



**MINUTES OF MEETING of the PLANNING COMMITTEE held on MS Teams, on
TUESDAY 8 FEBRUARY 2022 at 9.30 AM**

PRESENT

Councillor Donald Balsillie (Convenor)
Councillor Jane McTaggart (Vice Convenor)
Councillor Martha Benny
Councillor Denis Coyne
Councillor Kenneth Earle
Councillor Ellen Forson (S)
Councillor George Matchett

IN ATTENDANCE

Emma Fyvie, Senior Manager, Development (Place)
Allan Finlayson, Team Leader, Planning and Building Standards
Grant Baxter, Principal Planner
Lee Robertson, Senior Manager, Legal and Governance (Clerk to the Committee)
Gillian White, Committee Services, Legal and Governance
Councillor Kathleen Martin, Elected Member for Clackmannanshire East (Items 6, 7 &8)

PLA(22)01 APOLOGIES

Apologies for absence were received from Councillor Tina Murphy, Councillor Helen Lewis. Councillor Chris Dixon and Councillor Derek Stewart. Councillor Ellen Forson attended as substitute for Councillor Lewis.

PLA(22)02 DECLARATIONS OF INTEREST

None.

PLA(22)03 MINUTES OF PLANNING COMMITTEE HELD ON 4 NOVEMBER 2021

The minutes of the meeting of the Planning Committee held on Thursday 4 November 2021 were submitted for approval.

Decision

The minutes of the meeting of the Planning Committee held on Thursday 4 November 2021 were agreed as a correct record and signed by the Convenor.

PLA(22)05 PLANNING APPEAL DECISION

Planning Application Ref: 20/00220/FULL – Erection of Reserve Gas Generation Facility with a Proposed Generation Capacity of 22.5 MW With Associated Infrastructure Including Ancillary Buildings, Access, Fencing and Landscaping at Land South Of Hennings Wood, Collyland Road, Fishcross.

The report, submitted by the Keith Johnstone, Principal Planner, advised the Committee of the recent appeal decision on the above proposed development.

Decision

The Committee agreed to **NOTE** the decision of the Reporter to dismiss the planning appeal.

PLA(22)06 PLANNING APPLICATION

Planning Application Ref: 21/00107/FULL – Residential Development of 91 No. Houses At Phase 9 With Associated Infrastructure And Landscaping; And The Relocation And Provision of 2 No. New Rugby Pitches With Associated Drainage And Infrastructure at Land To The South Of Forth Crescent, Alloa, Clackmannanshire.

The report, submitted by Grant Baxter, Principal Planner, provided an assessment and makes a recommendation on the above noted planning application. The application required to be determined by the Planning Committee as, due to the site area and number of houses proposed, it fell into the “Major” category of developments.

Attending

Mr Sam Sweeney, Bracewell Stirling Architects (Agent for the Applicant – Allan Water Developments Limited)

The report was introduced by Grant Baxter, Principal Planner. Members of the Planning Committee had the opportunity to put questions to Mr Baxter.

The Committee then heard representation from Mr Sweeney, Agent for the Applicant. Members of the Planning Committee had the opportunity to put questions to Mr Sweeney.

Motion 1

That the Committee **APPROVES** the application subject to the conditions set out in the report.

Moved by Councillor Donald Balsillie.

Motion 1 was not seconded and did not proceed.

Motion 2

That the Committee **DEFER** consideration of the application to allow for further details to be provided on:

1. The potential impact of the planned housing on flood risk in the area
2. Implementation of a scheme for affordable housing relating to the development
3. The impact of the planned housing on education capacity

Moved by Councillor Ellen Forson. Seconded by Councillor Kenneth Earle.

Voting

For motion 2	6 votes
Against Motion 2	0 vote
Abstain from Voting	1 votes

Decision

On a division of 6 votes to 0 with 1 abstention, the Committee agreed to **DEFER** consideration of the application to allow for further details to be provided on:

1. The potential impact of the planned housing on flood risk in the area
2. Implementation of a scheme for affordable housing relating to the development
3. The impact of the planned housing on education capacity

Action

Grant Baxter, Principal Planner

PLA(22)07 COVERING REPORT – DOLLAR PLANNING APPLICATIONS

The purpose of the report, submitted by Grant Baxter, Principal Planner, was to update the Committee on the processing of two major planning applications for Dollar, since they were considered by the Planning Committee meeting of 1st April 2021.

The report was for noting only, and separate reports with recommendations on each application followed-on in the agenda.

The Planning Applications were:

Planning Application ref: 18/00283/PPP - Mixed Use Development Comprising Residential, Employment, Commercial and Community Uses, Sports Hall, Sports Pitches And Running Track, Including Associated Landscaping And Supporting Infrastructure On Agricultural Land And Playing Fields on Land South Of Dollar, Clackmannanshire. Applicant: Cowden Farming Company & Dollar Academy.

Planning Application ref: 19/00018/PPP - Mixed Use Development With Supporting Infrastructure Comprising Residential, Retail (Convenience) With Associated Parking, Open Space, Landscaping, Drainage, and Accesses from the A91 (Muckhart Road) on Land To South And East Of Dollar, Clackmannanshire. Applicant: Harviestoun.

Decision

The Committee agreed to **NOTE** the report.

PLA(22)08 PLANNING APPLICATION

Planning Application ref: 18/00283/PPP - Mixed Use Development Comprising Residential, Employment, Commercial and Community Uses, Sports Hall, Sports Pitches And Running Track, Including Associated Landscaping And Supporting Infrastructure On Agricultural Land And Playing Fields on Land South Of Dollar, Clackmannanshire.

The report, submitted by Grant Baxter, Principal Planner, updated the Committee on the assessment of this Planning Permission in Principle (PPP) application, since the Planning Committee meeting of 1st April 2021; provided an assessment of the application and liaison with applicants and community representatives on outstanding matters since 1st April 2021; and provided a recommendation on the application.

The report also provided the Committee with guidance on appropriate overall house numbers within the Dollar expansion at this PPP stage, as set out in paragraphs 7.6 – 7.16 of the Report, which would then inform the control of house numbers in subsequent detailed Matters Specified in Conditions (MSC) applications.

Attending

Mr Robin Matthew, PPCA Limited (Agent for the Applicant, Cowden Farming Co. & Trustees of Dollar Academy)

Mr Andrew Wood, Bidwells (Agent for the Applicant, Cowden Farming Co. & Trustees of Dollar Academy)

Mr Derek McDonald, Dollar Community Council

Dr Callum Jackson, Dollar Community Council

Mr Stephen Roe, Dollar Community Development Trust

Mr Norman Dunning, Dollar Community Development Trust

Mr Stephen Leitch, Dollar Community Development Trust

The report was introduced by Grant Baxter, Principal Planner. Members of the Planning Committee had the opportunity to put questions to Mr Baxter.

The Committee then heard representations from Mr Matthew and Mr Wood, Agents for the Applicant. Members of the Planning Committee had the opportunity to put questions to both parties

The Committee then heard representation from Mr Derek McDonald on behalf of both Dollar Community Council and Dollar Community Development Trust. Members of the Planning Committee had the opportunity to put questions to Mr McDonald.

Motion

That the Committee APPROVE the application for Planning Permission in Principle (PPP) subject to officers concluding a Section 75 Agreement (Planning Obligations) between the Council and the applicant as set out in draft Heads of Terms in Appendix 1 to this report, and a set of detailed Matters to be Specified in Conditions (MSC), as set out in Appendix 2 to the report.

That the Committee, while recognising that Dollar South is an individual application, express the wish that the two applicants (Planning Application ref: 18/00283/PPP and Planning Application ref: 19/00018/PPP) work together with guidance from the Committee that development is restricted to 350 houses plus or minus 10% across both applications.

That the Committee provide guidance that the Dollar South development (Ref. 18/00283/PPP), should be restricted to 200 houses plus or minus 10 units.

That the Committee agree to add the undernoted issues to the Appendix, either through a condition or legal agreement:

1. Pedestrian bridge over the Dollar burn – developer contribution to be sought
2. Community fund - confirmation of £500 per unit to be sought
3. Traffic impact
4. Education contribution to both the primary and nursery provision
5. Community land transfer

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson

In seconding the motion, Councillor Forson added an additional issue to be added to the Appendix either through a condition or legal agreement, which was agreed with the mover of the motion, Councillor Balsillie:

6. A plan to be put in place for constructive dialogue with Forth Valley Health Board.

The Clerk advised that in relation to the proposed condition relating to Community Land Transfer that the Planning Committee does not have the powers to transfer the land. The Clerk advised that she could note that it was the wish of the Planning Committee for the land to transfer, but that the matter had already been dealt with at the Special Meeting of the Place Committee held on 11 November 2022.

The Convenor noted the legal advice from the Clerk and amended the proposed condition to add the wording “in relation to potential discussions around the Section 75 agreement.”

Decision

The Committee **APPROVED** the application for Planning Permission in Principle (PPP) subject to officers concluding a Section 75 Agreement (Planning Obligations) between the Council and the applicant as set out in draft Heads of Terms in Appendix 1 to this report, and a set of detailed Matters to be Specified in Conditions (MSC), as set out in Appendix 2 to the report.

That the Committee, while recognising that Dollar South is an individual application, expressed the wish that the two applicants (Planning Application ref: 18/00283/PPP and Planning Application ref: 19/00018/PPP) work together with guidance from the Committee that development is restricted to 350 houses plus or minus 10% across both applications.

The Committee provided guidance that the Dollar South development (Ref. 18/00283/PPP), should be **restricted to 200 houses plus or minus 10 units**.

The Committee agreed to add the undernoted issues to the Appendix, either through a condition or legal agreement:

1. Pedestrian bridge over the Dollar burn – developer contribution to be sought
2. Community fund - confirmation of £500 per unit to be sought
3. Traffic impact
4. Education contribution to both the primary and nursery provision
5. Community land transfer - in relation to potential discussions around the Section 75 agreement
6. A plan to be put in place for constructive dialogue with Forth Valley Health Board.

Action

Grant Baxter, Principal Planner

PLA(22)09 PLANNING APPLICATION

Planning Application ref: 19/00018/PPP - Mixed Use Development With Supporting Infrastructure Comprising Residential, Retail (Convenience) With Associated Parking, Open Space, Landscaping, Drainage, and Accesses from the A91 (Muckhart Road) on Land To South And East Of Dollar, Clackmannanshire

The report, submitted by Grant Baxter, Principal Planner, updated the Committee on the assessment of the application for Planning Permission in Principle (PPP), since the Planning Committee meeting of 1st April 2021; provided an assessment of the application and liaison with applicants and community representatives on outstanding matters since 1st April 2021; and provided a recommendation on the application.

The report also provided the Committee with guidance on appropriate overall house numbers within the Dollar expansion at this PPP stage, as set out in paragraph 6.5 – 6.15 of this Report, which will then inform the control of house numbers in subsequent detailed Matters Specified in Conditions (MSC) applications.

Attending

Mr Nicholas Poett, Applicant, Harviestoun
Mr Anthony Aitken, Colliers, Agent for the Applicant
Mr Derek McDonald, Dollar Community Council
Dr Callum Jackson, Dollar Community Council
Mr Stephen Roe, Dollar Community Development Trust
Mr Norman Dunning, Dollar Community Development Trust
Mr Stephen Leitch, Dollar Community Development Trust

The report was introduced by Grant Baxter, Principal Planner. Members of the Planning Committee had the opportunity to put questions to Mr Baxter.

The Committee then heard representations from Mr Aitken, Agent for the Applicant. Members of the Planning Committee had the opportunity to put questions to Mr Aitken.

The Committee then heard representation from Mr Derek McDonald on behalf of both Dollar Community Council and Dollar Community Development Trust. Members of the Planning Committee had the opportunity to put questions to Mr McDonald.

Motion

That the Planning Committee APPROVE the application for Planning Permission in Principle (PPP) subject to officers concluding a Section 75 Agreement (Planning Obligations) between the Council and the applicant as set out in draft Heads of Terms in Appendix 1 to this report, and a set of detailed Matters to be Specified in Conditions (MSC), as set out in Appendix 2 to this report, subject to any variation by the Committee.

That the Committee, while recognising that Dollar South and East is an individual application, express the wish that the two applicants (Planning Application ref: 18/00283/PPP and Planning Application ref: 19/00018/PPP) work together with guidance from the Committee that development is restricted to 350 houses plus or minus 10% across both applications.

That the Committee provide guidance that the Dollar South and East development (Ref. 19/00018/PPP), should be restricted to 170 houses plus or minus 10 units.

That the Committee agree to add the undernoted issues to the Appendix, either through a condition or legal agreement:

1. Pedestrian bridge over the Dollar burn – developer contribution to be sought
2. Community fund - confirmation of £500 per unit to be sought

3. Traffic impact
4. Education contribution to both the primary and nursery provision
5. Community land transfer - in relation to potential discussions around the Section 75 agreement
6. A plan to be put in place for constructive dialogue with Forth Valley Health Board.

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

Decision

The Committee **APPROVED** the application for Planning Permission in Principle (PPP) subject to officers concluding a Section 75 Agreement (Planning Obligations) between the Council and the applicant as set out in draft Heads of Terms in Appendix 1 to this report, and a set of detailed Matters to be Specified in Conditions (MSC), as set out in Appendix 2 to this report, subject to any variation by the Committee.

The Committee, while recognising that Dollar South and East is an individual application, expressed the wish that the two applicants (Planning Application ref: 18/00283/PPP and Planning Application ref: 19/00018/PPP) work together with guidance from the Committee that development is restricted to 350 houses plus or minus 10% across both applications.

The Committee provided guidance that the Dollar South and East development (Ref. 19/00018/PPP), should be **restricted to 170 houses plus or minus 10 units.**

The Committee agreed to add the undernoted issues to the Appendix, either through a condition or legal agreement:

1. Pedestrian bridge over the Dollar burn – developer contribution to be sought
2. Community fund - confirmation of £500 per unit to be sought
3. Traffic impact
4. Education contribution to both the primary and nursery provision
5. Community land transfer - in relation to potential discussions around the Section 75 agreement
6. A plan to be put in place for constructive dialogue with Forth Valley Health Board.

Action

Grant Baxter, Principle Planner

Ends: 11:42 am

