

**RECORD OF VOTES TAKEN AT THE MEETING OF PLANNING COMMITTEE ON
Wednesday 17 June 2020**

Councillors in attendance:-

Councillors:	David Alexander	Jim Blackwood	Adanna McCue
	Provost William Buchanan	Gary Bouse	Lynn Munro (except item 10)
	Robert Bissett	Gordon Hughes	Laura Murtagh
	Allyson Black (except item 10)	James Kerr (except item 10 – further amendment)	

Agenda Item No. 5	Redevelopment of the Former Manuel Brickworks Site – Mixed Use Development Comprising Approximately 400 Residential Dwellings, Associated Local Retailing and Community Facilities (Classes 1, 2 and 3) and Approximately 29,000m2 Total Gross Area of Commercial Units (10% Class 4: Business & 90% Class 6: Storage/Distribution) at Land To The East Of Almondhall Farm, Falkirk for CWC Group - P/17/0792/PPP - Continuation
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Motion

The committee considers that the following material considerations are of such weight as to indicate that the development plan should not be afforded priority:-

- That the proposal would be a suitable mixed use development;
- That the proposal uses brownfield land and offers the prospect of developing and remediating a very substantial derelict site;
- That there is a substantial business element which could promote job creation;
- That the proposal offers the potential to enhance Almond Castle , Haining Wood and the Union Canal and access to them;
- That the proposal would result in new greenspace within the site.

The committee, accordingly, agrees that it is minded to grant planning permission in principle subject to the completion, within 6 months of 17th June 2020, of a Section 75 obligation under the Town and County Planning (Scotland) Act 1997, in terms satisfactory to the Director of Development Services, in respect of:-

- an education contribution at a rate of £4800 per dwellinghouse and £1050 per flat towards addressing future capacity issues at Whitecross Primary School;
- an education contribution in accordance with Revised SG10 'Education and New Housing Development' towards addressing future capacity issues at Graeme High School;
- a transport contribution to fund diversion of the existing local bus service into the site;
- a transport contribution towards the upgrade of M9 Junction 4 (Lathallan Roundabout);
- the provision of 25% of the units at the site as affordable housing;
- an open space contribution at the rate of £1911 per dwellinghouse (£882 for active open space and £1029 for passive open space), which will be determined by the amount and type of on-site provision;
- a healthcare contribution towards addressing local healthcare impacts,

and thereafter on conclusion of the foregoing matters, remit to the said Director to grant planning permission in principle subject to appropriate conditions as determined by her including suspensive conditions that the development shall not be commenced until (1) the provision of a two way overbridge on Myrehead Road and (2) the provision of a 3m wide cycleway/footway with 2m buffer area on Haining Road. In the event that the Section 75 obligation is not concluded within six months of 17th June 2020, the matter will be referred back to Planning Committee by officers for further consideration.

Moved by: Provost William Buchanan
Seconded by: Allyson Black

Amendment

The committee agrees to continue consideration of the application in order to allow for further discussion to take place between officers and the applicant in relation to potential planning conditions, section 75 obligations and suspensive planning conditions in relation to provision of a two way overbridge on Myrehead Road and a 3m wide cycleway/footway with a 2m buffer area on Haining Road with officers to report back to committee on the outcome of the discussions.

Moved by: Laura Murtagh
Seconded by: Gary Bouse

VOTE

For the motion (5)		For the amendment (6)	
Provost W Buchanan	J Blackwood	D Alexander	A McCue
R Bissett	J Kerr	G Bouse	L Munro
A Black		G Hughes	L Murtagh

Decision: Amendment carried.

Agenda Item No. 6	Erection of Visitor Centre to Include Information / Exhibition Space, Arts and Craft Workshop, Restrooms, Café and Retail Area and 22 Bungalows at Land To The North Of East Lodge, Airth for George Russell Construction Limited - P/19/0578/PPP
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Motion

The committee, having had regard to the Equality Act 2010 and the public sector equality duty and being satisfied with the housing element and the reasoning provided by the applicant as set out in the report in relation to the proposed +55 age restriction, considers that the following material considerations are of such weight as to indicate that the development plan should not be afforded priority:-

- That the proposal would enhance tourism and leisure provision in the area;
- That the proposal would bring economic and employment benefits to the area;
- That the proposal would enhance recreational and leisure space in the area;
- That road traffic improvements would result from the provision of a roundabout access.

The committee, accordingly, agrees that it is minded to grant planning permission in principle subject to the completion of a Section 75 obligation under the Town and County Planning (Scotland) Act 1997, in terms satisfactory to the Director of Development Services, in respect of:-

- A contribution towards Active and Passive Open Space;
- The provision of 25% of the units at the site as affordable housing;
- Public Transport provision (bus schedules and new bus stop(s));
- Restriction in perpetuity of the ownership and occupation of the houses to persons over the age of 55 and that no house shall be occupied by any child of school age or younger as their only or main residence;
- Subject to the determination of the Director of Development Services that such an obligation would meet the tests of Scottish Government Circular 3/2012, should the restriction on ownership and occupancy referred to in the preceding bullet point be discharged or removed in respect of any house at any time, that an appropriate level of education contribution would be determined by the authority and would require to be paid to it by the owner within 28 days of notice by the authority;
- Phasing of development to ensure completion of the visitor centre;
- Definition of floor areas to ensure visitor centre is the principal use;
- Retention of land for Passive Open Space/Landscaping;
- A healthcare contribution towards addressing local healthcare impacts;
- Provision of a roundabout access serving the A905/B9124

and thereafter on conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission in principle subject to appropriate conditions as determined by her.

Moved by: Provost William Buchanan
Seconded by: James Kerr

Amendment

The committee agrees to continue consideration of the matter in order for officers to hold further discussions with the applicant. Officers are requested to bring a report back to committee including the following:-

- The applicant's detailed justification for the introduction of a restriction to occupancy of the houses to those over 55 years of age;
- Further detail on the demand and need for housing as proposed by the applicant;
- A legal view on the enforceability of an occupancy restriction to those aged over 55;
- Detail on the phasing arrangements for the proposed development;
- The terms of planning conditions and Section 75 obligations;
- Assessment of impact on the greenbelt;
- Assessment of viability;
- Assessment of school capacity issues.

Moved by: Laura Murtagh
Seconded by: Gordon Hughes

VOTE

For the motion (8)

D Alexander	J Blackwood
Provost W Buchanan	G Bouse
R Bissett	J Kerr
A Black	L Munro

For the amendment (3)

G Hughes	L Murtagh
A McCue	

Decision: Motion carried.

Agenda Item No. 8	Erection of Dwellinghouse and Associated Infrastructure, Including Change of Use of Quarry to Garden Ground at Hillview, Glen Road, Torwood, Larbert, FK5 4SN for Mr & Mrs Gillies Guthrie - P/20/0083/PPP
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Motion

The committee considers that the following material considerations are of such weight as to indicate that the development plan should not be afforded priority:-

- The proposed development would take place within a satisfactory location being within the existing residential curtilage and not extending beyond the current site;
- The proposed development would enhance the amenity of the area;
- The proposed development would be beneficial to and in the interests of road traffic and safety.

The committee, accordingly, agrees to grant planning permission in principle subject to conditions as determined by the Director of Development Services including conditions on contaminated land, intrusive site investigations in relation to historic mining legacy and parking.

Moved by: Provost William Buchanan

Seconded by: James Kerr

Amendment

The committee agrees to refuse the application for planning permission in principle in accordance with the recommendations in the officer's report.

Moved by: Gary Bouse

Seconded by: Jim Blackwood

VOTE

For the motion (3)

W Buchanan	J Kerr
A Black	

For the amendment (8)

D Alexander	G Hughes
R Bissett	A McCue
J Blackwood	L Munro
G Bouse	L Murtagh

Decision: Amendment carried.

Agenda Item No. 10	Erection of Church with Associated Community Facilities (Class 10 - Non Residential Institution), at Land To The North East Of Unit 1 Kinnaird Village Centre, McIntyre Avenue, Larbert for Grace Church Larbert - P/19/0407/FUL
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Motion

The committee agrees to continue the matter for the purposes of holding a hearing on the application after the point at which COVID-19 restrictions have been lifted sufficiently to allow a hearing to take place. Officers are requested to speak to the applicant in relation to potential extension of the determination period. If there is no clarity on the timing of a hearing by the August planning committee, the matter will be brought back to committee to consider alternative approaches consistent with any decisions of Council.

Moved by: Provost William Buchanan
Seconded by: Jim Blackwood

Amendment

The committee agrees to receive the written deputations submitted to this meeting and proceed to determine the application.

Moved by: Robert Bissett
Seconded by: David Alexander

VOTE

For the motion (4)		For the amendment (5)	
W Buchanan	J Kerr	D Alexander	A McCue
J Blackwood	G Hughes	R Bissett	L Murtagh
		G Bouse	

Decision: Amendment carried.

Notice of a further amendment having previously been given by Councillor Murtagh, the amendment then became the substantive motion against which the further amendment was considered.

Motion

The committee agrees to receive the written deputations submitted to this meeting and proceed to determine the application.

Moved by: Robert Bissett
Seconded by: David Alexander

Further Amendment

The committee agrees, subject to a decision of Council allowing for it to take place, to continue the matter to the August committee to allow the parties who submitted the deputation requests to be heard in a remote video conference meeting. If further deputation requests are made then the committee would decide whether to hear them. If Council does not agree that to be possible then the matter will be brought back to the August committee to decide how to take matters forward.

Moved by: Laura Murtagh
Seconded by: Provost William Buchanan

VOTE

For the motion (2)		For the further amendment (6)	
D Alexander	R Bissett	W Buchanan	G Hughes
		J Blackwood	A McCue
		G Bouse	L Murtagh

Decision: Amendment carried.

Notes

1. This voting record is subject to approval of the formal minute at the meeting of the Planning Committee on 26 August 2020.
2. Only those items where a vote was taken are recorded here. For information about decisions reached on any other items considered at this meeting, please contact Karen Chambers, 01324 501441.