



**Clackmannanshire
Council**

www.clacksweb.org.uk

Greenfield, Alloa, Scotland, FK10 2AD (Tel.01259-450000)

PLANNING COMMITTEE

Thursday 13 December 2012 at 1.30 pm

Venue: Council Chamber, Greenfield, Alloa, FK10 2AD

For further information contact Finance and Corporate Services, Clackmannanshire Council, Greenfield, Alloa, FK10 2AD
Phone: 01259 452106/2004 Fax: 01259 452230 E-mail: customerservice@clacks.gov.uk www.clacksweb.org.uk

Date	Time
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Scheme of Delegation: Duties and Responsibilities Delegated to Committees

Planning Committee

Subject to paragraphs 3.28 and 11.4 of the Scheme of Delegation, the Planning Committee has responsibility for taking decisions on planning applications and enforcing planning laws, and:

Dealing with regulatory issues arising in the fields of building standards, trading standards, environmental health and licensing (other than liquor licensing), all in line with our policy.

05 December 2012

A MEETING of the PLANNING COMMITTEE will be held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 13 DECEMBER 2012 at 1.30 pm.

**ANDREW WYSE
Solicitor, Legal Services**

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1. Apologies	- -
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	- -
3. Confirm Minutes of Meeting held on 01 November 2012 (Copy herewith)	01
4. Planning Performance Framework 2011/12 - report by Ian Duguid, Development Quality Team Leader (Copy herewith)	05
5. Applications for Planning Permission And Listed Building Consent - Alterations To Library To Form 3 No. Ground Floor Flats, 99 High Street, Tillicoultry (Ref No. 12/00241/FULL And 12/00242/LIST) - report by Development Quality Team Leader (Copy herewith)	25
6. Application for Planning Permission (Ref 12/00244/FULL) - Alterations, Extension and Change of Use of Former Mill Shop to Form Offices and Council Chambers - Amendment to Planning Permission Ref 11/00278/FULL to Amend South Elevation and Entrance, Former Paton's School, Greenside Street, Alloa; and Application for Listed Building Consent (Ref 12/00245/LIST) - Alterations and Extension to Former Mill Shop - Amendment to Listed Building Consent Ref 11/00279/LIST to Amend South Elevation and Entrance at Former Paton's School, Greenside Street, Alloa - report by Principal Planner (Copy herewith)	31

PLANNING COMMITTEE – MEMBERS

Councillors

Wards

Councillor	Alastair Campbell	(Convenor)	5	Clackmannanshire East	CONS
Councillor	Graham Watt	(Vice Convenor)	3	Clackmannanshire Central	LAB
Councillor	George Matchett, QPM		1	Clackmannanshire West	LAB
Councillor	Tina Murphy		1	Clackmannanshire West	SNP
Councillor	Les Sharp		1	Clackmannanshire West	SNP
Councillor	Walter McAdam, MBE		2	Clackmannanshire North	SNP
Councillor	Bobby McGill		2	Clackmannanshire North	LAB
Councillor	Gary Womersley		3	Clackmannanshire Central	SNP
Councillor	Kenneth Earle		4	Clackmannanshire South	LAB
Councillor	Ellen Forson		4	Clackmannanshire South	SNP

**MINUTE OF MEETING of the PLANNING COMMITTEE held within the Council Chamber,
Greenfield, Alloa, FK10 2AD, on THURSDAY 01 NOVEMBER 2012 at 9.30 am.**

PRESENT

Councillor Alastair Campbell, Convenor (In the Chair)
Councillor Graham Watt, Vice Convenor
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Gary Womersley

IN ATTENDANCE

Julie Hamilton, Development Services Manager
Keith Johnstone, Principal Planner
Andrew Wyse, Solicitor (Clerk to the Committee)

PLA021 APOLOGIES

None

PLA022 DECLARATIONS OF INTEREST

None

PLA023 MINUTES OF MEETING: PLANNING COMMITTEE 30 AUGUST 2012

The minutes of the meeting of the Planning Committee held on 30 August 2012 were submitted for approval.

Decision

The minutes of the meeting of the Planning Committee held on 30 August 2012 were approved as a correct record of the proceedings and were signed by the Convenor.

PLA024 APPLICATIONS FOR PLANNING PERMISSION

A report by the Principal Planner presented a summary of the Service's assessment of five planning applications from Clacksfirst Ltd to install pole mounted CCTV cameras within five different business parks. A single report was submitted given the developments related to the same type of development and the same applicant.

The report considered comments from consultees and other parties, relevant Development Plan policy and concluded that planning permission should be granted for all of the applications.

The Principal Planner advised that Mr Gary Robertson, 19 Munro Place, Alloa, had also made comment on the application for Alloa Business Centre but this had been omitted from the report. Mr Robertson's comments in relation to Alloa Business Centre were the same as those for Cooperage Way and, as such, had been addressed in the report and would not present grounds to withhold planning permission.

(1) Application for Planning Permission: Installation of two pole mounted CCTV cameras at Cooperage Way, Alloa (Ref. 12/00180/FULL)

Motion

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

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

Decision

The Committee agreed unanimously to approve the application subject to the terms and conditions set out in the report.

(2) Application for Planning Permission: Installation of pole mounted CCTV camera at Alloa Business Centre, Whins Road, Alloa (Ref. 12/00181/FULL)

Motion

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

Moved by Councillor Alastair Campbell. Seconded by Councillor Gary Womersley.

Decision

The Committee agreed unanimously to approve the application subject to the terms and conditions set out in the report.

(3) Application for Planning Permission: Installation of two pole mounted CCTV cameras at Alva Industrial Estate, Alva (Ref. 12/00182/FULL)

Motion

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

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

Decision

The Committee agreed unanimously to approve the application subject to the terms and conditions set out in the report.

(4) Application for Planning Permission: Installation of pole mounted CCTV camera at Bond Street, Tullibody (Ref. 12/00200/FULL)

Motion

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

Moved by Councillor Alastair Campbell. Seconded by Councillor Tina Murphy.

Decision

The Committee agreed unanimously to approve the application subject to the terms and conditions set out in the report.

(5) Application for Planning Permission: Installation of pole mounted CCTV camera at Barnpark Industrial Estate, Cleuch Mill, Lower Mill Street, Tillicoultry (Ref. 12/00201/FULL)

Motion

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

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

Decision

The Committee agreed unanimously to approve the application subject to the terms and conditions set out in the report.

Action

Development Services Manager

LOCAL DEVELOPMENT PLAN

The Development Services Manager provided the Committee with a verbal update on the Local Development Plan. In terms of member awareness, a briefing has been prepared on a Ward by Ward basis to provide an indication of vision and key issues for specific Wards. Members will have opportunity to discuss any issues with officers, following which a members' briefing/workshop will take place prior to Christmas to enable discussion on key issues, vision and strategy, not least the issue of education and housing numbers.

Following the Christmas period, it is intended that a further members' briefing/workshop will be held to consider site specific issues. It is intended that the Local Development Plan will be submitted to the Enterprise and Environment Committee in March 2013 and, thereafter, to full Council.

The Development Services Manager advised that a timeline will be issued to members in due course.

ENDS 9.40 am

Report to: **Planning Committee**

Date of Meeting: **13 December 2012**

Subject: **Planning Performance Framework 2011/12**

Report by: **Development Quality Team Leader**

1.0 Purpose

- 1.1. The purpose of this report is to inform Members of the submission of the Council's first Planning Performance Framework to the Scottish Government.

2.0 Recommendations

- 2.1. The Committee is asked to note the decision of the Council's Enterprise and Environment Committee to approve the Council's Planning Performance Framework for 2011/12.

3.0 Background

- 3.1. On 8th November 2012, the Council's Enterprise and Environment Committee considered a report from the Head of Community and Regulatory Services (Appendix 1), relating to the submission of the Council's Planning Performance Framework 2011/12 (Appendix 2) to the Scottish Government. It recommended that Members note, comment on and challenge its contents. The Committee decided to proceed in accordance with the recommendation and in doing so, decided to submit the report to the Planning Committee for interest and information.
- 3.2. The report (Appendix 1) explains the background to and contents of the Framework, which, following the Committee decision, will be formally issued to the Scottish Government.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

- 5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☒

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

5.4. *Staffing*

5.5. There are no staffing implications.

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input checked="" type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input checked="" type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

Clackmannanshire Local Plan

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? Yes ☐ No ☒

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

- 10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Report to E&E Committee of 8 November 2012

Appendix 2 - Planning Performance Framework

11.0 Background Papers


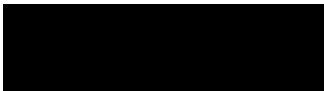
- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Ian Duguid	Development Quality Team Leader	2621

Approved by

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Service Manager	
John Gillespie	Head of Community and Regulatory	

APPENDIX 1 - REPORT TO E&E COMMITTEE OF 8 NOV 12

CLACKMANNANSHIRE COUNCIL

Report to Enterprise and Environment Committee

Date of Meeting: 8 November 2012

Subject: Planning Performance Framework 2011/2012

Report by: Head of Community & Regulatory Services

1.0 Purpose

- 1.1 The Scottish Government has introduced a new format and procedure for recording and assessing the performance of local planning authorities. The purpose of this paper is to seek approval of the Council's first Planning Performance Framework (PPF), for the period 1st April 2011 to 31st March 2012.

2.0 Recommendations

- 2.1 The Committee is asked to note, comment on and challenge this report prior to submission to the Scottish Government.

3.0 Background

- 3.1 Up until now, the measurement of the performance of planning authorities by the Scottish Government has focussed on two main areas:
- (i) The speed of decision making on planning applications.
 - (ii) The Local Plan coverage in the Council's geographic area.
- 3.2 However, there has been a gradual and increasing recognition that these very limited parameters do not provide a meaningful or wide-ranging measure of how well planning authorities deliver their planning function. On the back of this, Heads of Planning Scotland has worked with the Government and other stakeholders to provide a "balanced scorecard" approach to performance, enabling each authority to demonstrate its achievements, success and individuality. Whilst the speed of decision making still features as an important factor, and we as officers, would want to ensure that speed of decision making on planning applications remains central to the quality of our

work, this will be set within a wider supporting context of quality, resources and outcomes on the ground.

3.3 The main component parts of the PPF consist of:

Part 1 - National Headline Indicators

Part 2 - The performance assessment across 8 areas of agreed activity - defining and measuring a high quality planning service

Part 3 - Supporting evidence and links to the related reports and studies

Part 4 - Service improvements and timescales for the delivery of improvements

4.0 Considerations

4.1 Part 1 of the PPF largely provides statistical analysis of the breadth of service activities we carry out. The notable headline figures in these indicators are as follows:

- (i) The First Alteration to the Clackmannanshire Council Local Plan was adopted in October 2011.
- (ii) 95% of all planning applications were approved in the period. We would expect to maintain this standard in the forthcoming periods.
- (iii) 94% of all applications were decided by the Council's Appointed Officers under its Scheme of Delegation for Local Developments. This has contributed to high standards of performance for these types of application, and reflects the expectation of the Scottish Government that most planning applications are delegated to officers, for decision making.
- (iv) Decision making timescales are now measured by average number of weeks to decision. Previously, it was measured by the percentage of applications decided within 2 months. For major applications, the figure of 77 weeks is abnormally high, and can be explained by decisions on two major planning applications, namely the proposed new village at Forestmill, and the long term expansion development at Coalsnaughton. The former was called in by the Scottish Government for a public local enquiry, but following legal challenge and material changes in the development planning position, the call in Direction was eventually reversed, and the application returned to the Council for decision. That process took over five years. The latter was "suspended" at the applicant's request, due to legal constraints. It therefore sat undetermined for many years before being effectively resurrected, re-publicised and approved by Council. That application, too, took over five years. These two applications have skewed the performance figure, and we are entirely confident that this and the other two average period figures will improve year on year from this baseline starting position.

4.2 Part 2 of the PPF introduces a new set of parameters for measuring the quality of the planning service within Development Services. The categories which the Government has identified are:

- Open for Business
- High Quality Development on the Ground
- Certainty
- Communications, Engagement and Customer Service
- Efficient and Effective Decision Making
- Effective Management Structures
- Financial Management and Local Governance
- Culture of Continuous Improvement

4.3 Throughout each section, we have identified a series of practices and outcomes that demonstrate the breadth of work in the Development Plan and Development Quality teams, and how these collectively contribute to the robustness of service delivery, the engagement with customers, efficiency of work practice and the contribution these ultimately make to process and development outcomes.

4.4 These parameters will now be used to develop and refine the use of Covalent for performance management of the service.

4.5 Part 3 of the PPF is a relatively straightforward, concise and self-explanatory list of sources that have been used to assist in compiling the evidence in the Framework.

4.6 And finally, Part 4 of the PPF highlights our proposed Service Improvements which are being implemented during 2012/13. This is based on a culture of continuous improvement as expressed in the Clackmannanshire Improvement Model and is captured in action plans which are supplementary to the Community and Regulatory Service Business Plan. Each improvement is itemised to aid understanding and analysis. Progress on improvements will be monitored through the normal management and reporting arrangements.

5.0 Resource Implications

5.1 Financial Details

There are no additional financial implications arising from this report.

6.0 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

- | | |
|--|-------------------------------------|
| The area has a positive image and attracts people and businesses | <input checked="" type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input type="checkbox"/> |
| Vulnerable people and families are supported | <input type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input type="checkbox"/> |
| The environment is protected and enhanced for all | <input checked="" type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input checked="" type="checkbox"/> |

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Planning Performance Framework

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)


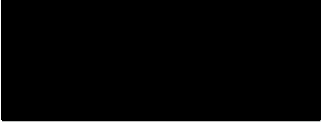
Yes ☐ (please list the documents below) No ☒

REPORT TO ENTERPRISE & ENVIRONMENT COMMITTEE OF 8 NOV 12 (con't)

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Ian Duguid	Development Quality Team Leader	2621

Approved by

NAME	DESIGNATION	SIGNATURE
John Gillespie	Head of Community and Regulatory	
Garry Dallas	Director of Services to Communities	

APPENDIX 2 - PLANNING PERFORMANCE FRAMEWORK

PLANNING PERFORMANCE FRAMEWORK ANNUAL REPORT 2011-2012

1. National Headline Indicators (NHIs)

Key outcomes	2011-2012	
Development Planning: <ul style="list-style-type: none"> age of local/strategic development plan(s) (full years) <i>Requirement: less than 5 years</i> development plan scheme: on track? (Y/N) 	1 Y	
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> effective housing land: years supply effective housing land supply¹ housing approvals³ effective employment land supply² employment land take-up effective commercial floor space supply² commercial floor space delivered 	5 years 1218 units 139 units 109.26 ha 9 ha 14,000 m ² 380 m ²	
Development Management Project Planning <ul style="list-style-type: none"> percentage of applications subject to pre-application advice number of major applications subject to processing agreement or other project plan percentage planned timescales met Decision-making <ul style="list-style-type: none"> application approval rate delegation rate 	13% 0 n/a 95% 94%	
Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> major developments local developments (non-householder) householder developments 	77 weeks 10 weeks 6 weeks	
Enforcement <ul style="list-style-type: none"> time since enforcement charter published / reviewed (months) <i>Requirement: review every 2</i> 	18 months	

years		
• number of breaches identified / resolved	61/53	

¹ Supply for 2011/2012 - 2015/2016 from 2011 HLA

² From sites allocated in the adopted Development Plan minus any taken up since adoption

³ This figure excludes any housing approved as part of an application for Planning Permission in Principle

Project Planning

The percentage of applications subject to pre-application advice is misrepresentative, as it excludes:

- (i) advice on householder developments - this is not recorded on our management system
- (ii) verbal advice to customers, again not recorded on our system

Decision Making Timescales

The average number of weeks for decisions on major applications has been overly influenced by two applications; one called in by the Scottish Government only for the Direction to be revoked, and the other delayed for 6 years at the applicant's request to deal with legal constraints.

Evidence indicates that decisions on a small number of local developments (non householder) were delayed for abnormal periods of time for a variety of reasons, invariably associated with protected species surveys and scrutiny of technical data. The result has been an average number of weeks which significantly exceeds the figure for 90% of these applications.

Enforcement

The figure provided for cases resolved includes breaches of planning control where no action is deemed necessary, as set out in the Council's Enforcement Strategy. This may involve circumstances where the development only marginally exceeds permitted development thresholds, or where planning permission would be granted with necessary conditions.

PLANNING PERFORMANCE FRAMEWORK

2. Defining and measuring a high-quality planning service

<i>Open for business</i>	<ul style="list-style-type: none"> • Development Quality (DQ) team structured with a customer focus. The three case officers deal with: residential, commercial and householder developments • There is no separate enforcement or monitoring officer. DQ Officers provide a "cradle to grave" service, from pre-application advice through to monitoring the implementation of development. • Free pre-application advice available to all prospective applicants. This message is set out on Council's website, and widely known to all regular agents. • Advice will include an indication of infrastructure requirements, and the information to be provided to accompany the application. • Appropriate internal consultation at pre-application stage, including Roads, Env Health, Land Services • Efficient handing of planning applications - see Part 1 for decision making timescales.
<i>High quality development on the ground</i>	<ul style="list-style-type: none"> • Planning Service (DQ) representation on local civic trust bi-annual design awards panel for residential, commercial and householder developments. • DQ provide a joint pre-application advice service with the Council's Roads Service to help deliver the Government's objectives in Designing Streets and ensure a seamless transition through the planning and road construction consent regimes • Officers committed to securing design improvements through the planning process, and now recorded on the planning application management system performance targets. • Inclusion of Development Guidelines in Development Plan to guide quality outcomes.. • Commitment through development plan to the preparation of briefs or masterplans for certain sites.
<i>Certainty</i>	<ul style="list-style-type: none"> • Almost all planning applications decided in accordance

	<p>with the balance of Local Plan policies or in accordance with allocations on the Local Plan Proposals Map.</p> <ul style="list-style-type: none"> • Protocol established with Central Scotland Police to secure consistent consultation arrangements and provide added confidence to the development sector on compliance with Secured by Design objectives • High proportion of applications (see Table 1) decided by Appointed Officer in accordance with Scheme of Delegation for Local Developments. This provides customers (applicant, agents and third parties) with added certainty in decision making arrangements. This eliminates risk of change and provides confidence in decision making on appeal at a local level. • All third parties receive a written notification of Council decision on applications. This includes the decision, any conditions and reasons, a summary of objections and an explanation of the planning service response that has contributed to the outcome. • Notification letter to notifiable neighbours includes a message on the envelope that the communication includes important information about development planned in their area. This helps to eliminate uncertainty regarding the execution of process and the status of planning decisions that might otherwise be subject to challenge • LDP - Main Issues Report workshops arranged with targeted groups, including housebuilders, local businesses, local community groups.
<i>Communications, engagement and customer service</i>	<ul style="list-style-type: none"> • The Council provides an on-line customer advice service, with ease of access to our Planning Information Service and advice on various procedures, including: pre-application consultation, pre-application advice, the need for planning permission, information required for different types of application, the application process and publicity, decision making arrangements, including our Scheme of Delegation, decisions, appeals and reviews. • A DQ Customer Forum was held in February 2012, which focussed on planning reform and new householder permitted development rights. Calls for repeat events will now be accommodated on an annual basis. • Customer feedback from the Forum will be reviewed and actioned in 2012/13. Work on this is already well advanced. • The Service monitors use of the online Planning

	<p>Information Service on a month by month basis. During the period, the frequency of monthly hits to the planning pages ranged from 1472 to 1999. We will bring forward web site improvements in accordance with the recommendations in the Pendleton Report.</p> <ul style="list-style-type: none"> • Written or electronic communication from the Service provide direct call telephone numbers to officers. All incoming calls are answered by an officer or by support staff. A customer should never need to leave a recorded message. • The Services recognises the differing needs of customers at the pre-application, application, appeal, monitoring and enforcement stages of the regulatory process and has officers dedicated to residential, commercial and householder development. For occasional customers, officers understand the need to "take their hand" through the planning process and in particular, householders who are largely unfamiliar with the profession. • All staff have been trained to deal with difficult customers • Ability to comment on Development Plan and Main Issues Report electronically. • Online LDP information regularly updated. • LDP - Main Issues Report public drop-in sessions. • LDP - Main Issues Report workshops arranged with targeted groups, including housebuilders, local businesses, local community groups. • LDP - visit to local secondary school to engage with pupils, who were considered 'harder to reach'. • Publication of 'Local Development Plan News' (June 2011). • Met with Community Council to advise and input to their development of a 'Community Plan'.
<i>Efficient and effective decision-making</i>	<ul style="list-style-type: none"> • The Council's Scheme of Delegation on Local Developments is being reviewed. The indications from 2011/12 are that the Scheme has been an aid to decision making, bringing greater certainty to the process and without apparent prejudice to 3rd party interests. • Committee decision making structures are fit for purpose. Key efficiency features include

	<p>(i) Confidential draft agendas issued to management team and councillors as an "early warning system"</p> <p>(ii) Member site visits convened <u>before</u> committee meetings to avoid unnecessary delays</p> <p>(iii) Scheme of Oral Representations provides opportunity for officer, applicants, objectors and community councils to address the committee. Well structured and well received.</p> <p>(iv) Decisions issued immediately after committee meetings.</p> <ul style="list-style-type: none"> Monthly Enforcement Group convened to monitor progress on casework and agree decisions on need for formal action.
<i>Effective management structures</i>	<ul style="list-style-type: none"> Development Services has an effective management structure in place throughout the period. This includes: <ul style="list-style-type: none"> (i) Monthly Team Leaders' Meeting focussing on key major/ strategic/cross-cutting issues, applications or proposals. This meeting, for example, will update the forward planning list of Committee and Council reports. (ii) One to One Manager/Team Leader meetings on a fortnightly basis, agendas for such meeting based on major applications, those to have attracted representations, forthcoming committee items and significant enforcement action (iii) Diarised one to one weekly meetings between Team Leader and Case Officers Monthly performance reports submitted to DS management team which: <ul style="list-style-type: none"> (i) itemises applications received and decided by officer (ii) identifies any application decided outwith the performance target period (iii) explains the particular circumstances to have contributed to those identified in Item (ii) above

	<ul style="list-style-type: none"> • Pre-Committee convenor briefing on committee agenda items, with updates on information received, site visit by members and any other potential barriers to decision making • Secondment of Development Management staff into LDP production team and input from Sustainability team members.
<i>Financial management and local governance</i>	<ul style="list-style-type: none"> • Monthly report produced to monitor planning application fee income against target income • Within a relatively small Service, flexible staff resource management arrangements are in place to provide opportunities to broaden skills, knowledge and experience, but more importantly, to react positively to fluctuating demand on resources from planning application casework, local plan production and enforcement
<i>Culture of continuous improvement</i>	<ul style="list-style-type: none"> • Staff within the Planning Service undertake a Performance Review and Development (PRD) programme on an annual basis. The exercise focuses on behavioural competencies such as commitment to quality, developing people and excellence in customer service. This model of staff development is designed to improve performance and service delivery • The PRD identified training and development opportunities which are aligned to the officers' job profile and key tasks • The Service Action Plan, which forms part of a wider Business Plan, is monitored quarterly throughout the year • A review of development monitoring has identified one key area of customer feedback, associated with land management and maintenance. The Service will improve its use of conditions and monitoring arrangements to remedy this problem.

3. Supporting evidence

Part 2 of this report was compiled, drawing on evidence from the following sources:

- 2011/2012 Community and Regulatory Business Plan
- 2011/2012 Development Quality Action Plan
- Clackmannanshire Council Competency Framework
- Internal Performance Management Monthly Reports
- Clacksweb - Planning and Building Standards

4. Service improvements: 2012-13

In the coming year we will:

- Implement where appropriate the recommendations from the 2011-2012 DQ Customer Forum feedback on Service Improvements
- Improve our web site content and layout in accordance with the findings and recommendations in the Pendleton Report
- Undertake a peer group review of approved and implemented housing developments, examined against government guidance on place making and emerging Local Development Plan policy on design and layout of developments
- Review and update the Service portfolio of development briefs for sites in the Local Development Plan
- Improve performance on project planning indicators for 2011/2012
- Review the Council's Scheme of Oral Representations at the Planning Committee by surveying key users and identifying areas for change
- Review Scheme of Delegation on local developments and implement agreed recommendations
- Undertake customer satisfaction survey, identify any areas of weakness in service delivery and examine areas for improvement
- Convene a DQ Customer Forum with a focus on a continuing programme of Planning reform
- Increase the use of Planning Contravention Notices, Section 33A Notices and Fixed Penalty Notices to speed up enforcement decision making

Delivery of our service improvement actions in 2011-12:

Committed improvements and actions	Complete?
<i>[Commitment]</i>	<i>[Yes/No]</i>
<ul style="list-style-type: none"> • Convene DQ Customer Forum 	Yes
<i>[Commitment]</i>	<i>[Yes/No]</i>
<ul style="list-style-type: none"> • Renewable Energy Strategy - to be included in forthcoming LDP 	No
<i>[Commitment]</i>	<i>[Yes/No]</i>
<ul style="list-style-type: none"> • Developer Contribution Strategy to be included in forthcoming LDP 	No
<i>[Commitment]</i>	<i>[Yes/No]</i>
<ul style="list-style-type: none"> • Maintain performance in top quartile of planning authorities 	Yes

Report to: **PLANNING COMMITTEE**

Date of Meeting: **13th December 2012**

Subject: **Applications for Planning Permission And Listed Building Consent - Alterations To Library To Form 3 No. Ground Floor Flats, 99 High Street, Tillicoultry (Ref No. 12/00241/FULL And 12/00242/LIST)**

Applicant: **Clackmannanshire Council**

Report by: **Development Quality Team Leader**

1.0 Purpose

- 1.1. This is a report of handling on a planning application by Clackmannanshire Council to change the use of Tillicoultry Library to 3 flats. There is a related application for Listed Building Consent. The report describes the planning policy issues associated with the development, advice from consultees, and the response from neighbour notification. This Service concludes that the proposal generally complies with Development Plan Policy, and that there are no other material considerations that would count against a favourable decision.
- 1.2. As there is a Council interest in the development, the planning application cannot be determined by appointed officers under the scheme of delegation. In relation to the application for listed building consent, this will be a decision for Historic Scotland.

2.0 Recommendations

- 2.1. It is recommended that the application for planning permission is APPROVED, subject to the following:

Condition

1. The approved vehicle access, footpath and parking improvements within the site shall be completed before any flat hereby approved is brought into use.

Reason

1. In the interests of road and pedestrian safety.

Reasons for Decision

1. The proposed change of use will bring a vacant building back into use.
2. The proposed use is compatible with neighbouring uses.
3. The development accords with relevant policies in the Clackmannanshire Local Plan.
4. No representations against the development were expressed by individual residents or businesses or representative groups.

Plans Relating to the Decision

(LP)01, 1221 Block, 1221 EX PL, 1221 EX EL, 1221 PR PL, 1221 PR EL, Photographs (no number)

- 2.2 It is further recommended that members note the submission of the application for Listed Building Consent to Historic Scotland.

3.0 Background to the Proposals

- 3.1. The subjects of this application comprise Tillicoultry Library, occupying the ground floor of the former municipal buildings on the south side of High Street in Tillicoultry. The upper floor of the building is in residential use (3 flats). The building is positioned immediately adjacent to the public footpath on the High Street, with a substantial area of garden ground and land to the rear, accessed off the High Street on the east side of the building.
- 3.2. The Council proposes to relocate Tillicoultry Library from these premises at 99 High Street, to the new Ben Cleuch Centre as part of the community hub development, and redevelop the ground floor accommodation to provide one two bedroom flat and two one bedroom flats. A number of external alterations to the building materialise, including removal of a redundant boiler house and chimney and the installation of new door and window openings. The outside walls will be repaired and repainted.

4.0 Consultations

- 4.1. Roads and Transportation have no objections to the proposed development subject to the provision of an adoptable footpath connecting the existing public footway to flat entrances and improvements to the existing access to form a minimum width of 4.5 metres. *Comment: The proposals either have or will be amended to comply with these requirements.*
- 4.2. Scottish Water confirm that the water treatment works and the Tillicoultry Waste Water Treatment Works both have capacity to serve the proposed development.
- 4.3. Tillicoultry Community Council was consulted on this application, but have not submitted any comments.

5.0 Representations

- 5.1. Around 60 neighbouring households and/or business were notified of this application. No representations have been received.

6.0 Development Plan Position

- 6.1. The subjects are located within Tillicoultry town centre as identified in the Clackmannanshire Local Plan. The property is outwith Tillicoultry conservation area, but it is a category C listed building, hence the application for listed building consent for external alterations.

- 6.2. Policy JOB 7 indicates a presumption in favour of allowing a variety of commercial uses within neighbourhood shopping centres and town centres to help maximise and diversify the range of uses in such commercial areas. Residential development of ground floor level will be discouraged. While the proposal does not entirely accord with this policy position, the following circumstances should be taken into account:

- The building was originally built and used for residential purposes and has no conventional commercial frontage.
- Adjoining properties are in residential use at ground floor level.
- An improved library facility has been re-provided elsewhere in the town centre.
- There is no known alternative use for the premises at the moment. It would therefore lie vacant for an extended period of time.
- The upper floor accommodation and curtilage of the building are presently in use for residential purposes.

- 6.3. In those collective circumstances, the proposal is deemed to be acceptable, and will not prejudice the vitality or viability of Tillicoultry Town Centre.

- 6.4. Policy RES2 indicates that priority will be given to development that utilises vacant or underused property within settlement boundaries. The proposal complies with this residential policy.

- 6.5. Subject to compliance with the advice from Roads and Transportation, adequate standards of amenity and safety will be achieved. Notably, safe vehicle and pedestrian access will be available; private communal space for residents will be provided to the rear within a private environment; external drying areas and bin storage facilities will be provided. The proposal therefore complies with policy guidance on the form of development and amenity standards.

7.0 Other Material Considerations

- 7.1. It is noted that no representations have been received from any neighbouring households or businesses, nor Tillicoultry Community Council. The proposal is therefore deemed to have community support.

- 7.2. The application for listed building consent does not require a Council decision. The Council will apply to Historic Scotland for listed building consent. In that respect, members are invited to note the changes to the fabric of the building associated with the proposed change of use. The changes include the installation of timber framed double glazed windows, the position of openings aligned with existing openings, the removal of a boiler house and associated chimney on the east elevation, and the installation of railings to the High Street frontage. These collective changes will enhance the character of the building.

8.0 Sustainability Implications

- 8.1. The proposed development will secure the productive use of an existing building in association with the successful relocation of the town library to an integrated community building which is better fit for purpose.

9.0 Resource Implications

9.1. Financial Details

- 9.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate.

Yes ☐

- 9.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

- 9.4. Staffing. No implications for staffing.

10.0 Exempt Reports

- 10.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

11.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input checked="" type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input checked="" type="checkbox"/>

The environment is protected and enhanced for all ☐

The Council is effective, efficient and recognised for excellence ☐

(2) **Council Policies** (Please detail)

Clackmannanshire Local Plan

12.0 Equalities Impact

12.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

13.0 Legality

13.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

14.0 Appendices

14.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

15.0 Background Papers

15.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)



Yes ☒ (please list the documents below) No ☐

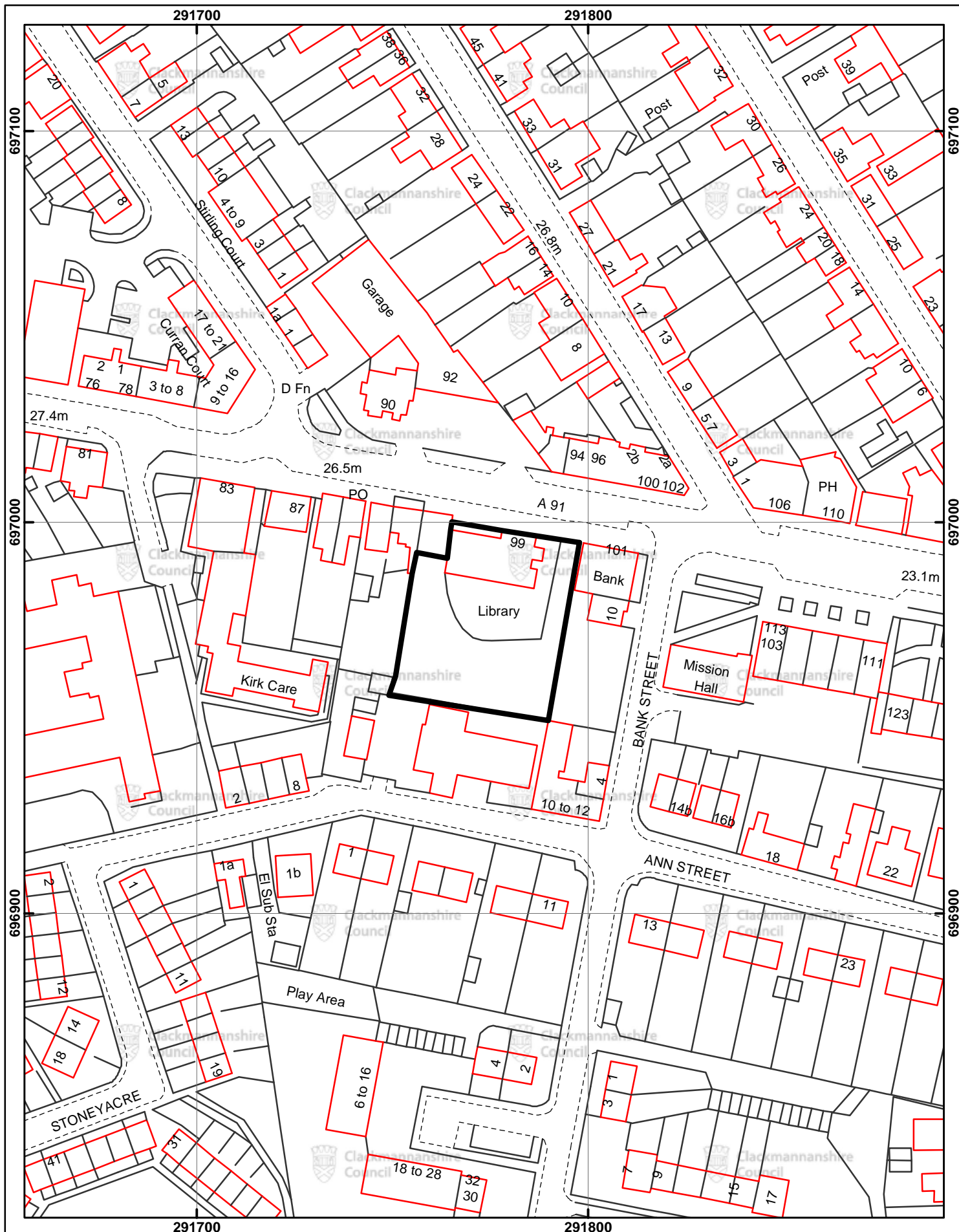
Clackmannanshire Local Plan

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Ian Duguid	Development Quality Team Leader	2621

Approved by

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Services Manager	
John Gillespie	Head of Community & Regulatory	



12/00241/FULL & 12/00242/LIST - 99 High Street, Tillicoultry
Alterations And Change Of Use Of Library To Form 3 No. Ground Floor Flats

Ward: Clackmannanshire North

OS Grid Ref: NS 91 96 NE

0 10 20 30 40
 Meters

Scale: 1:1,250

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Report to: **Planning Committee**

Date of Meeting: **13th December 2012**

Subject:

1 Application for Planning Permission (Ref 12/00244/FULL) - Alterations, Extension and Change of Use of Former Mill Shop to Form Offices and Council Chambers - Amendment to Planning Permission Ref 11/00278/FULL to Amend South Elevation and Entrance, Former Paton's School, Greenside Street, Alloa

2 Application for Listed Building Consent (Ref 12/00245/LIST) - Alterations and Extension to Former Mill Shop - Amendment to Listed Building Consent Ref 11/00279/LIST to Amend South Elevation and Entrance at Former Paton's School, Greenside Street, Alloa

Report by: **Principal Planner**

1.0 Purpose

- 1.1. The purpose of this report is to present a summary of our assessment of the applications for planning permission and listed building consent to amend the previously approved design of works to convert the former Paton's School building to Council offices and Chambers. The report considers the relevant planning policies in the Development Plan, consultation comments from Historic Scotland and any other material considerations.
- 1.2. The assessment has concluded that the proposed changes to the approved design would not have an unacceptable impact on the character and appearance of the listed building or the character of the Old Alloa Conservation Area, the boundaries of which include the building. The amended design would help contribute to the successful re-use of this vacant building. The proposals would accord with the Clackmannanshire Local Plan and relevant national policy guidance and, in the absence of any material considerations which would outweigh this position, the applications are recommended for approval.
- 1.3. As the Council has an interest in the application for planning permission, the Council's Appointed Officer is prohibited from determining the application. Accordingly, the application is reported to the Planning Committee for

decision. The associated application for listed building consent has also been referred to Committee.

2.0 Recommendations

2.1. It is recommended that the applications for planning permission and listed building consent be APPROVED subject to the proposed conditions for the respective applications as set out in Appendix 1 attached to this report.

2.2. Reasons for Decision:

1. The proposal would accord with the objectives of the Development Plan
2. The proposed development would not have a negative impact on the character or special interests of the listed building or the character and appearance of the Old Alloa Conservation Area.
3. The amended design would enhance and help sustain the beneficial re-use of this vacant listed building; thereby contributing to be effective use of the building and the strategies to regenerate Alloa town centre.
4. There are no other material considerations which would outweigh Development Plan support and justify withholding permission.

3.0 Background to the Proposals

3.1. The site comprises the former Paton's Mill School which is located on Greenside Street. The building abuts the Elim Pentecostal Church building to the west, Greenside cemetery to the south and Candleriggs Lane to the east.

3.2. The building is Category C(S) listed and is located within the Old Alloa Conservation Area.

3.3. Planning permission and listed building consent was granted by the Planning Committee in November 2011 to alter, extend and change the use of the building to office use to provide Council Chambers and Members' accommodation. Since that decision, the proposed internal layout has been the subject of further review and refinement to improve the accommodation both in terms of its functional operation and the quality of the internal environment. As a result, permission is being sought to amend the previously approved design to accommodate the external changes. These comprise;

- The provision of additional window openings on the rear facing elevation at ground floor level to provide natural light into the office space. This elevation adjoins the Greenside Cemetery and the window openings would be formed in the boundary wall, including in a section which has recently collapsed. The revised design would include full height curtain wall glazing below the first floor extension which would match the design, proportions and appearance of the glazing on the first floor accommodation approved in 2011. This is in the part where the wall has collapsed. Two individual window openings would also be

formed at ground floor level on the same elevation. The window units would be powder coated aluminium construction.

- A single window opening on the side elevation which faces Candleriggs Lane.
- Alterations to the proposed main entrance to re-orientate the door to face the front.
- The installation of three small louvres in the west facing gable to provide ventilation. Each louvre would measure approximately 0.8m in length by 0.6m in height.

4.0 Consultations

- 4.1. Historic Scotland was consulted on a non statutory basis since they provided advice on the development proposal prior to the original application being submitted. No comments have been received.

5.0 Representations

- 5.1 There have been no representations in response to the publicity of the applications which included notification of one neighbour and advertisements in the local press and Edinburgh Gazette.
- 5.2 There were also no representations received on the original applications.

6.0 Planning Considerations

- 6.1 The applications require to be determined in accordance with the terms of the Development Plan, unless material considerations indicate otherwise. In determining both applications, the planning authority is also required to have special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses and to preserving or enhancing the character and appearance of the Old Alloa Conservation Area.
- 6.2 The most relevant Policy guidance is contained in Clackmannanshire Local Plan Policies EN6 (Listed Buildings), EN10 (Conservation Areas) and EN11 (Enhancing Environmental Quality) and the Scottish Historic Environment Policy (SHEP) produced by Historic Scotland. The Development Plan policies seek to ensure developments achieve a high quality of architectural design and which preserves and enhances the character and appearance of the listed building and Conservation Area. The SHEP recognises that listed buildings may require alteration and adaption if they are to remain in beneficial use and it states that consent should normally be granted for works which would not adversely affect the special interest of the building. It is considered that the proposed amendments for which consent is being sought would not have an adverse impact on the special historic interest of the building or the character or appearance of this part of the Old Alloa Conservation Area for the following reasons:
- a. The majority of the alterations relate to elements of the building which are already subject to change either as extensions or, in the case of the wall

abutting the Greenside Cemetery, has collapsed. These have been designed as modern interventions so as to integrate with the design and appearance of the other alterations approved as part of the original application.

b. The proposed changes would not affect the principal elevation of the building facing Greenside Street.

c. The proposed design, appearance and number of openings would not adversely affect the overall composition of the rear facing elevation of the main building or its special interest.

d. The proposed changes would help secure the successful adaptation of the building by providing daylight and a south facing aspect to the ground floor accommodation.

e. The proposed changes would not adversely affect the character or appreciation of the Greenside Cemetery.

6.3 In the absence of any other material considerations which would outweigh the policy position, the applications are recommended for approval.

7.0 Resource Implications

7.1 Financial Details

7.2 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☒

7.3 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

7.4 Staffing

8.0 Exempt Reports

8.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input checked="" type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>

- | | |
|---|-------------------------------------|
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input type="checkbox"/> |
| The environment is protected and enhanced for all | <input checked="" type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input type="checkbox"/> |

(2) **Council Policies** (Please detail)

Clackmannanshire Local Plan Policies EN6, EN10 and EN11.

10.0 Equalities Impact

- 10.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

11.0 Legality

- 11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

12.0 Appendices

- 12.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Conditions and Plans Relating to the Decision

13.0 Background Papers

- 13.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)


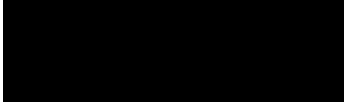
Yes ☒ (please list the documents below) No ☐

- Clackmannanshire Local Plan
- Consultation Replies
- Scottish Historic Environment Policy
- Managing Change in the Historic Environment Guidance Note on External Walls

Author

NAME	DESIGNATION	TEL NO / EXTENSION
Keith Johnstone	Principal Planner	2614

Approved by

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Service Manager	
John Gillespie	Head of Community and Regulatory	

APPENDIX 1 - CONDITIONS AND PLANS RELATING TO THE DECISION

Conditions (12/00244/FULL & 12/00245/LIST)

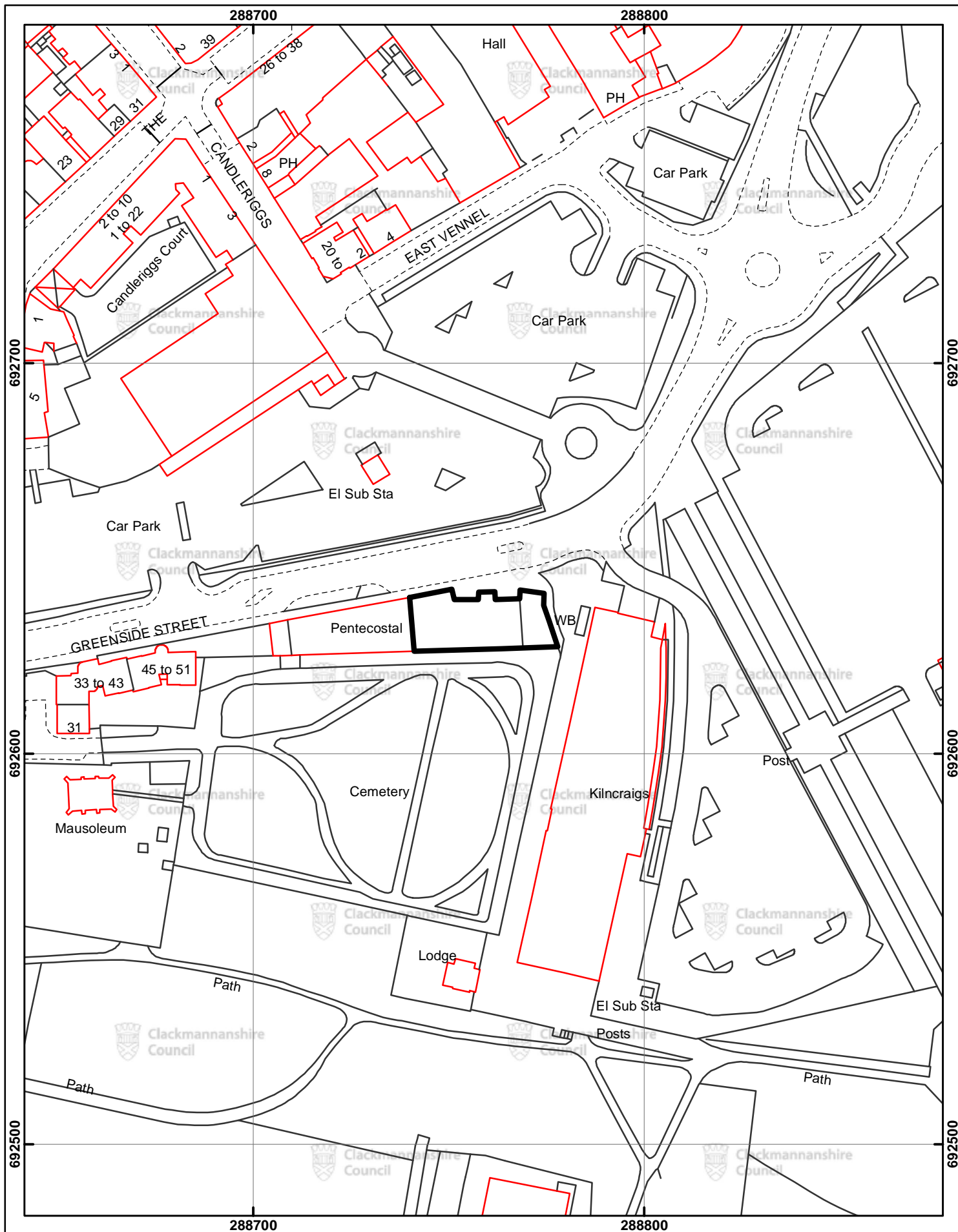
1. The works hereby approved shall be completed in accordance with the approved plans and details approved as part of this planning permission/listed building consent as appropriate and in accordance with the requirements of Condition Numbers 2, 3 and 4 (and 5 & 6 for 12/00244/FULL only) of the previous decision dated 24th November 2011 as they relate to the other elements of the development.
2. Before any works start to form the window openings annotated as WO11 and WO13 on the approved plans, a detailed specification of the proposed materials and finishes of the margins, reveals and cills of the openings and the window units shall have been submitted to and approved in writing by the Council as planning authority. Thereafter, the development shall be completed in accordance with the approved details.


Reasons for Conditions

1. To ensure the works comply with the terms of the relevant planning permissions (or listed building consent for 12/00245/LIST) for the development.
2. To consider these details yet to be submitted, in the interests of the character and appearance of the listed building and the Old Alloa Conservation Area.

Plans Relating to the Decision

- | | | |
|-----|-------------------|------------------------------------|
| 1. | 1017-PS L(PS)501A | Location Plan |
| 2. | 1017-PS L(PL)520A | Existing Elevations |
| 3. | 1017-PS L(PL)511A | Existing First Floor Plan |
| 4. | 1017-PS L(PL)510A | Existing Ground Floor Plan |
| 5. | 1017-PS L(PL)512A | Existing Roof Plan |
| 6. | 1017-PS L(PS)611A | Proposed First Floor Plan |
| 7. | 1017-PS L(PL)610A | Proposed Ground Floor Plan |
| 8. | 1017-PS L(PL)620A | Proposed North and East Elevations |
| 9. | 1017-PS L(PL)612A | Proposed Roof Plan |
| 10. | 1017-PS L(PL)630A | Proposed Section AA |
| 11. | 1017-PS L(PL)631A | Proposed Section BB |
| 12. | 1017-PS L(PS)621A | Proposed South and West Elevations |
| 13. | 1017-PL L(PL)502A | Site Plan |





Date:
27-Nov-2012


**12/00244/FULL & 12/00245/LIST - Former Paton's School, Greenside Street, Alloa
Alteration, Extension And Change Of Use Of Former Mill Shop, Amendment To
11/00278/FULL - Amended Proposals For South Elevation And Entrance**

Ward: Clackmannanshire South

OS Grid Ref: NS 88 92 NE

Scale: 1:1,250

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Clackmannanshire Council
www.clacksweb.org.uk
Services to Communities
Kilncraigs
Greenside Street
Alloa
FK10 1EB
Tel: 01259 450 000 Fax: 01259 727 452
development_services@clacks.gov.uk

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