

STIRLING COUNCIL

MINUTES of MEETING of the PLANNING & REGULATION PANEL held in the COUNCIL CHAMBERS, OLD VIEWFORTH, STIRLING ON TUESDAY 25 FEBRUARY 2020 at 10.00am

Present

Councillor Alasdair MACPHERSON (in the Chair)

Councillor Maureen BENNISON
Councillor Neil BENNY
Councillor Alistair BERRILL
Councillor Douglas DODDS

Councillor Danny GIBSON
Councillor Graham LAMBIE
Councillor Jeremy McDONALD
Councillor Jim THOMSON (Substitute)

In Attendance

Charlotte Brown, Graduate Planning Officer
Jane Brooks-Burnett, Senior Planning Officer
Stephanie Cameron, Team Leader - Licensing
Christina Cox, Service Manager, Planning & Buildings Standards
Iain Jeffrey, Senior Planning Officer
David Love, Planning Team Leader – Development Management
Tony Mason, Lead Solicitor (Clerk)
Julia McAfee, Chief Governance Officer
Neil Pirie, Senior Development Control Officer
Mary Love Committee Officer – Governance (Minute)
David McDougall, Governance Officer

AGENDA

The Chair intimated his intention to alter the order of the Agenda. The items were taken in the order minuted below.

PL285 APOLOGIES AND SUBSTITUTIONS

Apologies were received on behalf of Councillor Graham Houston.

PL286 DECLARATIONS OF INTEREST

Councillor Douglas Dodds declared an interest in item PL289, as he had been liaising with constituents within his ward regarding this item.

PL287 URGENT BUSINESS BROUGHT FORWARD BY THE CHAIR

There were no items of urgent business brought forward.

PL288 MINUTES

- a) **PLANNING & REGULATION PANEL – 3 DECEMBER 2019**
- b) **SPECIAL MEETING OF PLANNING & REGULATION PANEL – 17 DECEMBER 2019**

The Minutes of the Planning & Regulation Panel held on 3 December 2019 and the Special Meeting of Planning & Regulation Panel held on 17 December 2019 were submitted for approval.

Decision

The Minutes of Planning & Regulation Panel Meeting held on 3 December 2019 and the Special meeting of Planning & Regulation Panel held on 17 December 2019 were approved as an accurate record of proceedings.

Councillor Douglas Dodds, having declared an interest in the following item, left the room at this point of the proceedings.

PL289 CONVERSION OF DERELICT STORE TO FORM 3 NO. DWELLING HOUSES AT LAND AND BUILDING AT VECCHIA BOLOGNA, MINE ROAD, BRIDGE OF ALLAN – CAIRNLEISURE – 19/00877/FUL

The application had been referred to the Planning and Regulation Panel on the basis of the criterion in the Council's Planning Scheme of Delegation which required a Panel referral when 5 objections or more were received and the recommendation was for approval.

This report formed the Report of Handling for the planning application in compliance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The Senior Planning Officer introduced the report and presented maps of the proposed site, discussed the proposals within the application and responded to various questions from Members.

It was confirmed that there were no issues regarding parking provision and that 6 additional parking spaces had been allocated.

Discussion took place around the larger windows shown within the application and it was confirmed that the design and stonework of the windows and detailed drawings had been under careful scrutiny.

It was noted that the building was C listed and a corresponding listed building application for alterations had also been submitted, which was not required to be presented to Planning & Regulation Panel.

Decision

The Panel agreed to approve the proposed development subject to the conditions and reasons as set out within Appendix 1 attached to the report.

(Reference: Report by Senior Manager – Infrastructure, dated 14 February 2020, submitted).

PL291 APPLICATION FOR APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 1 AND 7 OF PLANNING PERMISSION 18/00175/PPP FOR REDEVELOPMENT OF EXISTING HMP YOI CORNTON VALE TO FORM WOMEN'S NATIONAL FACILITY, INCLUDING DEMOLITION OF EXISTING BUILDINGS, PROVISION OF NEW ACCESS, CAR PARKING, BOUNDARY TREATMENT, AND SITE LANDSCAPING AT CORNTON VALE PRISON, CORNTON ROAD, CORNTON, STIRLING, FK9 5NU – SCOTTISH PRISON SERVICE – 19/00961/MSC

Planning Permission in Principle was granted in June 2018 to the redevelopment of the existing prison site to form a Women's National Facility. This Matters Specified in Conditions application seeks to agree the outstanding matters.

This application was a major planning application under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

This report formed the Report of Handling for the planning application in compliance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The Senior Planning Officer introduced the report and presented elevation drawings and a landscape plan, which showed the layout of the site. The Senior Planning Officer responded to various questions from Members.

It was noted that the applicant wished to retain some flexibility around conditions 1 and 7 previously agreed in June 2018 with regard to recording and recovery of archaeological resources.

The applicant had changed the parking to include extended disabled space, relocated cycles stands and provided benches and parent/child spaces.

Members noted concerns around previous episodes of flooding in the area and it was noted that the Flood Team were satisfied that a condition for a culvert maintenance regime had been met and had no objection to the application.

Decision

The Panel agreed to approve the application to agree the details submitted with regard to Condition 1 and formally discharge Condition 7 once all recording and recovery of archaeological resources within the development site is undertaken, as per the condition included within Appendix 1 to the report.

(Reference: Report by Senior Manager – Infrastructure, dated 14 February 2020, submitted).

PL290 ERECTION OF 44 DWELLINGS OF TWO AND THREE STOREY FLATS AND HOUSES, WITH ASSOCIATED ROADS, PARKING, LANDSCAPING, BOUNDARY TREATMENTS AND INFRASTRUCTURE AT SITE OF FORMER MFI FURNITURE STORE, 1 MAITLAND CRESCENT, ST NINIANS, STIRLING – ALLANWATER DEVELOPMENTS LTD – 19/00646/FUL

This Planning Permission application sought the Planning & Regulation Panel's approval for a 44 unit residential development. The former MFI site was located in the St Ninians area of Stirling, to the east of Glasgow Road.

The Planning Service Manager had referred this application to Planning & Regulation Panel, given the recommendation for approval with no forthcoming developer contributions.

This report formed the Report of Handling for the planning application in compliance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The Service Manager, Planning & Buildings Standards circulated an amendment to paragraphs 2.39, 2.40, 2.41, 2.42, 2.43, 2.44 and 2.45 to the report in relation to the developer contributions, which included an additional contribution of £210,160 for secondary education, which brought the total contribution to £833,584.87.

The Graduate Planning Officer introduced the report and responded to questions from Members.

Discussion took place around developer contributions and it was noted that the developer proposed to provide no developer contributions on the basis of Development Viability. In response to a Member's question with regard to whether Members could approve the application but disregard the assessment carried out by District Valuer Service and move that the developer provides contributions, the Graduate Planning Officer explained that the District Valuer Service had concluded that there was no development value in the proposal, therefore the developer would incur a loss. It was noted however that Members could move to approve the application and seek a S75 Agreement however, the developer would have to agree to this.

In response to a Member's question around concerns around traffic leaving the exit routes from the site, it was noted that the developer had employed a transport consultant who had modelled the number of trips carried out of the proposed development and had concluded that less than one car per minute left the site, therefore the impact on traffic would be low.

Discussion then took place around play provision on the proposed development and Members requested a more detailed explanation of this area, to ensure this met with policy guidelines. No play provision was proposed within the development but it was noted that there was an existing children's play provision proximate to the site. The Service Manager, Planning & Building Standards confirmed that there was a condition contained within the application, which would ascertain how the area would look and should allow the Planning Authority to have some degree of control over the area. It was also noted that Members could agree to have an additional condition relating to central green area and request further plans to be submitted to the Planning Authority for approval.

Motion

“That Panel agrees to approve the application subject to the conditions set out in Appendix 1 attached to the report and the addition to the existing Condition 13 within Appendix 1 to the report, that more detailed information regarding open space/play equipment provision within the green areas of the proposed site is submitted for approval by the Planning Authority.”

Moved by Councillor Alasdair MacPherson, seconded by Councillor Neil Benny.

First Amendment

“That Panel agrees to refuse the application on the grounds of loss of developer contributions.”

Moved by Councillor Maureen Bennison, seconded by Councillor Douglas Dodds.

Second Amendment

“That Panel agrees to approve the application subject to the addition of a legal agreement to secure developer contributions regarding education, transport and waste.”

Moved by Councillor Jim Thomson, seconded by Councillor Jeremy McDonald.

On the roll being called, Members present voted as follows:

For the First Amendment (2)	Councillor Maureen Bennison Councillor Douglas Dodds
Against the First Amendment (7)	Councillor Neil Benny Councillor Alistair Berrill Councillor Danny Gibson Councillor Graham Lambie Councillor Alasdair MacPherson Councillor Jeremy McDonald Councillor Jim Thomson

The First Amendment fell by 7 votes to 2.

For the Second Amendment (4)	Councillor Alistair Berrill Councillor Graham Lambie Councillor Jeremy McDonald Councillor Jim Thomson
Against the Second Amendment (5)	Councillor Maureen Bennison Councillor Neil Benny Councillor Douglas Dodds Councillor Danny Gibson Councillor Alasdair MacPherson

The Second Amendment fell by 5 votes to 4.

For the Motion (5)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Danny Gibson
Councillor Alasdair MacPherson
Councillor Jeremy McDonald

Against the Motion (4)

Councillor Maureen Bennison
Councillor Douglas Dodds
Councillor Graham Lambie
Councillor Jim Thomson

Decision

The Motion was carried by 5 votes to 4 and accordingly the Panel agreed to approve the application, subject to the conditions set out in Appendix 1 attached to the report and the addition to the existing Condition 13 within Appendix 1 to the report, that more detailed information regarding open space/play equipment provision within the green areas of the proposed site is submitted for approval by the Planning Authority.

(Reference: Report by Senior Manager – Infrastructure, dated 17 February 2020, submitted).

The meeting adjourned at 11.05 am for a comfort break.

The meeting reconvened at 11.10 am with the same Members, as noted above, in attendance.

PL292 TAXI AND PRIVATE HIRE LICENSING REVIEW

The report followed a report to Planning & Regulation Panel in December 2019, which detailed the results of the consultation on the local taxi and private hire licensing framework.

The Chief Governance Officer provided an update to Members with regard to the progress made by licensing officers around the licensing review and information gleaned from the survey with regard to further consultation.

The Licensing Team Leader discussed the recommendations with Members and it was noted that if Members agreed to lift the limit, as noted in recommendation 2 to the report, a consultation rather than a survey would have to take place externally, which would result in more costs to the Council.

Discussion took place around the proposal to lift the numerical limit on taxi vehicles licences in the area and it was noted that Stirling Council needed to ensure its viability for safety for members of the public. It was also noted that there were twice as many private hire vehicles in Stirling than taxi vehicles.

Discussion took place around how other local authorities had operated and Members noted that it would have been advantageous to have this information prior to making a decision. The Licensing Team Leader advised that this information would be irrelevant as the other local authorities had a different process in place.

Decision

The Panel agreed:

1. that the consultation should take the form of an unmet demand survey for taxi services within the Stirling Council area, with a view to maintaining a limit on taxi vehicle licence numbers in the area and to consult on proposals to promote a local licensed vehicle fleet that is more accessible, meets specified environmental standards; and
2. to delegate to the Chief Officer – Governance responsibility for carrying out any such further consultation/survey agreed by the Panel and to report to Panel following that consultation/survey engaging as appropriate with the Chair and Vice Chair of the Panel as to scope and timescales for same.

(Reference: Report by Chief Officer - Governance, dated 14 February 2020, submitted).

The Chair declared the Meeting closed at 11.35 am

