

Baillie Paterson left and re-entered the meeting during consideration of the following item of business.

P135. MODIFICATION OF PLANNING OBLIGATION UNDER SECTION 75 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 ATTACHED TO PLANNING PERMISSION P/09/0457/OUT TO THE EXTENT THAT CLAUSE 5, THE REQUIREMENT THAT ALL RESIDENTIAL UNITS ERECTED WITHIN THE SITE WILL BE AFFORDABLE HOUSING IS REMOVED AND IS REPLACED WITH REQUIREMENT THAT 25% OF ALL RESIDENTIAL UNITS ERECTED WITHIN THE SITE WILL BE AFFORDABLE HOUSING ON LAND TO THE NORTH EAST OF BURNSIDE, MADDISTON, FALKIRK FOR MANOR FORREST LTD - P/13/0795/75M

The Committee considered a report by the Director of Development Services on an application to modify a planning obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 attached to planning permission P/09/0457/OUT to the extent that clause 5 (the requirement that all residential units erected within the site will be affordable housing) be removed and replaced with the requirement that 25% of all residential units erected within the site will be affordable housing on land to the north east of Burnside, Maddiston, Falkirk.

Councillor Carleschi, seconded by Councillor McNally, moved that consideration of this item of business be continued to allow an inspection of the site by Committee.

By way of an amendment, Councillor C Martin, seconded by Councillor McLuckie, moved that Committee grant planning permission in accordance with the recommendations in the Report.

Councillor Turner gave notice of a further amendment.

On a division, 4 Members voted for the motion and 6 for the amendment.

In terms of Standing Order 20.7, the amendment became the substantive motion upon which the further amendment could be moved.

By way of a further amendment, Councillor Turner, seconded by Councillor Meiklejohn, moved that the application be refused on the grounds of there being no evidence that affordable units had to date been effectively marketed by the applicants and that there was insufficient information to merit a modification of the original consent.

On a division, 6 Members voted for the motion and 4 for the amendment.

Decision

The Committee agreed to modify the Section 75 Planning Obligation requiring 100% affordable housing and to reduce the requirement to 25% affordable housing.