

**MINUTE OF MEETING of the
REGULATORY COMMITTEE held within
the Council Chamber, Greenfield, Alloa,
on THURSDAY 13TH NOVEMBER 2008**

PRESENT

Councillor Alastair Campbell (Convener)
Councillor Tina Murphy (Vice Convener)
Councillor Kenneth Earle
Councillor Mark English
Councillor Bobby McGill
Councillor George Matchett
Councillor Walter McAdam (from Item 4)
Councillor Harry McLaren
Provost Derek Stewart
Councillor Gary Womersley

IN ATTENDANCE

Stephen Bell, Head of Development
Services
Ian Duguid, Development Quality Team
Leader
Stuart Cullen, Roads Development Officer
Amanda Inglis, Solicitor, Administration
and Legal Services

REG(08)85 APOLOGIES AND SUBSTITUTIONS

There were no apologies for absence.

REG(08)86 DECLARATIONS OF INTEREST

Provost Stewart declared an interest in agenda item 5.

REG(08)87 MINUTE OF MEETING HELD ON 16TH OCTOBER 2008

There was submitted a minute of the meeting held on 16th October 2008, a copy of which had been circulated previously to each Member.

The minute of the meeting held on 16th October 2008 was agreed as a correct record and signed by the Convener.

REG(08)88 DEVELOPMENT OF LAND FOR RESIDENTIAL, BUSINESS, RECREATIONAL, RETAIL AND RESTAURANT PURPOSES - RESERVED MATTERS FOR MASTERPLAN (CONDITION 1 OF OUTLINE PLANNING PERMISSION 05/00250/OUT) AT DEVELOPMENT SITE, THE SHORE, ALLOA - REF: 07/00232/RES

There was submitted a report by Grant Baxter, Principal Planner, a copy of which had been circulated previously to each Member.

** Councillor McAdam joined the meeting during questions to the officer.*

Councillor Campbell moved the recommendations set out in the report.
Seconded by Councillor Matchett.

The Committee agreed unanimously to amend their decision of 1st May 2008, to approve the masterplan proposals submitted under the terms of Condition 1 of 05/00250/OUT, without requiring completion of a legal agreement between the Council and applicant in relation to a developer contribution towards public realm works, subject to the following additional condition:

1. Further to Condition 1 of the Outline Planning Permission Ref. 05/00250/OUT, the development shall be carried out in accordance with the phasing set out in the stamped approved Zoning Masterplan, unless otherwise agreed in writing by the Council. For the avoidance of doubt, Area A (Phase 5) shall incorporate the following -
 - Riverside walkway
 - Visitors parking
 - Recreational area - within the area highlighted in yellow on the stamped approved Zoning Masterplan

Reason

1. In order that the proposed Masterplan, including phasing is in accordance with Outline Planning Permission Ref: 05/00250/OUT

Action: Stephen Bell, Head of Development Services

REG(08)89 PLANNING APPLICATION

Change of use of public open space and alterations, side and rear extension to house at 27 Devonway, Clackmannan, FK10 4LD

There was submitted a report by Keith Johnstone, Principal Planner, a copy of which had been circulated previously to each Member.

Provost Stewart declared a non-financial interest in this item and withdrew from the Chamber while the application was under consideration.

The Committee heard representations from Mr White, Scott and White Building Design, Agent for the applicant, and Mrs Bramham, Objector.

Councillor Campbell moved the recommendations set out in the report subject to conditions 1 and 2. Seconded by Councillor Matchett.

On a division, the Committee agreed by 6 votes to 2 with 1 abstention to APPROVE the application subject to the terms and conditions set out in the report.

Action: Stephen Bell, Head of Development Services

** Provost Stewart returned to the meeting at this point in the proceedings.*

REG(08)90 PLANNING APPLICATION

Erection of guest house, two holiday cottages and associated access road, footpaths and landscaping at land to west of Cowden East Lodge, Dollar (Ref: 08/00236/FULL)

There was submitted a report by Grant Baxter, Principal Planner, a copy of which had been circulated previously to each Member.

The Committee heard representation from Mr Machin, Agent for the applicant.

Councillor Campbell moved the recommendation to refuse the application for the reasons set out in the report. Seconded by Councillor McLaren.

Amendment

"Amend the paper to allow for the development of the holiday cottages but to refuse the erection of the guest house until such times as the viability of the business is proven, subject to conditions contained within the report."

Moved by Councillor McGill. Seconded by Provost Stewart.

There were 5 votes for the amendment and 5 votes against. The amendment was defeated on the casting vote of the Convener.

There were 5 votes for the motion and 5 votes against. On the casting vote of the Convener, the Committee agreed to REFUSE the application for the reasons set out in the report.

Action: Stephen Bell, Head of Development Services

REG(08)91 PLANNING APPLICATION

Siting of chalet for gypsy/traveller household and ancillary accommodation including laundry/toilet/storage unit and parking area, land at Gartlove, Forestmill (Ref: 08/00249/FULL)

There was submitted a report by Grant Baxter, Principal Planner, a copy of which had been circulated previously to each Member.

The Committee heard representation from Mr Marr, Agent for the applicant, Mr Smith, Objector and Mrs Walsh, Objector.

Councillor Campbell moved the recommendation to refuse the application for the reasons set out in the report. Seconded by Councillor Matchett.

The Committee unanimously agreed to REFUSE the application for the reasons set out in the report.

Action: Stephen Bell, Head of Development Services

** Councillor Matchett withdrew from the meeting before the following item.*

REG(08)92 PLANNING ENFORCEMENT STRATEGY - ANNUAL PERFORMANCE REPORT FOR 2007-2008

There was submitted a report by Ian Duguid, Development Quality Team Leader, a copy of which had been circulated previously to each Member.

The Committee unanimously agreed to note the contents of this report.