



**Clackmannanshire
Council**

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**THIS PAPER RELATES TO
ITEM 03
ON THE AGENDA**

**MINUTE OF MEETING of the PLANNING COMMITTEE held within the Council Chamber,
Greenfield, Alloa, FK10 2AD, on THURSDAY 9 June 2011 at 9.30 am.**

PRESENT

Councillor Alastair Campbell (Convener)
Councillor Kenneth Earle
Councillor Mark English
Councillor George Matchett, QPM
Councillor Walter McAdam MBE
Councillor Bobby McGill
Councillor Harry McLaren
Provost Derek Stewart
Councillor Gary Womersley

IN ATTENDANCE

Ian Duguid, Development Quality Team Leader
Alan Gall, Team Leader, Land Services and Burial Grounds
Julie Hamilton, Service Manager Development
Keith Johnstone, Principal Planner
Alastair MacKenzie, Team Leader, Building Control
Andrew Wyse, Solicitor (Clerk to the Committee)

Councillor John Biggam, Local Member Ward 2 (for Item 6)

PLA(11)05 APOLOGIES

Apologies for absence were received from Councillor Tina Murphy.

PLA(11)06 DECLARATIONS OF INTEREST

None.

PLA(11)07 MINUTE OF MEETING HELD ON 12 MAY 2011

A minute of the Planning Committee meeting held on Thursday 12 May 2011 was submitted for approval.

The minute of the meeting held on Thursday 12 May 2011 was agreed as a correct record and signed by the Convener.

PLA(11)08 MINUTE OF LOCAL REVIEW BODY MEETING HELD ON 15 APRIL 2010

A minute of the Local Review Body Meeting held on Thursday 15 April 2010 was submitted for approval.

Moved by Councillor Alastair Campbell. Seconded by Provost Derek Stewart.

The minute of the meeting held on Thursday 15 April 2010 was agreed as a correct record and signed by the Convener.

PLA(11)09 MINUTE OF LOCAL REVIEW BODY MEETING HELD ON 12 MAY 2011

A minute of the Local Review Body Meeting held on Thursday 12 May 2011 was submitted for approval.

Moved by Councillor Alastair Campbell. Seconded by Councillor Walter McAdam MBE.

The minute of the meeting held on Thursday 12 May 2011 was agreed as a correct record and signed by the Convener.

**PLA(11)10 STREET NAMING REPORT FOR FORMER BUILDERS' YARD,
KEILARSBRAE, SAUCHIE**

The purpose of the report was to decide the name of a new street. The report set out the results of a consultation exercise seeking a suggested name for a new street in Sauchie. Following careful consideration of the suggestions, having regard to the criteria for choosing names and taking cognisance of the tri-Council street naming and numbering conventions, the recommendation was to agree the name of "Mill Lade Avenue".

Motion

To amend the suggested street name to "Millers Lade" in association with a former local Councillor, Councillor Miller.

Moved by Councillor George Matchett QPM. Seconded by Councillor Gary Womersley.

Alastair MacKenzie, Team Leader, Building Control advised the Committee that we have an agreed tri-Council policy and have agreed with Royal Mail that we will not use people's names within a postal address and there have been issues in the past with similar street names being used.

Decision

The Committee agreed unanimously to approve the street name of "Millers Lade", subject to the outcome of further consultation with Royal Mail.

Action

Service Manager (Development)

PLA(11)11 REPORT OF HANDLING ON PLANNING APPLICATION

Planning Application: Change of Use of Agricultural Land to Woodland Burial Cemetery, including Access Road, Turning Circle and disabled Parking Bays, Land to North of Woodland Park Access Road (Ref. 10/00264/FULL)

A report of handling on the above application for planning permission was submitted by the Development Quality Team Leader. The report supplemented a report to the Planning Committee on 17th February 2011 relating to a planning application for the proposed development at Alva Woodland Park. A decision on that application had been deferred pending the outcome of further consultation with the Scottish Environment Protection Agency (SEPA). The report advised on the outcome of that consultation.

As the Council has an interest in the planning application as the applicant, the application was reported to Committee for decision.

Motion

That the Committee approves the application subject to the terms and conditions set out in the report.

Moved by Councillor Alastair Campbell. Seconded by Councillor George Matchett, QPM.

Voting

The voting on the motion was as follows:

For the motion	7 votes
Against the motion	1 votes
Not voting	1 abstention

Decision

On a division of 7 votes to 1 with 1 abstention, the Committee agreed to approve the application subject to the terms and conditions as set out in the report.

Action

Service Manager (Development)

PLA(11)12 APPLICATION TO PARTIALLY RELAX THE TERMS OF SECTION 75 AGREEMENT TO ALLOW SUPERMARKET WITHIN UNIT 4 OF THE EXTENSION AT STERLING MILLS OUTLET VILLAGE, MOSS ROAD, TILlicoultry

The purpose of the report was to consider two applications from the owners of Sterling Mills Outlet Village to vary the part of the Section 75 Agreement which regulates the type of retailing that can be carried out at the site, to allow a supermarket comprising 962 square metres of net convenience floor space within part of the undeveloped extension to the Village which was approved on 30 October 2007.

The officers' recommendation was to refuse the application to vary the existing Section 75 agreements.

Motion

That the Committee approve the application to vary the existing Section 75 Agreements (1998 and 2007) to allow a supermarket to occupy part of the proposed extension to Sterling Mills Outlet Village for the following reasons:

- a. Recognition that the community served by the new supermarket would be larger than the surrounding local area.
- b. The introduction of a supermarket operator would enhance the existing trade at the outlet village ensuring the long term future and viability of the centre.
- c. A supermarket at the alternative site, identified as the Tillicoultry Community Centre, would have a greater adverse effect on the town centre than one at the Sterling Mills Outlet Village
- d. Will help to sustain and potentially increase jobs.

Moved by Councillor Bobby McGill. Seconded by Councillor Walter McAdam MBE.

Decision

The Committee unanimously agreed:

To approve the application to vary the existing Section 75 Agreements (1998 and 2007) to allow a supermarket to occupy part of the proposed extension to Sterling Mills Outlet Village for the following reasons:

- a. Recognition that the community served by the new supermarket would be larger than the surrounding local area.
- b. The introduction of a supermarket operator would enhance the existing trade at the outlet village ensuring the long term future and viability of the centre.
- c. A supermarket at the alternative site, identified as the Tillicoultry Community Centre, would have a greater adverse effect on the town centre than one at the Sterling Mills Outlet Village
- d. Will help to sustain and potentially increase jobs.

That the Agreement under Section 75 registered 25 October 2007 be modified as follows:-

- (i) Delete the number reference of the existing Clause 4.1 and replace with 4.2
- (ii) Delete the number reference of the existing Clause 4.2 and replace with 4.3.
- (iii) Insert the following as a new Clause 4.1:-
"4.1 Notwithstanding the terms of Clause 4.2, an area of nine hundred and sixty two (962) square metres of net retail floor space forming part of the Subjects and within the area shown hatched in red on the attached plan shall be permitted to be used and occupied for the purposes of supermarket/ superstore."
- (iv) Insert the following at the beginning of the newly numbered Clause 4.2 (the former Clause 4.1) before the words "No part of the subjects":-
"4.2 Without prejudice to the terms of Clause 4.1,"

and

That the agreement under Section 75 registered 27 October 1998 be modified as follows:

- (i) Delete the number reference of the existing Clause (SIXTH) and replace with (SEVENTH)
- (ii) Delete the number reference of the existing Clause (SEVENTH) and replace with (EIGHTH)
- (iii) Delete the number reference of the existing Clause (EIGHTH) and replace with (NINTH)
- (iv) Insert the following as a new Clause (SIXTH):-
"(SIXTH) Notwithstanding the terms of Clause 4.2, an area of nine hundred and sixty two (962) square metres of net retail floor space forming part of the Development Site and within the area shown hatched in red on the attached plan shall be permitted to be used and occupied for the purposes of a supermarket / superstore."
- (v) Insert the following at the beginning of the newly numbered Clause (SEVENTH) (the former Clause (SIXTH)) before the words "No part of either the Development Site of the Sterling Complex":-
"(SEVENTH) Without prejudice to the terms of Clause (SIXTH)

Action

Service Manager (Development)

ENDS 10.30 am