



**Clackmannanshire
Council**

www.clacksweb.org.uk

**THIS PAPER RELATES TO
ITEM 3
ON THE AGENDA**

**MINUTES OF MEETING of the PLANNING COMMITTEE held within the Council
Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 31 OCTOBER 2013 AT 9.30 am.**

PRESENT

Councillor Alastair Campbell (Convenor)
Councillor Graham Watt (Vice Convenor)
Councillor Donald Balsillie (S)
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Derek Stewart (S)
Councillor Gary Womersley

IN ATTENDANCE

Garry Dallas, Director of Services to Communities
Julie Hamilton, Development Services Manager
Ian Duguid, Development Quality Team Leader
Ian Doctor, Service Manager of Regulatory Services
Andrew Wyse, Solicitor, Clerk to the Committee

PLA054 APOLOGIES

Apologies for absence were received from Councillor Walter McAdam, MBE and Councillor George Matchett, QPM. Councillor Donald Balsillie attended as substitute for Councillor McAdam and Councillor Derek Stewart attended as substitute for Councillor Matchett, QPM.

PLA055 DECLARATIONS OF INTEREST

None

PLA056 MINUTES OF MEETING: PLANNING COMMITTEE 12 SEPTEMBER 2013

The minutes of the meeting of the Planning Committee held on 12 September 2013 were submitted for approval.

Moved by Councillor Alastair Campbell. Seconded by Councillor Graham Watt

Decision

The minutes of the meeting held on 12 September 2013 were agreed as a correct record and signed by the Convenor.

PLA057 PLANNING APPLICATION

Planning Application - Development of Land for Houses, School and Associated Pitches, Open Space, Play Areas, Landscaping, Roads, Paths and Other Infrastructure on Land at Branshill Road, Sauchie, Clackmannanshire (10/00153/PPP)

The report updated the Committee on this planning application, recommending a decision to grant Planning Permission in Principle (PPP) with officers to prepare a set of planning conditions and Section 75 Agreement regulating the development of the site, was submitted by the Principal Planner.

The report outlined the assessment of the original and amended masterplan proposals, summarises contribution from 3rd parties and identifies the material considerations that have informed the recommendation to grant Planning Permission in Principle.

The Development Quality Team Leader circulated an amended plan of development.

Motion

That the Committee agrees the recommendations set out in the report.

Moved by Councillor Alastair Campbell. Seconded by Councillor Graham Watt.

Decision

The Committee agreed unanimously:-

1. To indicate that it was minded to grant Planning Permission in Principle for the development as shown indicatively on the submitted masterplan,
2. That any grant of Planning Permission in Principle will be consequent upon a subsequent report back on issues generated and the conditions proposed to be imposed on any such grant
3. That any grant of Planning Permission in Principle will be subject to the Council first concluding in terms satisfactory to the Council a Section 75 Agreement among the applicant, landowner and the Council, based upon the Heads of Terms detailed in Appendix 1 of the report; the negotiated terms of the Section 75 Agreement to be reported back to the Planning Committee for approval.

Action

Principal Planner

PLA058 PLANNING APPLICATION

Planning Application - Conversion of 8 No. Maisonettes to 16 No. One Person Flats, Alterations And Renovation of Ground Floor Flats and Storage Areas To Provide 1 Flat, 1 Disabled Person's Flat and Concierge Area, New Entrance Porch and Ramps at 21-39 The Orchard, Tullibody, Clackmannanshire (13/00189/FULL)

A report of handing on the above noted planning application provided a recommendation to Committee on the application which was submitted by the Principal Planner.

The application was reported for determination as there is a Council interest in the development, both as owner and applicant.

Motion

That the Committee approves the application subject to the following condition:-

1. Before any works commence on site, details of all, proposed new external finishing materials, including wall and roof cladding, shall have been submitted to and approved in writing by the Council as Planning Authority. Thereafter, the development shall be completed in accordance with such approved details.

Moved by Councillor Alastair Campbell. Seconded by Councillor Kenneth Earle.

Decision

The Committee agreed unanimously to approve the application subject to the condition.

PLA059 SCHEME OF DELEGATION: PLANNING APPLICATIONS FOR LOCAL DEVELOPMENTS

A report which recommended changes to the Council's Scheme of Delegation for planning applications for local developments under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006) and proposed an improved procedure for referral of applications to Committee for decision was submitted by the Development Quality Team Leader. The proposed changes complied with Regulations which came into force on 30th June 2013.

The Development Quality Team Leader circulated an update to Appendix 2, Stage 3B which read as follows:-

"STAGE 3B

In circumstances where the Director (or Head of Service) decides that there is insufficient reason to refer the application for decision by the Committee, this decision will be taken in consultation with the convenor of the Planning Committee. The decision will be notified to the Member who submitted the proposal and to the Development Quality Team Leader, who will arrange for the application to be decided by Appointed Officers under the Scheme of Delegation, **without prejudice to the right of any Elected Member to bring a related motion to Council for decision.**

- 2.4 The decision of the Director of Services to Communities (or the Head of Community and Regulatory Services in the Director's absence) will be final and will be the decision of the planning authority for the purposes of Section 43A(6) of the Planning etc (Scotland) Act 2006.
- 2.5 Notwithstanding the terms of the Scheme, occasions will occur where a case officer will encounter abnormal circumstances associated either with the proposed development itself, the particular location, or a measure of public/community interest that could not have been reasonably foreseen. In those circumstances, the existing arrangements which allow the officers to refer an application to Committee rather than it to be decided under the Scheme of Delegation will continue. To comply with Section 43A(7), the officer's reasons for referring the application for decision by the Committee will be notified to the applicant and a courtesy notification will also be given to the Convenor of the Planning Committee and Ward members for their information. The reasons for the referral of the application for decision by the Committee will be explained in any subsequent committee report.

Motion

That the Committee agrees the recommendations set out in the report.

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

Decision

The Committee agreed unanimously to:-

1. Approve the amended Scheme of Delegation for Planning and Other Applications under Section 43A of the Town and Country Planning (Scotland) Act 1997, as contained in Appendix 1 of the report.
2. implement the procedures for referral/call-in of an application set out in the Procedure Note in Appendix 2 of the report, without prejudice to the right of an Elected member to bring a motion to the earlier of the next available meeting of Planning Committee or Council
3. request the Council to ratify the decision of the Committee insofar as the decision of the Committee effected changes to the Council's approved Scheme of Delegation
4. subsequently submit the Scheme of Delegation to Scottish Ministers for approval.

Action

Development Quality Team Leader

PLA060 STREET NAMING REPORT FOR DEVELOPMENT AT LAND ADJOINING KELLYBURN PARK AND LOVERS LOAN, DOLLAR

A report to decide the name of a new street in Dollar was submitted by the Service Manager of Regulatory Services.

Motion

That the Committee agrees the following name :-

Gowan Lea

Moved by Councillor Alastair Campbell. Seconded by Councillor Donald Balsillie.

Decision

The Committee agreed unanimously to the new street name of Gowan Lea.

Ends: 10.40 am