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**Report to:**            **Planning Committee**

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**Date:**                **11th September 2014**

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**Subject:**            **Planning Application ref: 14/00160/FULL - Erection of 27  
No Houses With Associated Access, Footpaths and  
Parking - Development Site At Former Tullis Factory,  
Alloa Road, Tullibody, Clackmannanshire**

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**Report by:**        **Grant Baxter, Principal Planner**

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## **1.0 Purpose**

- 1.1. This is a report of handling on the above planning application. The application is being reported to the Committee for determination as it involves development on land recently sold by the Council to the applicant. The application site and adjoining land to the north together form the former Tullis tannery site, the remainder of which the Council retains ownership of.

## **2.0 Recommendations**

- 2.1. It is recommended that this planning application is **APPROVED**, subject to the following conditions and reasons:

1. All construction works on site and the use of vehicles plant and equipment shall only take place between the hours of 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturday, and at no time on Sundays.
  
2. Before any works commence on site, a construction management plan shall have been submitted to and approved in writing by the Council. This shall demonstrate measures to control noise, dust and lighting during the construction phase, waste management arrangements and the safe management of construction traffic entering and exiting the site. For the avoidance of doubt, the main construction access shall be from Alloa Road, unless otherwise approved in writing by the Council.
  
3. Before any works commence on site, details of all external finishing materials, including render, brick, roof tile, and external windows and doors, shall be submitted for the written approval of this Planning Authority. Thereafter, the development shall be carried out in accordance with such approved details.

4. Before any works commence on site, finalised details of existing ground levels, proposed ground levels and finished floor levels, including sectional drawings showing the relationship of the proposed development to adjacent houses, shall have been submitted to and approved in writing by the Council. Thereafter, the development shall be carried out in accordance with such approved details.

5. Before any works commence on site, exact details of the location, height, specification and finish of all boundary enclosures shall be submitted for the written approval of this Planning Authority. Thereafter, the development shall be carried out in accordance with such approved details.

6. Before any works commence on site, final details of the design, layout and surfacing of roads, footpaths and shared surfaces, including confirmation of areas for Council adoption and maintenance arrangements for all other hard and soft landscaped areas shall have been submitted to and approved in writing by the Council.

7. Before any works commence on site, a scheme of landscaping, indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs, hedges to be planted, a programme for implementation and arrangements for future adoption by the Council, shall be submitted for the written approval of the Planning Authority. The scheme shall include details of native hedge planting along the site's boundary with Delph Pond park and street trees in the locations indicatively shown on the approved site layout plan. Thereafter, the development shall be implemented in accordance with such approved details.

8. Before any works commence on site, detailed arrangements for the provision of public art within the development site, or a commuted sum in lieu of such provision, generally in accordance with draft Supplementary Guidance (SG1 - Developer Contributions), of the Local Development Plan, Proposed Plan 2013, shall be agreed with the Council.

9. All tree works shall be carried out in accordance with the Woodland Survey Report Delph Road, Tullibody, prepared by Eamonn Wall & Co. August 2014, unless otherwise approved in writing by the Council.

10. Before any works commence on site, all trees and hedges to be retained on the site shall be protected from damage during construction work in accordance with BS5837 (Trees in Relation to Construction) 2005. The developer shall make arrangements for an officer of the Council to have inspected such measures prior to the commencement of construction works, and once approved all such protection shall remain in place for the duration of the demolition and construction work.

11. The detailed design and layout of the proposed scheme for the control and treatment of surface water is not hereby approved. Before any works commence on site, finalised details of the proposed SUDs scheme shall have been submitted to and approved in writing by the Council. The scheme shall be in accordance with SUDs (Sustainable Urban Drainage Systems) Manual (C697) published by CIRIA, and Sewers for Scotland 2. Details of the SUDs scheme shall include arrangements for adoption and future maintenance of all above and below ground SUDs infrastructure by a competent authority.

12. Before any other works commence on site, all site investigation and remediation measures shall have been completed to the satisfaction of the Council. This shall include:

a) Submission of document detailing the planned remediation/mitigation methods.

b) Carrying out of site remediation in accordance with approved methods.

c) Submission of drawings or a validation report upon completion of all remediation works, to show the capping depths that have been put in place and that the remediation/mitigation plans have been adhered to shall be submitted for the written approval of the Council.

13. Before any works commence on site, details of phasing of completion of all roads, footpaths and parking areas, and associated hard/soft landscaping, including those outwith the site but shown on the stamped approved plans, shall have been submitted to and approved in writing by the Council. Thereafter the development shall be completed in accordance with such approved details.

## 2.2. Reasons for conditions

1. In the interests of residential amenity.
2. In the interests of residential amenity.
3. In the interests of visual amenity and local environmental quality.
4. In the interests of visual amenity and local environmental quality.
5. In the interests of visual amenity and local environmental quality.
6. In the interests of visual amenity and local environmental quality.
7. In the interests of visual amenity and local environmental quality.
8. In the interests of visual amenity and local environmental quality.
9. In the interests of residential amenity and local environmental quality.
10. In the interests of residential amenity and local environmental quality.
11. In the interests of residential amenity and local environmental quality.
12. In the interests of residential amenity and local environmental quality.
13. In the interests of residential amenity and local environmental quality.

## Plan Nos.

1	3991-PL-002	Site Plan as Existing
2	3991-PL-003 Rev F	Site Plan as Proposed
3	3991-PL-010	Block A - Plans
4	3991-PL-011	Block A - Elevations
5	3991-PL-020	Block B - Plans
6	3991-PL-021	Block B - Elevations
7	3991-PL-030	Block C - Plans
8	3991-PL-031	Block C - Elevations
9	3991-PL-040	Block D - Plans
10	3991-PL-041	Block D - Elevations
11	3991-PL-050	Block E - Plans
12	3991-PL-051	Block E - Elevations
13	3991-PL-060	Block F - Plans
14	3991-PL-061	Block F - Elevations
15	3991-PL-070	Block G - Plans
16	3991-PL-071	Block G - Elevations
17	n/a	Location Plan
18	3991-01-601 Rev A	Section Showing Relationship - No 17 Delph Road and Plots 11 & 12

### 2.3 Reasons for Decision

1. The proposals involve residential development on brownfield land allocated for housing in the adopted and emerging development and would contribute to the provision of much needed affordable housing.
2. The proposals, through their layout and design would enhance the character and appearance of this vacant and derelict site. As such the application complies with the provisions of the adopted Local Plan and emerging Local Development Plan.

### 3.0 Background

- 3.1. The planning application site comprises 0.62Ha of former industrial land on the north side of Delph Road, Tullibody. This is the southern portion of the former Tullis tannery site, which sits between Delph Road, Alloa Road and Delph Pond. The remainder of the site amounts to around 0.9Ha.
- 3.2. The former tannery was last occupied by a moulded plastics business. The listed building was demolished in 2000, following which, the site was completely cleared by the Council, and a new separate access road to serve potential business development constructed off Alloa Road. These works underpinned the Local Plan designation for business and housing, at that time.

- 3.3. The Clackmannanshire Local Plan, 2004 identified the former tannery site for residential development. Planning Permission was granted for the erection of 53No. flats and 37No. houses on the site in March 2009 (08/00295/FULL), with largely two storey houses proposed for the southern part of the site that forms the current application site. This permission was not implemented and has since lapsed. The site remains vacant, with large parts covered by self-seeded trees and bushes.
- 3.4. The current application proposes 27No.dwellings (14No. flats and 13 No. houses) all in the form of two storey terraces, and generally laid out in two rows, one fronting Delph Road and the other sitting behind, and facing a new internal street accessed off Delph Road. A smaller block would back onto Delph Pond. The plans show a proposed future link from the site to the remainder of the site and Alloa Road. A SUDs basin is proposed in the northwest corner of the site, to the rear of existing houses and accessed off a new turning head.

#### **4.0 Consultations**

- 4.1. Roads: Have no objections to the principle of vehicle access off Delph Road, subject to the safeguarding of a link to Alloa Road. Equally, the position and design of the access raises no road or pedestrian safety issues. Comments have been provided on specific elements of the layout. Comments on the design and adoption of the SUDs basin, including requirement that it does not present a flood risk to properties, and can be adopted by a public authority. Potential overland flow flood risk from Delph Pond should also be examined, and SUDs design should be reviewed to ensure no risk of exceedence during storm events. *Comment: Internal road and footway design has been amended to accord with Roads' comments. Flood risk from Delph Pond has been examined by an engineer's report, which concludes that any risk can be addressed by adjusting finished floor levels or constructing a low boundary wall. A condition can be used to address final details of SUDs design.*
- 4.2. Environmental Health: Comments on measures required to control hours of construction, dust and lighting during construction. Before development commences, details of site remediation measures shall have been submitted to and approved by the Council. *Comment: Where appropriate, these matters can be captured in a condition on construction management, although any nuisance arising from construction activity can be addressed by the Council as Environmental Health Authority.*
- 4.3. Scottish Water: No objections. Capacity exists in sewerage and water networks, subject to separate applications for connection to networks. The developer may require to fund upgrades required to accommodate their development. SUDs are required to deal with surface water run-off, as detailed in Sewers for Scotland 2. *Comment: The applicant's agent has confirmed that the proposed detention basin has been designed to accord with the principles of Sewers for Scotland 2.*
- 4.4. SEPA: No objections provided planning conditions are applied addressing waste management. Support Roads' proposal for further investigation of potential overland flows from Delph Pond. SUDs proposals are acceptable in principle as they propose two levels of treatment. *Comment: Conditions*

*relating to waste management can be applied. An assessment of flood risk from Delph Pond has been provided and is satisfactory.*

4.5 Tullibody, Cambus and Glenochil Community Council: Objection on the following grounds:

- i. Comments on level of consultation by the Council on the proposals.  
*Comment: This is an application for a local development. The application has been publicised in accordance with the relevant regulations. Previous consultation exceeded statutory requirements.*
- ii. Concern about access from Delph Road, given existing traffic issues, narrowness and poor junction with Manor Crescent, and on-street parking concerns. *Comment: As noted in Para 4.1, Roads are content that Delph Road can adequately serve the proposed development, and have no objections to proposed parking arrangements which would include on-street parking on Delph Road and within the site.*
- iii. Consideration of development of the remainder of the site should be given. *Comment: Detailed plans for the remainder of the site do not form part of this application, and are not therefore material to its determination.*
- iv. Residents were previously assured by the Council that development of the Tullis site would be accessed via Alloa Road. The loss of access from the existing road in the site for adjoining residents will deny access to adjoining houses for parking and waste bin presentation. *Comment: This application relates to only the southern part of the Tullis site. Delph Road is the only frontage. The Roads Service has no objections to the proposed access arrangements. It should be noted that any future development of the larger northern portion of the Tullis site would include an access off Alloa Road. The current layout provides for a future link between the northern and southern parts of the Tullis site. A Development Brief will be prepared to provide for the compatibility of the current and future plans. The existing road within the site was constructed by the Council off Alloa Road to serve potential future business development which did not go ahead, but has been subject to informal use by adjoining residents over many years. This is not an adopted road and it is understood that any access that has been taken to the road has no authorisation by the Council. It is understood from Environmental Services that a number of properties on Delph Road have sack collection system in place for domestic waste, where wheeled bins cannot be stored off-street. This system can be applied to other properties where issues of storage or presentation of wheeled bins arise, including for brown bin waste.*
- v. An existing house (17 Delph Road) will be overlooked by new houses. *Comment: A proposed two-storey block containing six flats would be 11m from the boundary of 17 Delph Road and over 35m from the house itself (almost twice the distance between facing windows recommended by Local Plan policy RES 10). Existing screen fencing and conifer planting forming the rear boundary of 17 Delph Road, provide additional privacy. Therefore, the proposed development layout is not considered to present an unacceptable loss of privacy to adjacent properties.*

- vi. Concerns about existing drainage issues being exacerbated by the development, and impact of the SUDs pond on existing residents. There may also be a risk of contaminants on the site washing into the drainage system. *Comment: Scottish Water have no objection to the development, and connections to water and drainage systems will be subject to their consent. SW have also raised no issues regarding existing drainage problems in the area. The SUDs area is a detention basin which is designed to provide attenuation and treatment of surface water generated from the development during storm events, and prior to it discharging into the piped drainage network. The basin is designed to be dry outwith such events. Its location has been informed by existing ground levels in the site. The site will require remediation to address any contamination issues, and this would be subject of a planning condition. Final design, adoption and maintenance details of the SUDs scheme will also be subject to a condition.*
- vii. The removal of trees and shrubs from the site will affect the environment and wildlife habitat next to Delph Pond. *Comment: The trees and shrubs on the site are self seeded and have grown as the site has lain vacant. The trees have no formal protection and the site has no habitat designation. They are relatively young and are isolated from other tree group and so do not have important habitat value nor do they form part of a wider wildlife corridor. A tree survey has indicated that only a small row of trees in the west of the site may be worthy of retention, however the route of a sewer outfall and SUDs arrangements will necessitate their removal, . The proposed new development along with new landscaping proposals will develop vacant and derelict land and is likely to enhance the setting of Delph Pond. The addition of native hedging along the pond-side boundary of the proposed development would provide shelter and protection for birds and animals using the pond.*
- viii. Concern regarding increased anti-social behaviour as a result of the development and comment regarding allocation of proposed new houses. *Comment: The Council has no evidence that the proposed development would result in increased anti-social behaviour, however will develop part of a vacant site, which currently contains evidence of such behaviour and will provide passive surveillance of the adjoining park and remaining vacant land. Issues regarding allocation of the proposed new houses are not material planning considerations.*

## 5.0 Representations

- 5.1. A total of 30 No. neighbours were notified of the application. In addition, the application was advertised in the Alloa Advertiser on 9 July 2014. In response 14 No. representations were received from the following parties:
- Eric & Tracey Hamilton, 9 &11 Delph Road, Tullibody
  - Mr & Mrs Campbell, 17 Delph Road, Tullibody
  - Neil Robertson, 40 Delph Road, Tullibody
  - Mr & Mrs C. Green, 38 Delph Road, Tullibody

- Alex & Isobel Ritchie, 42 Delph Road, Tullibody
- John Whyte, 14 Delph Road, Tullibody
- Andrea Japp, 17 Delph Road, Tullibody
- Joanne Sinclair, 48 Delph Road, Tullibody
- Janice Hammond, 20 Delph Road, Tullibody
- James S Gibson, 14 Alloa Road, Tullibody
- Janette & Keiran McGowan, 5 Delph Road, Tullibody
- Nikki Redfern Duffy, 3 Delph Road, Tullibody
- Mr & Mrs Robert Torrance, 22 Delph Road, Tullibody
- Mrs Jessie Douglas, 10 Delph Road, Tullibody

5.2 The representations largely duplicate those submitted by Tullibody, Cambus and Glenochil Community Council, which are summarised in Section 4.0 above.

## **6.0 Planning Considerations**

- 6.1. The application must be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 6.2. The key Development Plan considerations are set out in the Clackmannanshire Local Plan adopted 2004, and the 1st Alteration to the Clackmannanshire Local Plan, adopted October 2011. Both the adopted Local Plan and Alteration show the site as part of the larger Tullis site and identified for housing development. The Alteration indicates the site capacity as 95 units of speculative new build and affordable homes.
- 6.3. The current application is the first phase of the Local Plan site. The site area amounts to around 43% of the larger site, and the proposals comprise 28% of the overall 95 units. The development is for 100% affordable homes.
- 6.4. Taking account of the above, the principle, density and tenure of the proposed development accord with the adopted Development Plan.
- 6.5. Policy RES 2 of the adopted Local Plan supports new residential development on brownfield land, including vacant and derelict land within settlement boundaries. The application complies with this policy.
- 6.6. Policy RES 4 of the adopted Local Plan seeks to ensure the provision of affordable housing as a part of developments on sites with a capacity of 30No. units or more, with a target figure of 25% of the overall site capacity being affordable. The application site is part of a larger Local Plan housing site. All proposed units would be affordable homes. The application therefore complies with Policy RES 5 in that it would deliver an appropriate level of affordable housing.



- 6.7. Policies RES 7 and RES 8 deal with the layout and form of development and amenity standards respectively. The development layout and design would provide a positive frontage to Delph Road in the form of new houses and bespoke boundary walls and railings that replicate the design of the existing walls and railing which were built as part of the planned business development. Within the site, the proposals have been designed to provide a high quality of public realm and also an appropriate amount and quality private and communal amenity space, whilst ensuring that the privacy and amenity of existing residents is not detrimentally affected. The proposals therefore comply with these policies.
- 6.8. Policies RES 9 and RES 10 deal with the provision of open space, recreation and play provision for new developments. The site is located immediately adjacent to Delph Pond park, and the proposals include safe pedestrian links between the development and the park. The proximity of the park and its play facilities mean that there is no need for formal open space, recreation or play facilities to be provided within the site. The Council will continue to maintain the park to meet the needs of this development and the wider community.
- 6.9. Taking account of the above considerations, the application is considered to comply with the adopted Development Plan.
- 6.10. Material considerations in the form of consultation responses and representations have been assessed in Sections 4.0 and 5.0 of this report respectively, and based on this assessment, do not raise issues that would indicate that the application should be refused contrary to the Local Plan.
- 6.11. The Council has approved the Local Development Plan, Proposed Plan (LDP PP), and as such is a material consideration to this application. The LDP continues to allocate the site, as part of the wider Tullis site, as a Housing proposal. The LDP also continues to support residential developments on brownfield land, and which contribute to the provision of affordable housing. Policy SC5 of the LDP sets out design criteria for new developments, in line with the Government's Placemaking agenda. The layout and design of the proposed development is considered to be informed by this approach and therefore complies with Policy SC5. In particular the priority that has been given to pedestrian movement over vehicles.
- 6.12. In summary, the development complies with the adopted Development Plan, as noted in paragraph 6.9, and the material considerations summarised above, including consultations, representations, and the emerging Development Plan are not of such weight to indicate that the application should be refused. The recommendation has been formulated accordingly.

## **7.0 Sustainability Implications**

- 7.1. The proposals comprise the development of vacant/underused land within the settlement boundary as identified in the Development Plan. There are no implications for greenfield land. The development has been designed in accordance with the principles of Designing Streets, and will comprise affordable housing. A sustainable drainage system will be provided.

## 8.0 Resource Implications

### 8.1. *Financial Details*

8.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

8.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

### 8.4. *Staffing*

## 9.0 Exempt Reports

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

## 10.0 Declarations

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

(1) **Our Priorities 2008 - 2011** (Please double click on the check box )

The area has a positive image and attracts people and businesses

Our communities are more cohesive and inclusive

People are better skilled, trained and ready for learning and employment

Our communities are safer

Vulnerable people and families are supported

Substance misuse and its effects are reduced

Health is improving and health inequalities are reducing

The environment is protected and enhanced for all

The Council is effective, efficient and recognised for excellence

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

## 11.0 Equalities Impact

11.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

## 12.0 Legality

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

## 13.0 Appendices

- 13.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

## 14.0 Background Papers

- 14.1 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 Local Plan

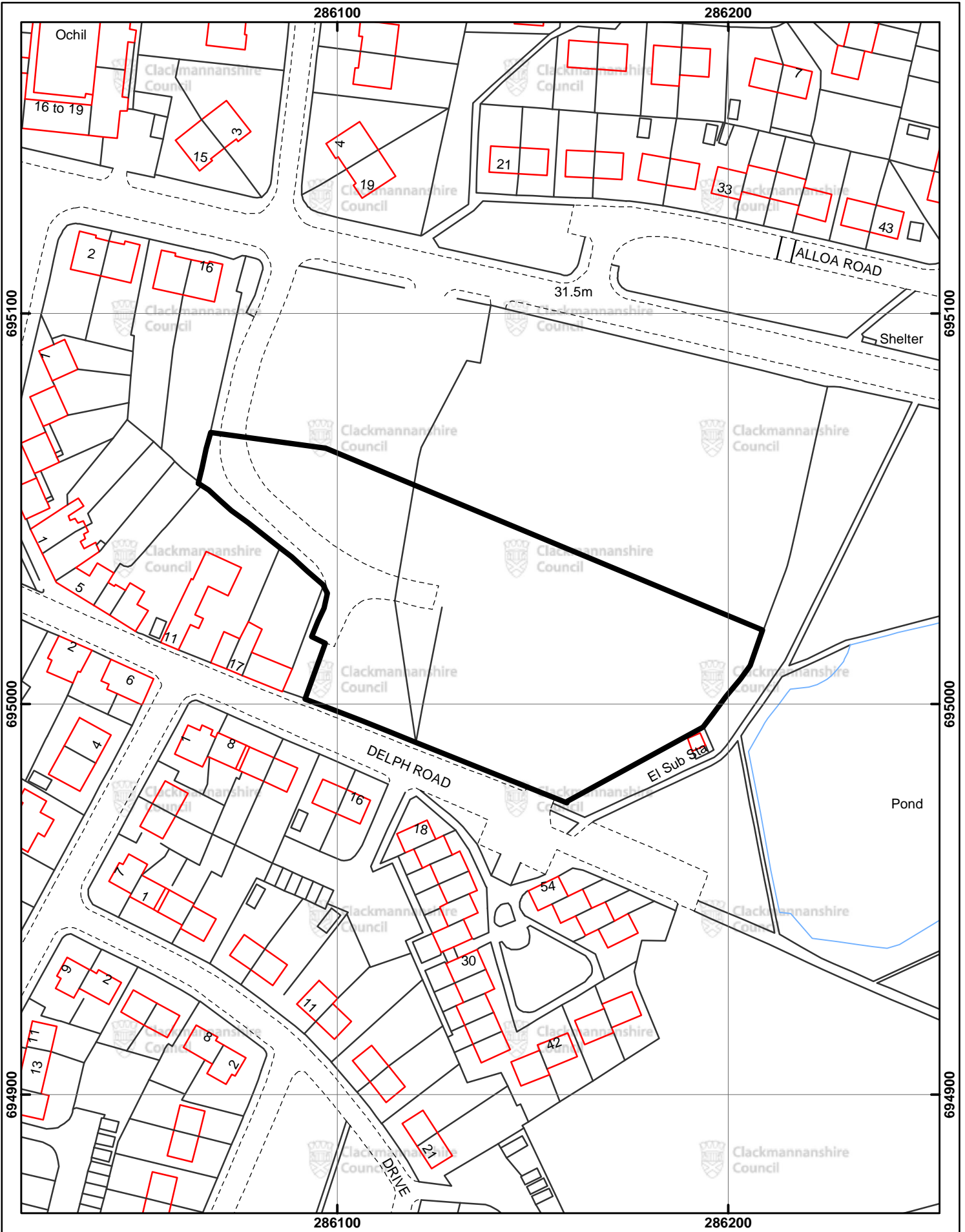
### Author(s)


NAME	DESIGNATION	TEL NO / EXTENSION
Grant Baxter	Principal Planner	01259 452615

### Approved by

NAME	DESIGNATION	SIGNATURE
Julie Hamilton	Development Services Manager	
Gordon McNeil	Head of Development and Environment Services	








Date:  
02-Sep-2014

**14/00160/FULL - Site At Former Tullis Factory, Alloa Road, Tullibody**  
**Erection of 27 No Houses With Associated Access, Footpaths and Parking**

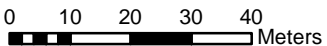
Ward: Clackmannanshire West

OS Grid Ref: NS 86 95 SW

Scale: 1:1,250



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 Services to Communities  
 Kintraigs  
 Greenside Street  
 Alloa  
 FK10 1EB



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**21**

Tel: 01259 450 000 Fax: 01259 727 452  
[development\\_services@clacks.gov.uk](mailto:development_services@clacks.gov.uk)

