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**Report to Council**

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**Date of Meeting: 26th June 2014**

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**Subject: Proposed Clackmannanshire Local Development Plan,  
Open Space Strategy and Dollar/Muckhart Conservation  
Area Appraisal**

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**Report by: Director of Services to Communities**

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**1.0 Purpose**

- 1.1. The Planning etc. (Scotland) Act 2006 introduced the requirement on planning authorities to produce a new style of development plans to replace the previous Structure and Local Plans. For Clackmannanshire, this means that the Clackmannanshire and Stirling Structure Plan and the Clackmannanshire Local Plan will be replaced by a single tier Clackmannanshire Local Development Plan (LDP).
- 1.2. The Proposed LDP was consulted on between November 2013 and February 2014.
- 1.3. This report is to seek approval of the Council's 'Schedule 4' responses, a proforma response used to submit representations received during the consultation period and the Council's responses to the Directorate of Planning and Environmental Appeals (DPEA). It also describes the process undertaken to date and what will happen once the responses are agreed by Council.
- 1.4. Council Planning Officers have consulted with Members, other Council staff and external agencies before coming to a view on each of the representations and preparing the Schedule 4's which contain any recommendations in response to each representation.
- 1.5. Once approved, the Schedule 4 responses will be forwarded to the DPEA, along with any supporting documents. A Reporter will then consider the issues and prepare a report, the findings of which will be binding on the Council, except in very limited exceptional circumstances. The Council will then have to amend the LDP in accordance with the Reporter's findings and proceed to adopt it.
- 1.6. An Open Space Strategy, Muckhart Conservation Area Appraisal and Environmental Reports were also consulted on. However, representations to these documents do not have to be submitted to the DPEA and can be considered by the Council. Following the Muckhart Conservation Area Appraisal, a Draft Appraisal has been prepared for

Dollar Conservation Area which it is intended to consult on after the summer holidays. A Clackmannanshire and Stirling Forestry and Woodland Strategy has been prepared and consulted on which may form Supplementary Guidance to the Local Development Plan and this will also be reported to Council after the summer.

## **2.0 Recommendations**

2.1. It is recommended that the Council:

- (a) Approve the Schedule 4 responses to the representations received for submission to the Directorate for Planning and Environmental Appeals (DPEA) for consideration by a Reporter or Reporters (provided separately to Members and available electronically).
- (b) Approve the associated Statement of Conformity with Participation Statement (appendix 1).
- (c) Approve the Open Space Strategy subject to minor changes (appendix 2).
- (d) Approve the Muckhart Conservation Area Appraisal subject to minor changes (appendix 3).
- (e) Approve the Draft Dollar Conservation Area Appraisal for consultation (provided separately to Members and available electronically).

## **3.0 Considerations**

### **Background**

- 3.1. The Planning etc (Scotland) Act 2006 requires the preparation of Local Development Plans to provide a robust, plan-led approach to development, setting out a clear, concise, long-term vision for the future development of the area and providing relevant and up to date policy guidance.
- 3.2. LDPs should look to guide the future use and development of land in the area for the next 20 years, and require to be reviewed at least every 5 years. This LDP looks to 2035.

### **Representations on the Proposed Local Development Plan**

- 3.3. The Proposed Local Development Plan represents the Council's position in terms of the policies it wishes to adopt and the sites and projects it wishes to promote and support. It therefore sets out the Council's view of what the adopted Plan should be.
- 3.4. When the Proposed Local Development Plan was published the Council consulted Scottish Ministers, Key Agencies, Community Councils, Local Groups, the public and anyone who commented on the

Main Issues Report. Additionally, all owners, lessees or occupiers of sites identified as proposals within the Proposed Plan as well as owners, lessees or occupiers of land neighbouring the sites included within the Proposed Plan were notified in writing. Any party could comment on the Proposed Local Development Plan, even if they had not previously been involved in the process.

- 3.5. During the representations period, comments could be made on any aspect of the Proposed Local Development Plan, including the Proposed Supplementary Guidance, the Environmental Report, the Habitat Regulations Appraisal, the Action Programme and the Background Report.
- 3.6. The Proposed LDP was consulted on between November 2013 and February 2014. 96 parties made representations and 454 individual points were made. Some of these were objections seeking changes, some were supportive of parts of the Proposed LDP and some were observations/comments.
- 3.7. As objections, or "Unresolved Representations", were received, there are 3 options open to the Council:
  1. **Decide not to make 'notifiable modifications'** (i.e. make no significant modifications, only non-notifiable modifications such as minor wording or typographical changes) publish the plan, and submit it to Scottish Ministers;
  2. **Decide to make 'notifiable modifications'** (those that add, remove or significantly alter any policy or proposal in the plan) publish the Proposed Local Development Plan as modified – i.e. not just a list of the modifications. The making of 'notifiable modifications' brings with it a further opportunity to make representations on any element of the plan, not just the proposed modifications, and can cause significant delay to the Plan process. It should only be undertaken when the Council is proposing to make significant changes to the LDP. Owners and neighbours of proposed sites will require to be notified. or
  3. **Decide to make modifications that change the underlying aims or strategy of the Proposed Plan** prepare a new Proposed LDP, followed by publication and notification requirements, including notifying the owners, lessees and occupiers of all sites specifically proposed in the plan to be developed, and the neighbour notification of the owners, lessees and occupiers of the neighbouring land. If it is the case that the proposed modifications change the underlying aims or strategy of the Proposed Local Development Plan, the Council will be required to prepare and publish a new Proposed Local Development Plan which would significantly delay the adoption of the Plan.
- 3.8. From the Proposed Plan stage, Scottish Ministers expect an authority's priority to be to progress to adoption as quickly as possible. Pre-Examination negotiations and notifiable modifications can cause significant delay and so should not be undertaken as a matter of course, but only where the authority is minded to make significant changes to the plan. However, if authorities do wish to support a significant change to the plan, this should be done by pre-Examination modification, as set out in option 2 above. The Examination also

provides an opportunity to change the plan, so if authorities see merit in a representation they may say so in their response to the Reporter, and leave them to make appropriate recommendations. It is considered that this is the most efficient and effective way to address many of the minor modifications that were requested.

### **Examination**

- 3.9. Any outstanding representations to the Proposed Local Development Plan which cannot be resolved will require to be considered through an Examination of the Local Development Plan. Responsibility for arranging and conducting any such Examination falls to the Directorate for Planning and Environmental Appeals (DPEA) and would be likely to commence in September 2014. The DPEA will appoint a Reporter, following receipt of the documentation in July, who will lead the Examination and they will determine how representations will be considered, either through written submissions, hearings, inquiry sessions, or a combination of these methods.
- 3.10. Once the Examination is complete, the Reporter will prepare a report setting out their findings and giving reasons for their conclusions. In a change to the previous Inquiry process, where planning authorities could choose not to accept a Reporter's recommendation if they felt there was good reason, Examination reports are now binding on the planning authority in all but a very limited number of exceptional cases.
- 3.11. Should the Reporter recommend changes to the Proposed Local Development Plan following the Examination, the Council will be required to modify the Plan and publish it. It will also be necessary to publish public notices advertising the Council's intention to adopt the Modified Plan.
- 3.12. Within 4 weeks of publishing the Modified Plan, the Council is required to adopt the Plan and publish a post-adoption Strategic Environmental Assessment Statement.

### **'Schedule 4' Responses**

- 3.13. The representations have been grouped into 59 topics, based on the sections within the LDP, each of which will be the subject of a Schedule 4. 11 other topics relate to either the Environmental Report, Supplementary Guidance, the Open Space Strategy or the Muckhart Conservation Area Appraisal and therefore do not require to be recorded in Schedule 4's.
- 3.14. 6 Schedule 4's include only comments or observations and do not request any changes to the LDP, therefore do not need to be considered any further. They will, however, be submitted to the DPEA for information. The topics which these cover are listed below.

**10. Area Statements - General**

**12. Creating Sustainable Communities Chapter - General**

**24. Water and Drainage Infrastructure**

**27. Employment and Prosperity - General**

**31. Environmental Assets - General**  
**40. Clackmannan Sites and Proposals**

- 3.15. A number of the representations included requests for minor wording changes or updating of references to refer to events and publications which had taken place following approval of the LDP for consultation and which Officers feel are not unreasonable requests. Where these are considered to be of a minor nature it is proposed to note in such instances in the Schedule 4 responses that "*Should the Reporter be minded to accept [the proposed change], this could be amended accordingly.*". The ultimate decision therefore rests with Reporter and the Council has not proposed any notifiable modifications which would necessitate re-consulting on the amended Proposed LDP.
- 3.16. 53 Schedule 4's requested changes to the LDP and of these, it was considered that the minor changes suggested would be acceptable, subject to the Reporter's direction, in whole or in part for 22 of the Schedule 4's, listed below.
2. **Introduction and Context** in response to representations from sportscotland and Scottish Natural Heritage.
  4. **Strategic Objectives** in response to representations from Halliday Fraser Munro, sportscotland and the RSPB.
  7. **Forth Area Statement in response** to representation from the RSPB, however a representation from Colliers for Mactaggart and Mickel Homes Ltd. opposing the extension to the greenbelt east of Clackmannan, and allocating a residential development site was not accepted.
  16. **Maintaining a Housing Land Supply** in response to representation from Scottish Government.
  17. **Affordable Housing** in response to representation from Homes for Scotland.
  18. **Layout and Design Principles** in response to representation from the Forestry Commission.
  20. **Developer Contributions** in response to representations from Homes for Scotland and Network Rail.
  23. **Energy** in response to representations from SEPA and Scottish Natural Heritage, however a representation from Muckhart Community Council objecting to the designation of the area between Muckhart and Dollar as an area of search for wind energy until a review of SLA boundaries has been undertaken was not accepted.
  28. **Telecommunications Development** in response to representation from the Mobile Operators Association.
  29. **Minerals** in response to representations from SEPA. SEPA's support of the policy provision in respect of Coal Bed Methane was noted, however their suggestion that the Council gives consideration to extending the scope of the Policy to other forms of Unconventional Gas extraction was not accepted, pending further national policy guidance.
  30. **Retail and Town Centres** in response to representations from Jigsaw Planning for Asda Stores and John Handley for CBRE Lionbrook Property Fund.

34. **The Natural Environment - Managing Flood Risk** in response to representations from SEPA, RSPB and sportscotland.
  36. **The Built Environment** in response to representation from Historic Scotland.
  37. **Alloa Sites and Proposals** in response to representations from Historic Scotland, SEPA and Scottish Natural Heritage, however SEPA's recommendation that the number of units proposed at various sites across the Council area be reduced in light of concerns regarding flood risk was not accepted. Variations to site capacities may be necessary following detailed flood risk assessments.
  41. **Forth - Rural and Area Wide Sites and Proposals** in response to representations from Historic Scotland, Scottish Natural Heritage and Susan Lucey.
  43. **Alva Sites and Proposals** in response to representations from Sandra Rees and Alva Community Council.
  44. **Tillicoultry and Coalsnaughton Sites and Proposals** in response to representation from SEPA.
  45. **Dollar Sites and Proposals** in response to representation from Harviestoun and AWG.
  47. **East Ochils - Rural and Area Wide Sites and Proposals** in response to representations from Historic Scotland, Mike Day, Ewan Jack and Keith Duncan.
  49. **Glossary** in response to representations from Alloa Congregation of Jehovah's Witnesses.
  59. **Action Programme** in response to representations from Scottish Natural Heritage.
  60. **LDP Habitats Regulation Assessment** to reflect other minor modifications.
- 3.17. For the remaining 31 Schedule 4's it was considered that the changes requested were not acceptable and no changes are therefore proposed to the LDP. These are listed below.
3. **Vision Statement**
  5. **Spatial Strategy**
  6. **Table 1 Area Characteristics and LDP Aims**
  8. **West Ochils Area Statement**
  9. **East Ochils Area Statement**
  11. **Alva Comments - non-site or policy specific**
  13. **Housing Land Supply**
  14. **Affordable and Particular Needs Housing**
  15. **Layout and Design Principles**  
Homes for Scotland requested deletion of reference to the incorporation of Low and Zero Carbon Generating Technologies, however this was not accepted.
  19. **Energy Efficiency and Low Carbon Development**
  21. **Education, Community Facilities and Open Spaces**
  22. **Transport**
  25. **Pipeline and Hazard Consultation Zones**
  26. **Development in the Countryside and the Rural Economy**
  32. **Clackmannanshire Green Network**
  33. **The Natural Environment**
  35. **Protecting Environmental Resources**

- 38. **Sauchie Sites and Proposals**
- 39. **Tullibody, Cambus and Glenochil Sites and Proposals**
- 42. **Menstrie Sites and Proposals**
- 46. **Muckhart Sites and Proposals**
- 48. **Appendix EA1**

9 of these 31 Schedule 4's were for where new sites had been proposed, 8 residential and 1 business, however it is not proposed to allocate any of the sites in the LDP as they are not required in order to meet the housing land targets and many are constrained through green belt designations, flooding, etc. The sites are listed below.

- 50. **Lornshill Farm, Alloa (residential)**
- 51. **South of Alva (residential)**
- 52. **Newrowhead, Dollarbeg (residential)**
- 53. **South of Coalsnaughton (residential)**
- 54. **Meadowend Farm, Clackmannan (residential)**
- 55. **Bridgend, Blackgrange Road, south of the A907 (business)**
- 56. **Dollarfield, Dollar (residential)**
- 57. **Chapelhill Farm, Clackmannan (residential)**
- 58. **Burnside, Clackmannan (residential)**

#### **Participation Statement**

- 3.18. The latest Development Plan Scheme, which is updated every year, tracks the progress of the LDP and includes a Participation Statement highlighting the consultation carried out to date, and detailing the consultation for the Proposed Local Development Plan. A 'Statement of Conformity with the Participation Statement' is required to be submitted along with the Schedule 4's - Appendix 1.

#### **Associated LDP Documents**

- 3.19. The associated documents below were produced along with, or shortly after the Proposed LDP and consulted on.
- 3.20. An **Action Programme**, which sets out how the Council proposes to implement the Plan, including the identification of responsible persons or organisations and timescales. The Action Programme will be reviewed after two years.
- 3.21. A **Strategic Environmental Assessment (SEA)** which considers the likely environmental impacts of the LDP; and recommends measures to address them. A description of the SEA activity undertaken so far can be found in the background papers. The environmental implications of each policy, and any relevant mitigation measures proposed, are described after each policy in the Plan.
- 3.22. A **Habitat Regulations Appraisal (HRA)** which considers what implications the Plan may have on Natura sites. The LDP can only be adopted once the HRA and appropriate assessment have demonstrated that the Plan will not adversely affect the integrity of any of the sites assessed.

- 3.23. An **Open Space Strategy** has been developed in order to provide a coordinated, strategic and long term approach to the provision and management of high quality, accessible open spaces. The Open Space Strategy and the LDP are closely linked in a number of areas and have therefore been progressed concurrently, and both documents were published for comments and consultation at the same time. Comments received have been considered in preparing the finalised Strategy which is being reported back to Council for final approval. A **Strategic Environmental Assessment** (SEA) has also been produced which considers the likely environmental impacts of the Open Space Strategy; and recommends measures to address them.
- 3.24. During consultation on the Open Space Strategy, representations were received from sportscotland and Scottish Natural Heritage. The comments, responses and proposed amendments are summarised in appendix 2.
- 3.25. The **Muckhart Conservation Area Appraisal** identifies enhancements and will be used to inform development proposals. It will form the basis of Appraisals of all of the other Conservation Areas, which will be undertaken during the period of the LDP. During consultation, two of the issues raised were text errors, which it is proposed to amend prior to final publication of the document. The remaining four issues related to text which was requested to be altered. Following discussion with the Scottish Civic Trust, it was not considered that the suggested changes were appropriate to the Appraisal and they are therefore not supported. The comments and responses are summarised in appendix 3.
- 3.26. The Council commissioned the Scottish Civic Trust, as an independent conservation body, to undertake a consultation **Draft Dollar Conservation Area Character Appraisal**. The appraisal process seeks to:
- Define the special interest of the conservation area;
  - Identify issues which threaten the special qualities of the conservation area;
  - Provide guidelines to prevent harm and assist in the enhancement of conservation area; and
  - Provide the Council with a tool to inform planning practice and policies for the conservation area.
- The Trust undertook the appraisal in January/February 2014 through a site survey and public consultation, through a walkabout and workshop, as well as a leaflet drop to properties in the conservation area, the feedback from which informed the draft appraisal. Analysis within the appraisal includes historic development, topography, built form and character, views, open spaces, landmarks as well as key buildings and groups. Public feedback will be sought on the Draft Appraisal prior to reporting back to Council.

### **Supplementary Guidance**

- 3.27. Supplementary Guidance can be adopted and issued in connection with the LDP and form part of the development plan. Topics covered by supplementary guidance must be specifically identified in the LDP and

the guidance must be limited to the provision of further information or detail in respect of the policies contained within the LDP.

- 3.28. Seven pieces of Supplementary Guidance were produced and consulted on along with the Proposed LDP:
- SG1 - Developer Contributions
  - SG2 - Onshore Wind Energy
  - SG3 - Placemaking
  - SG4 - Water
  - SG5 - Affordable Housing
  - SG6 - Green Infrastructure
  - SG7 - Energy Efficiency and Low Carbon Development
- 3.29. Depending on what changes may be made to the LDP, the Council can consider the comments received on the Supplementary Guidance and adopt it as statutory guidance. Although Supplementary Guidance is not required to be considered by a Reporter, the Council must ensure that the Scottish Government are happy for it to be adopted as statutory guidance.
- 3.30. Future Supplementary Guidance is expected to include Minerals, Woodlands and Forestry and Domestic Developments.

#### **4.0 Sustainability Implications**

- 4.1. The Planning etc (Scotland) Act 2006 requires planning authorities to carry out their development planning functions with the objective of contributing to sustainable development. The Policies within the Proposed Plan, and the Supplementary Guidance support the promotion of sustainability in development proposals, including green travel, encouraging improved biodiversity, the siting and layout of new development, energy efficiency, renewable energy, encouraging development of brownfield land and avoiding areas of known flood risk.
- 4.2. The Proposed LDP has been subject to a Strategic Environment Assessment and Habitat Regulations Appraisal, see 3.21 and 3.22 above.

#### **5.0 Resource Implications**

- 5.1. The resources for preparing the Proposed Local Development Plan and the associated costs of the Examination are already provided for in the Development Services budget.
- 5.2. Finance have been consulted and have agreed the financial implications as set out in the report.  
Yes
- 5.3. No additional staff resources would be required from Services to Communities and Support Services.

## 6.0 Exempt Reports

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below)  
No

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

The area has a positive image and attracts people and businesses	<input checked="" type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input checked="" type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input checked="" type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

The Proposed Local Development Plan accords with and supports the Council's key strategies including, the Single Outcome Agreement, the Local Housing Strategy, Local Transport Strategies, Open Space Strategy and the Sustainability and Climate Change Strategy.

## 8.0 Equalities Impact

8.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes  No

## 9.0 Legality

9.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

10.1 Please list any appendices attached to this report.

Appendix 1	Statement of Conformity with Participation Statement
Appendix 2	Open Space Strategy Comments and Proposed Responses
Appendix 3	Muckhart Conservation Area Appraisal Comments and Proposed Responses

## 11.0 Background Papers

11.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

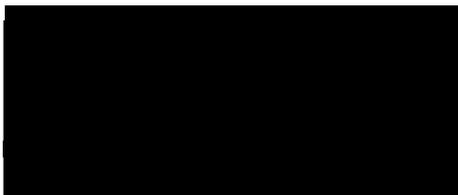
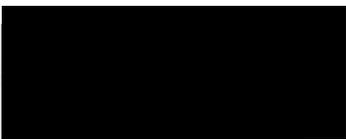
- Clackmannanshire Proposed Local Development Plan Schedule 4's
- Draft Dollar Conservation Area Appraisal (March 2014)
- Clackmannanshire Proposed Local Development Plan (November 2013)
- Local Development Plan and Supplementary Guidance Strategic Environmental Assessment Environmental Report (October 2013)
- Local Development Plan Habitat Regulations Appraisal (October 2013)
- Open Space Strategy (Consultation Draft, November 2013)
- Open Space Strategy Strategic Environmental Assessment Environmental Report (October 2013)
- Action Programme (November 2013)
- Local Development Plan Main Issues Report (January 2011)
- Equalities Impact Assessment (November 2013)
- Local Development Plan Main Issues Report Information Pack (January 2011)
- Report to Council dated 16th December 2010 – Clackmannanshire Local Development Plan Main Issues Report and Open Space Framework

- Report to Enterprise and Environment Committee dated 28th March 2013 – Proposed Clackmannanshire Local Development Plan
- Report to Planning Committee dated 11th April 2013 – Proposed Clackmannanshire Local Development Plan
- Report to Education, Sport and Leisure Committee dated 25th April 2013 – Proposed Clackmannanshire Local Development Plan
- Report to Housing, Health and Care Committee dated 23rd May 2013 – Proposed Clackmannanshire Local Development Plan
- Report to Council dated 24th October 2013 - Proposed Clackmannanshire Local Development Plan, Open Space Strategy and associated documents
- Development Plan Scheme and Participation Statement (September 2013)

**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Graeme Finlay	Principal Planner	2643

**Approved by**

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Services Manager	
Garry Dallas	Director of Services to Communities	

## Appendix 1 - Clackmannanshire Proposed Local Development Plan - Statement of Conformity with Participation Statement

### 1. Introduction

This Statement of conformity has been prepared to meet the terms of Part 2 Section 18 (4) (a) (i) and Section 19 (4) of the Planning etc. (Scotland) Act 2006 which requires planning authorities to submit a report (i) outlining the extent to which they have consulted with and involved the wider public in preparing the Proposed Local Development Plan; and (ii) how this consultation conforms with the intentions outlined in the 'Participation Statement' contained in section 5 of the current Development Plan Scheme (Issue 5 - September 2013).

### 2. Proposed Plan Stage - Extract from Development Plan Scheme (actions shown in *italics*)

Phase of Plan	Consultees	Contents/Information	Consultation Method	Timescales
<b>Proposed Plan, Action Programme, Report of Conformity and Participation Statement</b>	<p>Key Agencies Scottish Ministers Any party who commented on the MIR Occupiers and Neighbours of certain proposal sites</p> <ul style="list-style-type: none"> <li><i>Mailing list of 385 key agencies, national bodies, local groups and companies, companies and consultants, neighbouring authorities and those who had previously responded to the Main Issues Report, as well as 2635 occupiers and neighbours of proposal sites. Due to the volume of letters, some neighbours of sites did not receive their letter until after the 2 drop-in events had passed. Those who called or e-mailed were offered a meeting, however most were happy to discuss issues over the phone or receive an e-mail response. As the Consultation Period was extended, any late notification did not impact on parties having the statutory 6 week period for responding to</i></li> </ul>	<p><b>Proposed Plan</b> Representations and subsequent modifications could lead to a Modified Plan if notifiable modifications are proposed, or a new Proposed Plan where changes are proposed to the underlying aims or strategy.</p>	<p><b>Publicity</b> Information posters and displays in public buildings.</p> <ul style="list-style-type: none"> <li><i>Posters displayed across the Council area (appendix 1).</i></li> </ul> <p>Press releases.</p> <ul style="list-style-type: none"> <li><i>Copy of press release (appendix 2).</i></li> </ul> <p>Inclusion in the Council's weekly Development Services Bulletin.</p> <ul style="list-style-type: none"> <li><i>Included in Bulletin dated 15/11/13 (appendix 3).</i></li> </ul> <p>Inclusion in 'Grapevine', the Council's staff newsletter.</p> <ul style="list-style-type: none"> <li><i>The Council's dedicated staff newsletter in November was solely focussed on information regarding the consolidation of a number of Council offices into one office and did not include any other content. The next edition was in mid-December, after the events had taken place, and it was therefore decided not to include any further information in that edition. An article did go in the autumn 2013 edition of the Council's newspaper "Clackmannanshire View", which is delivered to all households four times a year (appendix 4).</i></li> </ul> <p>Online promotion through the Council's website and inclusion in the Council's</p>	<p>6 week statutory period for representations to be made. <i>Representation period was extended to 8 weeks as it fell over the Christmas and New Year period and the statutory 6 week period did not fit in well with some Community Council's meeting schedules. Dollar community were allowed until late February to make their representations to allow the results of a Community Masterplanning exercise organised by the Community Council, which was ongoing during January/February, to be considered and incorporated into responses. All other Community Councils were contacted to offer an extension if required.</i></p>

	<i>the Proposed LDP.</i>		<p>online 'Consultation Database'.</p> <ul style="list-style-type: none"> <li>• <i>Opportunities to comment through the Council's website included through the Online Local Development Plan portal, the Council's "Citizen Space" consultation package and an online representation form which could be filled in and e-mail in electronically or by hand. All of these methods were used by parties to submit representations.</i></li> </ul> <p>"Piggybacking" publicity and consultation with other Council consultations.</p> <ul style="list-style-type: none"> <li>• <i>Attended Sauchie Open Day 09/11/13</i></li> </ul> <p><b>Targeted Meetings</b></p> <p>2 drop-in events, one in Alloa and one in the Hillfoots.</p> <ul style="list-style-type: none"> <li>• <i>ALLOA TOWN HALL - Wednesday 27th November 3pm to 8pm</i></li> <li>• <i>DEVONVALE HALL - Saturday 30th November, 10am to 1pm</i></li> </ul> <p>Presentations to specific groups on request.</p> <ul style="list-style-type: none"> <li>• <i>Disability Awareness Group 21/01/14</i></li> </ul> <p>Meetings with Community Councils on request.</p> <ul style="list-style-type: none"> <li>• <i>Alva Community Council 13/01/14</i></li> <li>• <i>Tillicoultry and Coalsnaughton Community Council 14/01/14</i></li> <li>• <i>Alloa Community Council 27/01/14</i></li> <li>• <i>Sauchie and Fishcross Community Council on 10/02/14</i></li> </ul>	
<b>Revised Environmental Report/Appropriate Assessment</b>		Update of the Draft Environmental Report having considered issues raised at the Draft stage.	<ul style="list-style-type: none"> <li>• <i>As above plus SEA Gateway.</i></li> </ul>	

## Appendix 1a - Information Poster

### Clackmannanshire Local Development Plan Consultation

The proposed Plan is open for public consideration and written representations can be submitted from Friday 15th November 2013 to 5pm Friday 10th January 2014.

A Representation Form and all related documents and information are available on our website [www.clacksweb.org.uk](http://www.clacksweb.org.uk) or by using our Online Local Development Plan pages, or in hard copy at the venues listed below:

- ❖ Kilncraigs, Greenside Street, Alloa: 9am - 5pm, Monday to Friday
- ❖ Local libraries during normal opening hours

Alternatively a completed Representation Form can be emailed to [devplan@clacks.gov.uk](mailto:devplan@clacks.gov.uk)

#### Community Engagement Events

**Alloa Town Hall** - Wednesday 27th November 3pm to 8pm  
**Devonvale Hall** - Saturday 30th November 10am to 1pm

These are open events for everyone. You can come along and speak to someone about any planning and related concerns on the Proposed Local Development Plan or to generally help become more informed. Agencies and interested parties in attendance will include amongst others:

- ❖ Central Scotland Green Network
- ❖ Council's Home Energy Team, Housing Services, Roads and Transportation
- ❖ Ochils Landscape Partnership
- ❖ Inner Forth Landscape Initiative (27th only)

#### PUBLIC CONSULTATIONS

At the same time we are consulting from Friday 15th November 2013 on a number of related supporting documents and statements. Full details are available on ClacksWeb, at Kilncraigs reception, and in your local library and any comments or views may be submitted using the Consultation Form by 5pm Friday 10th January 2014. The forms are available in the same way as the Local Development Plan information.

 **Clackmannanshire Council**  
[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

## Appendix 1b - Copy of Press Release

# News release



## Have your say on future development in Clackmannanshire

24th October 2013

An 8 week period of representations has kicked off following the approval of the Proposed Local Development Plan (LDP) for Clackmannanshire at today's Council meeting.

Local Development Plans provide a robust, plan-led approach to land use planning and development, setting out a clear, concise, long-term vision for the future development of an area and providing relevant and up to date policy guidance.

The Proposed LDP represents the Council's position in terms of the policies it wishes to adopt and the sites and projects it wishes to promote and support. It looks to guide the future use and development of land in the area for the next 20 years, and requires to be reviewed at least every 5 years.

The Proposed LDP follows on from consultation on a Main Issues Report (MIR) in early 2011. This was the first major step in the LDP process and the first stage of public involvement in its preparation, when the public, internal and external partners including statutory consultees, key agencies, local communities, developers, landowners, businesses and Elected Members had the greatest opportunity to be involved and influence the preparation and content of the Proposed LDP.

Alongside the Main Issues Report, the Council also consulted on an Open Space Framework which sought opinions on key topics including woodland; allotments and food production; accessibility to open space; management and maintenance of open space; and habitat networks. An Open Space Audit and Strategy has been developed in order to provide a coordinated, strategic and long term approach to the provision and management of high quality, accessible open spaces and this is being consulted on at the same time as the Proposed

### Appendix 1c - Extract from Services to Communities Bulletin 15/11/13

#### (c) Development Plan & Sustainability

The Council has prepared the CLACKMANNANSHIRE PROPOSED LOCAL DEVELOPMENT PLAN (LDP) and associated documents.

## Consultation on other LDP related documents

At the same time as representations are being sought on the Proposed Local Development Plan, the Council are also consulting on the related documents listed below.

Apart from the Muckhart Conservation Area Appraisal, the documents have been subject to strategic environmental assessment. Environmental Reports have been prepared, setting out any likely significant environmental impacts and proposing measures to avoid, reduce, mitigate or offset any adverse impacts, and also identifying matters in enhancing any positive impacts.

Any comments or views should be submitted, whenever possible, using the **Representation Form** designed for the purpose, clearly indicating which

Council offices. Events to promote the Proposed LDP will also be run during the representation period.

Enterprise and Environment Convenor, Councillor Donald Balsillie said: "Local people are very passionate and proud of their area and Clackmannanshire in general. Your feedback will help us to ensure future developments in Clackmannanshire are sustainable and positive."

Following the conclusion of the period for representations, the Council will need to take a view on each representation and prepare a response. Any outstanding representations which cannot be resolved will require to be considered through an Examination led by a Reporter appointed by the Scottish Government. Once the Examination is complete, the Reporter will prepare a report setting out their findings and giving reasons for their conclusions. The Council will then be required to amend the LDP in line with the findings of the Report, in all but very limited exceptional circumstances. The Council will then have to amend the LDP in accordance with the Reporter's findings and proceed to adopt it.

### ENDS

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Greenfield, Alloa, Scotland, FK10 2AD  
Telephone: 01259 450000 Fax: 01259 452230

## **Appendix 4 - VIEW Article Autumn 2013**

will be open to public consideration and written representation from Friday 15th November 2013 to Friday 10th January 2014. Written representations must be submitted no later than 5pm on 10th January.

Two community engagement events are arranged to provide information and advice at:

1. ALLOA TOWN HALL - Wednesday 27th November 3pm to 8pm
2. DEVONVALE HALL - Saturday 30th November, 10am to 1pm

These are open events for everyone. You are invited to come along and discuss any aspect of the Proposed LDP or find out more information about the process or associated documents. Other agencies and interested parties will be in attendance at these events offering advice and answering questions on a range of subjects. Those attending include:

- o Central Scotland Green Network
- o Clackmannanshire Council's Home Energy Team, Housing Services and Roads and Transportation
- o Ochils Landscape Partnership
- o Inner Forth Landscape Initiative (27th only)

Written representations to the Proposed LDP should be made on the **Representation Form** whenever possible. The form and all related documents and information are available at the venues listed below:

- o Clackmannanshire Council, Development and Regulatory Services, Kilncraigs, Greenside Street, Alloa: between 9am - 5pm, Monday to Friday.
- o Clackmannanshire libraries during normal opening hours.

The information is also available on the Clackmannanshire Council website [www.clacksweb.org.uk](http://www.clacksweb.org.uk), where you can also complete an on-line form or submit representations using the On-line Local Development Plan pages. Alternatively, completed Representation Forms can be e-mailed to [devplan@clacks.gov.uk](mailto:devplan@clacks.gov.uk).

document they relate to. The forms are available in hard copy at the venues given above, Kilncraigs and libraries, or using the Council website.

### **Proposed Local Development Plan**

1. Proposed LDP Action Programme
2. Proposed LDP Environmental Report.
3. Draft Habitat Regulations Appraisal

### **Supplementary Guidance**

4. SG1 - Developer Contributions
5. SG2 - Onshore Wind Energy
6. SG3 - Placemaking
7. SG4 - Water
8. SG5 - Affordable Housing
9. SG6 - Green Infrastructure
10. SG7 - Energy Efficiency and Low Carbon Development

### **Open Space Strategy**

11. Open Space Strategy
12. Open Space Strategy Environmental Report

### **Conservation Areas**

13. Muckhart Conservation Area Appraisal

DRAFT

**Appendix 1e - Copy of Statutory Advertisement**

**CLACKMANNANSHIRE COUNCIL**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 AS AMENDED**

**CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN**

## PUBLICATION OF PROPOSED LOCAL DEVELOPMENT PLAN

### The Plan & Where to Read It

Clackmannanshire Council has prepared the Clackmannanshire Proposed Local Development Plan, and associated documents, which can be inspected free of charge between Friday 15th November 2013 and Friday 10th January 2014, during normal opening hours at the following locations:

- Public libraries throughout Clackmannanshire (a full list is available via: <http://www.clacksweb.org.uk/culture/libraries>)
- Clackmannanshire Council office at Kilncraigs, Greenside Street, Alloa, FK10 1EB.
- The Plan can also be viewed online at [www.clacksweb.org.uk](http://www.clacksweb.org.uk).

### Content & Purpose

The Proposed Local Development Plan (LDP) provides a robust, plan-led approach to land use planning and development, setting out a clear, concise, long-term vision for the future development of an area and providing relevant and up to date policy guidance.

It represents the Council's position in terms of the policies it wishes to adopt and the sites and projects it wishes to promote and support. It looks to guide the future use and development of land in the area for the next 20 years, and requires to be reviewed at least every 5 years.

### Further Information

If you require further information on the Proposed Local Development Plan, or any of the associated documents, please telephone 01259 452643 and ask to speak to a member of the Development Plans Team or e-mail [devplan@clacks.gov.uk](mailto:devplan@clacks.gov.uk).

Alternatively, you can meet a member of the Team in person by attending one of the following public events:

- ALLOA TOWN HALL - Wednesday 27th November 3pm to 8pm
- DEVONVALE HALL - Saturday 30th November, 10am to 1pm

If you are a member of a community group who would like the Development Plans Team to come and discuss the Proposed Local Development Plan with your group, please contact us with details of when you would like to meet with us and if there is a particular topic you would like to discuss as soon as possible and we will endeavour to meet your request.

## How & By When to Make Comment

If you wish to make any comments (the formal term is a “representation”) on the Proposed Local Development Plan, response forms are available at [www.clacksweb.org.uk](http://www.clacksweb.org.uk). Comments **must be received by 5pm on Friday 10<sup>th</sup> January 2014** via:

Post to: Julie Hamilton  
Development Services Manager  
Clackmannanshire Council  
Services to Communities  
Kilncraigs  
Greenside Street  
Alloa  
FK10 1EB

E-mail to: [devplan@clacks.gov.uk](mailto:devplan@clacks.gov.uk)

Online at: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

Garry Dallas  
Director  
Services to Communities

## **APPENDIX 2 - OPEN SPACE STRATEGY COMMENTS AND PROPOSED RESPONSES**

### **sportscotland**

#### **Representation**

Request modifications to make reference to the findings of the Clackmannanshire Sport and Active Recreation Facilities Strategy produced in 2008.

#### **Response**

- Proposed to insert reference to this Strategy into Chapter 3.

#### **Representation**

Request modifications to Chapter 8 to include a standard for sports provision.

#### **Response**

- Provision is good, but issues of quality and accessibility need to be addressed and a standard could be added for Sport provision to aim for. If the Council were minded to introduce a standard relating to Sports Provision, would recommend the following: Clackmannanshire Recommended Standard for Quality: Minimum Score for Pitch Quality Assessment 55% (Average) Having looked at the analysis this should be achievable by minor changes in pitch location, grass maintenance, white lining, etc.

#### **Representation**

Request clarification of what is meant when the paragraph 6.13.7 states that the Land Asset Management Plan will give more detail on how this will be implemented, but there is no indication as to what this refers.

#### **Response**

- Reference to the Land Asset Management Plan in Paragraph 6.13.7 refers to drainage improvements in the sports pitches and how this will be taken forward. The purpose of the Land Asset Management Plan is to ensure that the Council's land assets are managed and utilised in a systematic, strategic and corporate manner, consistent with the Council's overall aims, priorities and objectives.

#### **Representation**

sportscotland can contribute to the preparation of a Pitch and Facilities Strategy, as well as provide a financial contribution to the costs of its preparation if a consultant is appointed to prepare it.

#### **Response**

- Noted.

### **Scottish Natural Heritage**

#### **Representation**

Request more detailed information in Chapter 7 (Area Profiles) section.

**Response**

- More detail can be added into this Chapter if necessary.

**Representation**

Happy with, and agree with, the Environmental Report.

**Response**

- Noted.

## APPENDIX 3 - MUCKHART CONSERVATION AREA APPRAISAL COMMENTS AND PROPOSED RESPONSES

### Muckhart Community Council

#### **Representation**

Chapter 5 - Map Analysis Section 5.3 - Views and Approaches. The arrow for view 9 is in the wrong position on the map. It should point along Kirkhill from the A91 whereas on the map it is between two properties – Viewfield and Hillview.

#### **Response**

- The map will be altered correcting the alignment of view 9 arrow.

#### **Representation**

Chapter 8 - Sensitivity Analysis. In section 8.2 we would wish to see the phrase “*character and appearance*” rather than just “*character*”. This reflects the terminology found in Scottish Government documents on Conservation Areas. Also in section 8.2 we have concerns that a contradiction may have emerged between the statement that “*It [new development] should respect and reinforce the historic linear development pattern which is an essential element of the conservation area...*” and the position of the Proposed Local Development Plan housing site H48. Whilst we welcome the wish that any additional housing should respect the linear nature of the conservation area, we find it difficult to see how that can be achieved if site H48 remains as the preferred housing site for Muckhart. Nevertheless if and when site H48 is developed it will be important to minimise as far as possible any visual damage to the linear nature of the conservation area.

#### **Response**

- Chapter Sensitivity Analysis Section 8.2. The first paragraph is concerned with the rural setting of the conservation area and the importance of the retention of its setting in the landscape. It is considered that the appearance of the conservation area is not of relevance in this context and it would not be appropriate to introduce ‘*character and appearance*’ in to the this section of the Appraisal. **Therefore, no changes are proposed to the Conservation Area Appraisal text.**
- Chapter Sensitivity Analysis Section 8.2. The second paragraph is considering the relationship of the conservation area to the identified LDP site H48 and the approach to its potential development to retain the setting of the conservation area. It is considered that the statement “*It should respect and reinforce the historic linear development pattern which is an essential element of the conservation area...*” is an appropriate approach to highlight to ensure that the development of H48 is designed in such a manner to respect and enhance the setting of the conservation area and is not contradictory. **Therefore, no changes are proposed to the Conservation Area Appraisal text.**

### **Representation**

Chapter 9 - Opportunities for Preservation & Enhancement - Section 9.4. The map dealing with the existing and proposed conservation area boundaries is to be found on page 18, not 16 as stated in the text.

### **Response**

- It is acknowledged that page reference is wrong and this will be rectified.

### **Representation**

Section 9.4 Boundary Review. Following discussions within the community and with the landowner, we propose that the significant treed area at the north east corner of Conservation Area, adjacent to Woodacre and Birkhill, is included in the Conservation Area and the boundary changed accordingly. Furthermore as proposed in the Muckhart Community Council response to the Local Development Plan, we believe that this same treed area should be removed from site H48.

### **Response**

- The conservation area was designated for its historic linear form and the proposed area for extension does not contribute to this development form. These trees as with others outwith the margins of the conservation area have a role in the setting of the conservation area. However as they are at a distance from the spine of the conservation area and not directly related to a property within the conservation area - as per the tree bank to the rear of Muckhart Inn, Hillview and Viewfield - it is not considered that the area should be included in an extended conservation area. The inclusion of this area within the H48 development site offers the opportunity to incorporate it into the greenspace provision for the development and enhance the setting of the conservation area. **Therefore, no changes are proposed to the Conservation Area Appraisal text.**

## **Catherine MacDonald**

### **Representation**

Section 1.3 - Methodology. The Methodology section fails to note the role of the Council in arranging for the Appraisal and also its role in reviewing and editing the text. For good governance purposes it is important that the Council's role and input in the production of the document are recognized.

### **Response**

- While the document builds on previous consultations undertaken by the Council with the community, it is not considered that there is a need for the text in 1.3 to be expanded in this regard. **Therefore, no changes are proposed to the Conservation Area Appraisal text.**