



**Clackmannanshire
Council**

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**MINUTES OF MEETING of the PLANNING COMMITTEE held within the Council
Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 13 JUNE 2013 AT 9.30 am.**

PRESENT

Councillor Alastair Campbell
Councillor Janet Cadenhead (S)
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

PLA045 APOLOGIES

Apologies for absence were received from Councillor Graham Watt. Councillor Janet Cadenhead attended as substitute for Councillor Watt.

PLA046 DECLARATIONS OF INTEREST

None.

PLA047 MINUTES OF MEETING: PLANNING COMMITTEE 11 APRIL 2013

The minutes of the meeting of the Planning Committee held on 11 April 2013 were submitted for approval.

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

Decision

The minutes of the meeting held on 11 April 2013 were agreed as a correct record and signed by the Convenor.

PLA048 PLANNING APPLICATION

Planning Application to form additional car parking and erect timber fence (partially retrospective) at The Woodsman, Woods Caravan Park, Fishcross (Ref. No.13/00015/FULL)

A supplementary report which provided information in accordance with the Planning Committee decision on 11 April 2013 to defer a decision on the application for planning permission was submitted by the Principal Planner. The report provided a summary of the actions and outcomes in pursuance of the Committee decision.

The application comprises a local development which would normally be determined under the Council's Scheme of Delegation by the appointed officer, however, Council approved a motion at its meeting on 14 March 2013 for the application to be determined by the Planning Committee.

The Committee heard representation from Mr Paul Edney, Applicant. None of those who had requested to be heard by the Committee previously had expressed a wish to be heard on this occasion.

Motion

That the Committee approves the amended plan showing alternative access and parking arrangements, subject to the same conditions and reasons set out in paragraph 2.1 of the report to the Planning Committee on 11 April 2013 (appended to the report as Appendix 1).

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

Decision

The Committee agreed unanimously to approve the amended plan showing alternative access and parking arrangements, subject to the same conditions and reasons set out in paragraph 2.1 of the report to the Planning Committee on 11 April 2013 (appended to the report as Appendix 1).

Action

Head of Community and Regulatory Services

PLA049 PLANNING APPLICATION

Extension to existing windfarm, comprising 6 no. turbines, wind monitoring mast, switchgear building, temporary construction compounds and ancillary work at Rhodders Wind Farm, West of Burnfoot Hill, North of Tillicoultry (Ref. No. 11/00299/FULL)

A report of handling on the above planning application which sought to extend the existing Burnfoot Hill Windfarm was submitted by the Principal Planner. The report summarised the application and the associated Environmental Statement produced as part of the Environmental Impact Assessment undertaken by the applicant and examined the key planning issues, relevant Development Plan policies and national policy advice as well as addressing the consultation responses and representations from third parties.

A motion was approved by Council at its meeting on 20 December 2012 that the application be determined by the Planning Committee.

The Committee heard representation from :

Ms Sara Dooley, Wind Prospect Developments Limited (Applicant)
Mr Bill Thomson, Objector
Mr Malcolm Best, Objector
Mr David Scott, Objector

Motion I

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

Moved by Councillor Les Sharp. Seconded by Councillor Gary Womersley.

Voting

For the motion to approve	5 votes
Against the motion to approve	5 votes

On the casting vote of the Convenor, the application was not approved.

Motion II

That the Committee refuses the application for the reasons detailed to the meeting by Councillor Campbell that the proposed development contravened Structure Plan Policies ENV2, ENV3, ENV16 (paragraph 4.0 of the report)(page 38/39) and Local Plan Policy EN11 (page 41 of the report) and that it would have an adverse cumulative effect when considered with known and proposed windfarm developments in the Ochil Hills.

Moved by Councillor Alastair Campbell. Seconded by Councillor Bobby McGill.

Voting

For the motion to refuse	5 votes
Against the motion to refuse	5 votes

On the casting vote of the Convenor, the application was refused.

Decision

Accordingly, the Committee REFUSED the application for the following reasons :

(One) The proposed development, even in its amended reduced form, is contrary to the policies of the adopted Stirling and Clackmannanshire Structure Plan 2002 and 2004 and the Clackmannanshire Local Plan 2004 and no justification has been submitted to merit departing from the applicable policies.

(Two) The proposed development is contrary to Structure Plan Policy ENV2.2 in that it cannot be accommodated satisfactorily without adversely affecting the overall quality of the Ochil Hills Area of Great Landscape Value to a material degree.

(Three) The proposed development is contrary to Structure Plan Policy ENV3 which provides that in areas of Countryside development will be permitted only where the proposed activity is dependent upon a countryside location and that in terms of function, siting and design, it is suitable for its particular location and should respect and preserve features contributing to local character. The proposed development introduces a further range of large man-made structures into the countryside to the significant detriment of the landscape and adversely

impacting upon the visual amenity of this countryside Area of Great Landscape Value and thus fails to respect and preserve the local character of this countryside area.

(Four) The proposed development is contrary to Structure Plan Policy ENV16 in respect of both its individual and cumulative adverse effect upon the amenity and scenic features of an area of natural countryside which is visited frequently and enjoyed for the benefits of its natural landscape setting.

(Five) The proposed development is contrary to Local Plan Policy EN11 which provides that new development will be expected to contribute to its immediate environment by safeguarding the local amenity and the surrounding natural heritage in that it will make a negative contribution by detracting from the natural environment in a manner which cannot be overcome by changes to design and materials or the imposition of planning conditions.

(Six) The cumulative effect of the proposed development and the approved northern extension of Burnfoot Hill (Ref 11/01930.FLL) for two additional wind turbines and the proposed development at Frandy Hill (Ref 11.01952/FLL), one kilometre to the east, for seven turbines, currently under appeal, will represent an unreasonable further adverse and unacceptable intrusion in the Ochil Hills, to the significant detriment of the character and appearance of this Area of Great Landscape Value. The proposal is therefore contrary to Structure Plan Policy ENV16 (Wind Energy) principle 4 which requires the relationship of new proposals to established and approved developments and those that are currently the subject of undetermined applications to be assessed and such proposals will not normally be acceptable where they would result in an adverse effect upon amenity, or features of scenic and/or heritage value, by reason of cumulative visual impact

ENDS 10.40 am