any development is commenced:-

- (a) the siting, size, height, design & external appearance of the proposed development;
 - (b) details of the access arrangements; and
 - (c) details of landscaping of the site and future maintenance of landscaping.
- (2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:-
 - (a) the expiration of three years from the date of the grant of planning permission in principle; or
 - (b) the expiration of six months from the date on which an earlier application for such approval was refused; or
 - (c) the expiration of six months from the date on which an appeal against such refusal was dismissed,

whichever is the latest.

Provided that only one such application may be made in the case after the expiration of the three year period mentioned in sub-paragraph (a) above.

- (3) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
 - (a) the expiration of five years from the date of the grant of the planning permission in principle; or
 - (b) the expiration of two years from the final approval of the specified matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- (4) No development shall commence on site until a series of tests for ground contamination have been carried out. Full details of the test results shall be submitted to the Planning Authority. Any necessary remedial work to make the ground safe shall be carried out to the satisfaction of the Planning Authority before any work on the development commences.
- (5) Prior to any works on site, further information shall be submitted to and approved in writing by the Planning Authority as to the landscape treatment on the boundary of the site.
- (6) As part of any application for approval of Matters specified in Condition, details in relation to any alteration to the position of existing roadway signage and amendment of road markings shall be submitted for the consideration of the Planning Authority.
- (7) As part of any application for approval of Matters specified in Condition, a Flood Risk Assessment shall be submitted for the consideration of the Planning Authority.
- (8) As part of any application for approval of Matters specified in Condition, details of the Sustainable Urban Drainage System to be employed on site shall be submitted for the consideration of the Planning Authority.

Reason(s):-

- (1) To comply with paragraph 4(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.
- (2-3) To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
- (4) To ensure the ground is suitable for the proposed development.
- (5) To ensure a visual separation of the site from the adjoining countryside.
- (6) To safeguard the interests of the users of the highway.
- (7-8) To enable the Planning Authority to consider this/these aspect(s) in detail.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01 and 02.
- (2) Any costs associated with any repositioning of road signage, or new road markings required as a consequence of the development, including any relevant traffic orders, shall be borne by the developer.

In accordance with the decision taken at the start of the meeting, **NOTED** the following two items had been continued to a future meeting to allow an inspection of the sites by Committee:-

P56. ERECTION OF 48 DWELLINGHOUSES AND ASSOCIATED ENGINEERING OPERATIONS ON LAND TO THE EAST OF AGRICULTURAL HOLDINGS NO 9, KILSYTH ROAD, HAGGS FOR MANOR FORREST LIMITED - P/11/0191/MS

P57. ERECTION OF DWELLINGHOUSE ON LAND SOUTH WEST OF BROADSIDE COURT, DENNY FOR CAMPBELL PROPERTIES - P/12/0272/PPP

P58. EXTERNAL ALTERATIONS TO BUILDING, INSTALLATION OF 2 MODULAR STRUCTURES (WELFARE FACILITIES) AND ERECTION OF FENCING AT 2 CENTRAL BOULEVARD, CENTRAL PARK, LARBERT FK5 4RU FOR MALCOLM ALLAN - P/12/0168/FUL

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for full planning permission for the external alterations to a building, the installation of 2 modular structures (welfare facilities) and the erection of fencing on a vacant site consisting of a large office/industrial unit located

within an existing well established business park at 2 Central Boulevard, Central Park, Larbert, Falkirk.

AGREED to GRANT planning permission, subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (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.
- (3) The permission for the portable cabins shall be valid for a limited period until 1 August 2017 and, at that time, unless further permission is granted, the portable cabins shall be removed and the land restored to the satisfaction of the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.
- (3) The proposal is not considered to be a suitable form of permanent development.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02A, 03A, 04A, 05A, 06B and 07.
- (2) Separate formal Advertisement Consent may be required for any signs associated with the proposed development. It is the applicant's responsibility to obtain this before any signs are displayed on site. For advice please contact Falkirk Council Development Management, Abbotsford House, David's Loan, Falkirk, FK2 7YZ (Tel: 01324 504748).

P59. FORMATION OF 2 NO FLATTED DWELLINGS, SINGLE STOREY EXTENSION TO FORM NEW MEETING ROOM AND RE-ROOFING/RE-CLADDING OF HIGH RISE BLOCK AT LEISHMAN TOWER, SEATON PLACE, FALKIRK FOR FALKIRK COUNCIL – P/12/0256/FUL

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for full planning permission for the formation of 2 flatted dwellings within an existing high rise block, the extension of an existing meeting room, the refurbishment of the exterior and the re-roofing/re-cladding of the building at Leishman Tower, Seaton Place, Falkirk.

AGREED to **GRANT** planning permission, subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Before work commences on site a noise protection scheme shall be submitted which demonstrates how the pump room shall not cause internal noise levels to the proposed ground floor flats to exceed 30dB LAeqT for a minimum of 8 hours night time and 6 hours daytime. External noise should not exceed a maximum level of 45dB LAeqT at any time. The scheme shall be implemented prior to the occupation of the flatted dwelling.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure that the occupants of the property are safeguarded against excessive noise intrusion.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01A, 02, 03, 04, 05A, 06, 07 and 08A.
- (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.
- (3) There shall be no operations or activity associated with the development within or cause disturbance to the Antonine Wall World Heritage Site, or Scheduled Ancient Monument, which lies to the north of the application site.

Councillor C Martin left and re-entered the meeting during consideration of the following item of business.

P60. REFURBISHMENT OF EXISTING GROUND FLOOR AREA TO FORM 4. NO FLATS, RE-CLADDING AND NEW PITCHED ROOF OVER EXISTING FLAT ROOF AT 1 - 1 MARSHALL TOWER, SEATON PLACE, FALKIRK FK1 1TN FOR FALKIRK COUNCIL – P/12/0304/FUL

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for full planning permission for the formation of 4 flatted dwellings within an existing high rise block, the refurbishment of the exterior and the re-roofing of the building at 1 - 1 Marshall Tower, Seaton Place, Falkirk.

AGREED to **GRANT** planning permission, subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission.
- (2) Before work commences on site a noise protection scheme shall be submitted which demonstrates that the proposed internal pump room shall not cause internal noise levels to the proposed ground floor flats to exceed 30dB LAeqT for a minimum of 8 hours of night time and 6 hours of daytime. External noise shall not exceed a maximum level of 45dB LAeqT at any time.

Reason(s):-

- (1) To accord with the provision of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) In the interests of residential amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03, 04, 05, 06, 07 and 08A.
- (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.
- (3) There shall be no operations or activity associated with the development within or cause disturbance to the Antonine Wall World Heritage Site, or scheduled Ancient Monument, which lies to the north of the application site.

P61. EXTENSION TO CHILDREN'S NURSERY, EXTERNAL WORKS TO PROVIDE SECURE PLAY AREAS AT WALLACESTONE PRIMARY SCHOOL, BRAEMAR GARDENS, BRIGHTONS, FALKIRK FK2 0JB FOR FALKIRK COUNCIL - P/12/0145/FUL

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for full planning permission for the extension to a children's nursery and external works to provide secure play areas on an area between the existing nursery building and the associated car park at Wallacestone Primary School, Braemar Gardens, Brightons, Falkirk.

AGREED to GRANT planning permission, subject to the following conditions:-

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

- (3) Prior to commencement of development details of the amended core path shall be submitted to and approved in writing by the Planning Authority and shall include the following details:-
- (a) Proposed specifications for the path, including width, surface details, signage, access controls and diversion detail's; and
 - (b) Timetable for implementation.

The approved details shall be implemented in accordance with the timetable for implementation unless otherwise agreed in writing by the Planning Authority.

- (4) Provision shall be made for the parking of bicycles in appropriate racks to the satisfaction of the Planning Authority. Details, including number and location, shall be submitted to and approved by the Planning Authority prior to the commencement of works. Thereafter the facilities approved will be provided before the use of the premises commences.
- (5) Development shall not begin until details of the scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
- (a) location of new trees, shrubs, hedges and grassed areas;
 - (b) schedule of plants to comprise species, plant sizes and proposed numbers/density; and
 - (c) programme for completion and subsequent maintenance.

The approved details shall be implemented in accordance with the programme for completion unless otherwise agreed in writing by the Planning Authority.

- (6) Prior to commencement of development a ground investigation shall be undertaken to assess the presence of possible shallow mine workings and voids in the Mill seam. A geotechnical risk register shall be produced to identify mitigation measures against mine workings and geotechnical design of the foundations in light of the above ground investigation and only the approved details shall be implemented unless otherwise agreed in writing by the Planning Authority.

Reasons(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.
- (3) To allow further consideration of the details.
- (4) To encourage the use of sustainable methods of transport.

- (5) To safeguard the environmental amenity of the area.
- (6) The coal mining legacy potentially poses a risk to the proposed development and further investigations should be undertaken to establish the exact situation regarding these legacy issues.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02A, 03 and 04.
- (2) The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:-

Monday to Friday	08.00 - 18.00 hours
Saturday	09.00 - 17.00 hours
Sunday/Bank Holidays	10.00 - 16.00 hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

- (3) The public path connecting Willowbrae with Core Path 017/653 lies within the development site, running adjacent to its western boundary. The upgrading of the informal path as part of this development proposal is welcomed. However, the applicant should submit details of the proposed specifications for the diverted path including width, surface, details of any signage and /or access controls proposed, to the Council's Outdoor Access Team.
- (4) Any mitigation measures against mine workings should include the depth and area of treatment which will be determined during the detailed design phase of the contract but will have to take cognisance of the following:-
 - Angle of draw of the overlying solid and drift deposits;
 - The area of land made available;
 - The form, depth and dimensions of the foundation solution;
 - The broken, or otherwise, nature of the overlying bedrock;
 - The extent of past treatment, if any; and
 - Gas migration and mitigation measures.

In accordance with the decision taken at the start of the meeting, **NOTED** the following item had been continued to a future meeting to allow an inspection of the site by Committee:-

P62. ERECTION OF NEW SOCIAL HOUSING CONSISTING OF 8 VILLAS AND 16 FLATS, ASSOCIATED ROADS, PARKING AND SUDS PROVISION ON LAND TO THE SOUTH OF GLENFUIR COURT, SUMMERFORD, FALKIRK FOR FALKIRK COUNCIL - P/12/0261/FUL

P63. DEMOLISH EXISTING GARAGE AND PORCH AND ERECTION OF SINGLE AND 2 STOREY EXTENSION AT 16 JUBILEE ROAD, DUNIPACE, DENNY FK6 6NH FOR MR JAMES WILSON - P/12/0263/FUL

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for full planning permission to demolish an attached garage and porch on the front elevation of an existing semi detached dwelling and the erection of a single storey and two storey rear extension and appropriate external finishes on a corner plot adjacent to Queen's Drive at 16 Jubilee Road, Dunipace, Denny.

AGREED to **GRANT** planning permission, subject to the following condition:-

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

Reason:-

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

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02, 03 and 04.
- (2) The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:-

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

In accordance with the decision taken at the start of the meeting, **NOTED** the following five items had been continued to a future meeting to allow an inspection of the sites by Committee:-

P64. DEMOLITION OF EXISTING GARAGE AND ERECTION OF 2 STOREY SIDE EXTENSION WITH BALCONY AT ARNOT VIEW, 28 CAMELON ROAD, FALKIRK FK1 5SH FOR MR GRAHAM SCOTT - P/12/0226/FUL

- P65. ERECTION OF BED AND BREAKFAST ACCOMMODATION AND SELF CATERING RESIDENTIAL FACILITIES (RENEWAL OF PLANNING PERMISSION 06/0973/OUT) ON LAND NORTH OF 1 NORTH INCHES, FALKIRK FOR MR ANDREW YOUNG HENDERSON - P/12/0163/PPP**

- P66. EXTENSION TO DWELLINGHOUSE AT 21 STANDRIGG ROAD, BRIGHTONS, FALKIRK FK2 0GN FOR MR CAMPBELL BRAID - P/12/0174/FUL**

- P67. CHANGE OF USE FROM RESIDENTIAL TO HOT FOOD SHOP ON GROUND FLOOR, ALTERATIONS TO FORM FLATTED DWELLING ON 1ST FLOOR, FORMATION OF NEW CAR PARK AND VEHICULAR ACCESS AT 19 GLASGOW ROAD, DENNY FK6 6BA FOR ANTA ENTERPRISES - P/11/0734/FUL**

- P68. DEVELOPMENT OF LAND FOR RESIDENTIAL USE ON LAND TO THE WEST OF SCHIEHALLION, FALKIRK FOR MS JACKIE KEMP - P/12/0314/PPP**

- P69. DISCHARGE OF PLANNING OBLIGATION ATTACHED TO PLANNING PERMISSION F/91/0060 WHICH REQUIRED THAT A STRIP OF LAND 4 METRES WIDE WITHIN THE GARDEN GROUND OF OLD WOODLANDS, GLEN ROAD, TORWOOD AS INDICATED ON THE APPLICATION PLAN BE LEFT OPEN AND UNBUILT UPON IN ALL TIME COMING AT OLD WOODLANDS, GLEN ROAD, TORWOOD, LARBERT FK5 4SN FOR NEIL CLARK AND SUSAN SHAW OR CLARK - P/12/0243/75D**

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application for the discharge of a Planning Obligation attached to planning permission F/91/0060 requiring that a strip of land 4 metres wide within the garden ground of Old Woodlands, Glen Road, Torwood, as indicated on the application plan, be left open and unbuilt upon in all time coming at Old Woodlands, Glen Road, Torwood, Larbert.

AGREED to discharge the existing Section 50 Agreement attached to planning permission F/91/0060 on the ground that it no longer serves a purpose.

Councillor Martin re-entered the meeting during the following item of business.

P70. PROPOSAL FOR APPROVAL OF MATTERS SPECIFIED IN CONDITION 5 OF PLANNING PERMISSION REFERENCE P/07/0803/OUT (SUBMISSION OF MASTERPLAN) ON LAND TO THE EAST OF GILSTON FARM, GILSTON CRESCENT, POLMONT FOR HANSTEEN LAND LTD - P/12/0095/MS

There was submitted Report (circulated) dated 14 August 2012 by the Director of Development Services on an application proposing the approval of matters specified in condition 5 of planning permission reference P/07/0803/OUT (submission of a Masterplan) on land to the east of Gilston Farm, Gilston Crescent, Polmont, Falkirk.

AGREED to **CONTINUE** consideration to allow Members the opportunity to view the submitted Masterplan and other related documents prior to taking a decision on the application.