

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on TUESDAY 14 MAY 2013 commencing at 9.30 a.m.

PRESENT: Baillie Buchanan; Councillors Carleschi (for agenda item 3 (minute P13)); McLuckie, Mahoney, and Turner.

CONVENER: Baillie Buchanan.

ATTENDING: Development Management Co-ordinator (B Whittle); Network Officer (D Gardner) (for agenda item 3 (minute P13)); Roads Development Officer (C Russell) (for application P/12/0208/FUL); Environmental Health Officer (S Henderson) (for application P/12/0208/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

P11. APOLOGIES

Apologies for absence were intimated on behalf of Baillie Paterson and Councillors Chalmers, Meiklejohn and Nicol.

P12. DECLARATIONS OF INTEREST

No declarations were made.

P13. THE FALKIRK COUNCIL (LIDO LANE, STENHOUSEMUIR) (PROHIBITION OF LEFT TURN) ORDER 2012

With reference to Minute of Meeting of the Planning Committee held on 1 May 2013 (Paragraph P5 refers), Committee gave further consideration to Report (circulated) dated 26 March 2013 by the Director of Development Services seeking a decision on the Falkirk Council (Lido Lane, Stenhousemuir) (Prohibition of Left Turn) Order 2012 to prohibit a left turn manoeuvre from Lido Lane into James Street, Stenhousemuir to safeguard residential amenity from through traffic.

Objector(s) were not invited to attend the site visit. Equally, while local members may attend the site visit, they should not make any representations to the Committee. The reason for this is that the governing legislation for roads procedures of this nature, the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, sets out strict procedural requirements and timescales for objections to Orders to be made and in relation to hearings. The Regulations require that, where a hearing is called for, it be conducted by an independent reporter appointed by the authority from a list of persons compiled by the Scottish Ministers and in accordance with procedures determined by the reporter. Accordingly, to hear objectors or interested parties at a site visit of this nature

would not be in compliance with the procedures set down in the Regulations. Members of the Planning Committee were, however, fully apprised of the written objections received during the statutory objection period ending on 27 December 2012.

The Network Officer (D Gardner) outlined the nature of the application.

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 29 May 2013.

P14. ERECTION OF A SINGLE WIND TURBINE (225KW, 45.9 METRES IN HEIGHT TO TIP) WITH TEMPORARY ACCESS TRACK AT SITE TO THE SOUTH WEST OF THE LEYS, DENNY FOR INTELLIGENT LAND INVESTMENTS LTD – P/12/0208/FUL

With reference to Minute of Meeting of the Planning Committee held on 1 May 2013 (Paragraph P10 refers), Committee gave further consideration to Report (circulated) dated 23 April 2013 by the Director of Development Services on an application for full planning permission for the erection of a single wind turbine (225kW, 45.9 metres in height to tip) with a temporary access track at a site to the south west of the Leys, Denny.

The Convener introduced the parties present.

The Development Management Co-ordinator (B Whittle) outlined the nature of the application.

Mr Gippert, the applicant's agent, was heard in relation to the application.

Mr Cormack, on behalf of Cumbernauld Airport, an objecting consultee, was heard in relation to the application.

The objection included the following issues:-

- an unacceptable hazard to aviation within the 0.5 kilometre Safeguarding Boundary of Cumbernauld Aerodrome;
- the 6 nautical mile Wind Vortex radius of Cumbernauld Aerodrome, the Air Traffic Zone Boundary of Cumbernauld Aerodrome and the Circuit Pattern Boundary of Cumbernauld Aerodrome;
- that the Civil Aviation Authority (CAA) Policy and Guidance document CAP 764 supported the objection;
- that the CAA was conducting a survey on the effects of wind turbine wakes on light aircraft; and
- that there were no mitigating factors included in the application.

Questions were then asked by Members of the Committee.

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

Councillor Oliver, 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 29 May 2013.