
Report to: Planning Committee

Date of Meeting: 30th October 2014

Subject: Planning Application Ref No 14/00163/FULL - Erection of Supermarket With Associated Parking and Access, Including The Removal Of Protected Trees at Hilton Road, Clackmannan Road, Alloa

Report by: Keith Johnstone, Principal Planner

1.0 Purpose

- 1.1. This is a report of handling on the above planning application and provides a recommendation to Members on the application.
- 1.2. The application is being reported to Committee for determination as the application site includes land which is owned by the Council.

2.0 Recommendations

- 2.1. It is recommended that this application is **APPROVED**, subject to the conditions and reasons set out in Appendix 1 of the report,
- 2.2. Reasons for the Decision

1. The proposed development is considered to accord with the relevant policies in the Development Plan including those relating to retail development, environmental quality and sustainable transportation. In particular, the applicant has demonstrated to the satisfaction of the Service that there would be no suitable alternative more sequentially preferable site available and that the development would not have a significant adverse impact on the vitality and viability of Alloa Town Centre or other shopping centres in the area.

2. Subject to the proposed conditions, the proposed parking and pedestrian circulation arrangements for the supermarket and Football Club and the accessibility of the site to other modes of transport other than the private car, would accord with the relevant Council standards and policies. The development would not result in an adverse impact on road safety or parking provision.

3. The proposals would secure re development of underused brownfield land adjacent to one of the main approaches to Alloa. The proposed design,

layout and landscape setting would create a attractive frontage and compensate for the loss of trees within the site.

4. On balance, the proposed development would contribute to the policy principles which underpin sustainable development as set out in SPP, having regard to; the net economic benefit and challenges within Clackmannanshire; the design threshold; utilising underused brownfield land; the level of accessibility of the site; the absence of any drainage or flood risk concerns; the acceptable impact of the development on the amenity of the area.

<u>Plan Nos</u>	<u>Title</u>
OS (00) 01 Rev K	Proposed Site Plan
OS (00) 02 Rev G	Proposed Boundary Treatment Plan
OS (00) 03 Rev G	Proposed Surface Treatment Plan
OS (00) 06	Location Plan
OS (00) 12 Rev A	Proposed Trees to be Removed Plan
EX (00) 01 Rev A	Existing Site Plan
GA (00) 01 Rev D	Proposed Floor Plan
GA (00) 02 Rev C	Proposed Elevations 1 of 2
GA (00) 03 Rev B	Proposed Elevations 2 of 2

3.0 Background

- 3.1. The planning application site comprises an approximate 0.6Ha area of land consisting of a car park with tree belts or landscaping on the east, west, south and north eastern boundaries which enclose the site. The land between the car park area and Clackmannan Road is owned by the Council and comprises a landscaped area which includes a hedgerow and trees planted as part of the Clackmannan Road Environmental Improvement Scheme.
- 3.2. The tree belts on the west and south boundaries are covered by a Tree Preservation Order. The car park is surfaced with blaes. The land is owned by Rubicon Land Investments Ltd, who are one of the applicants, but they have confirmed that Alloa Athletic Football Club, who formerly owned the land, are allowed to use the car park on match days. The Club have control of a small parking area on the west side of the ground and match day parking also takes place at Alloa Retail Park and surrounding streets.
- 3.3. The site forms part of a site which was the subject of an application for a supermarket (1,143 sqm gfs) and football ground improvements in 2001 (our ref 01/00313/FULL). The part of the application for the supermarket was refused permission as the development was considered to be contrary to the development plan at that time. The site, excluding the part owned by the Council, also forms part of an area which was granted Planning Permission in Principle (PPP) for development of land for a hotel, restaurant and associated car park. The site area also included most of the land between Hilton Road and the boundary wall of the football ground. The consent was initially granted on 25th November 2010 (our ref 10/00232/PPP) and the time period for submission of matters specified in conditions was extended for a further 3 years on 18th December 2013. A condition attached to the permission required details to be submitted on how the level of parking provision to serve the football club as part of the proposed development would not be less than

the number of spaces available within the existing car park. The application provides details of the marketing of the site undertaken since 2012 which did not result in any interest for a hotel or restaurant development. The agent considers that the market has been fully explored and that the site is unlikely to attract a hotel or restaurant company. A separate detailed permission was granted (ref 12/00007/FULL) for the KFC restaurant and drive-through on Hilton Road on 5th April 2012. This development, which has been implemented, included land which was within the site which has Planning Permission in Principle. The approval of the KFC permission did not discharge any of the conditions attached to the PPP.

3.4. The application proposals can be summarised as follows:

- The erection of a supermarket building which would comprise 1831 square metres of gross floor area and 1286 square metres of net sales area. The building would be rectangular in shape with a monopitch roof which would be 7.4m at its highest point facing the car park and reducing to 4.8m in height at the rear. The external walls would comprise aluminium cladding at upper level and rendered walls below. The elevation facing Clackmannan Road would include 3.3m high glazing units along almost its full length and the entrance would be located on the south west corner of the building. The service bay would be located on the north side of the building.
- The provision of a customer car park containing 67 spaces including dedicated disabled and parent and child spaces. Service access would be through the car park to the service bay. A new access from Hilton Road would be created roughly at the mid point of this site frontage and the existing access to the north would be closed.
- The site layout would include a hard landscaped level pedestrian access from the corner of Hilton Road/Clackmannan Road junction to the store entrance.
- The existing tree belts along the east, north and west boundaries of the site would have to be removed to accommodate the development. While the building and works would not encroach on to the land owned by the Council, the applicant has indicated that some trees would have to be removed on the Council land due to their proximity to the proposed building and works. The trees located on the west and south boundaries are protected by a Tree Preservation Order and in accordance with the relevant Regulations, the applicant also seeks formal approval from the Council to remove those protected trees which can be considered as part of the application process.
- The application includes a number of measures to improve the accessibility of the site consisting of; the provision of a "Toucan" pedestrian crossing on Clackmannan Road at the existing island crossing in front of the KFC restaurant; the provision of a footway on Hilton Road between the access to the car park and Clackmannan Road; covered cycle parking within the site; and the provision of "bus boarder" kerb features at the existing bus stops nearest to the site on Clackmannan Road.

- The applicant has stated that a car park would be provided on the vacant land on the west side of Hilton Road to the north of KFC which could accommodate 35 off street parking spaces for use by Alloa Athletic Football Club if permission is granted. The ownership of this land would be transferred to the Club.
- Landscaping around the site including a hedgerow with trees at 5m centres along Hilton Road to match the existing planting along the Clackmannan Road frontage. The applicant has also agreed in principle to fund further tree planting or tree works on land outwith the site to compensate for the loss of the protected and non protected trees. The precise scope and scale of these works have not been finalised yet but would be expected to relate to Council owned land. This could be regulated by a planning condition.

3.5 The applicants have also provided details of the proposed use of the existing Lidl building if permission is granted. Rubicon Land Investments would secure ownership of the Lidl premises and they have indicated that negotiations are well advanced to secure a national retail operator as a tenant which would sell a range of comparison and convenience goods. This scenario is intrinsically linked to the development of the Hilton Road site which they currently own. While not part of the planning application, this issue is discussed in paragraph 7.3 below.

4.0 Consultations

- 4.1. Roads and Transportation have no objections to the principle of the development and they advise that the content of the Transport Assessment (TA) submitted with the application is generally acceptable. They are satisfied with: the proposed access and customer parking provision; the safety and capacity of the Clackmannan Road/Hilton Road junction to accommodate the predicted traffic levels; the level of accessibility of the site in relation to modes of transport other than the private car; and the applicant's commitment to produce and implement a Travel Plan for the development. They have advised that if permission is granted, it should ensure the provision of the measures specified in the TA, namely, the provision of a signalised crossing on Clackmannan Road to the west of Hilton Road, the provision of "bus boarder" kerbs at the nearest bus stops which would serve the development, the inclusion of a direct pedestrian route to reflect the likely desire line near to the Clackmannan Road junction, and that the provision of replacement off-street parking for Alloa Athletic FC is investigated to replace the loss of overspill parking on the existing car park. *Comment. The applicant has submitted information which demonstrates that the parking, accessibility and road safety issues associated with the development at this location could be satisfactorily addressed subject to the proposed planning conditions. The Football Club have submitted a statement to advise that they carried out an analysis of parking provision requirements for the Club to ensure its requirements were safeguarded. Their assessment was that 26 off street parking spaces would be necessary, although this is significantly less than the capacity of the existing car park. The proposed car park would be large enough to accommodate up to 35 cars. A planning condition could be used to require the provision of the replacement car parking prior to the opening of the supermarket.*

- 4.2. Environmental Health have raised no objection to the application.
- 4.3. Network Rail has raised no objection to the development and requested that the developer liaise with it to ensure adequate safeguarding of the railway during the construction phase. *Comment. This advice can be included as an advisory note on the decision notice if approved.*
- 4.4. Land Services have raised no objection to the application and advise that adequate measures are taken to protect any trees to be retained on or adjacent to the site and a detailed landscaping specification is required for any new planting. *Comment. These requirements could be regulated using planning conditions. The development would require the removal of a large number of trees however, the existing landscaping on the south boundary of the site would be maintained. The Council's permission as land owner would have to be obtained to secure the removal of any trees on its land.*
- 4.5. The Health and Safety Executive do not advise, on safety grounds, against the development. *Comment. A risk assessment was required since the site lies within the consultation distance of the COMAH site which comprises the Carsebridge bonded warehouses.*
- 4.6. The Coal Authority do not object to the application and are now satisfied that there are no significant coal mining legacy issues within the site following the submission of a Coal Mining Risk Assessment by the applicant.
- 4.7. Scottish Water have not submitted comments in response to their consultation.
- 4.8. The Police Community Safety Officer has recommended measures to reduce the risk of crime. *Comment. These have been forwarded to the applicant.*
- 4.9. Alloa Business Improvement District (BID) was consulted but has not commented on the application.

5.0 Representations

- 5.1 A total of 3 neighbours were notified of the application. There have been no objections but one representation has been received from Mr P Robertson, 25 Gean Road, Alloa who states that he neither objects nor supports the application. He has commented that he read in the newspaper that the developer will be supporting youth football at Alloa Athletic FC if they obtain permission but requests that any benefits should be shared amongst other clubs in the area, many of which have fewer resources than Alloa Wasps. *Comment. The benefits offered by the developer to support youth football would not be a material planning consideration since it would be unrelated to the planning merits of the proposed development and could not be regulated through the planning application process.*

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 policies are set out in the adopted Clackmannanshire Local Plan, 2004 and the approved Clackmannanshire and

Stirling Structure Plan, 2002. The site is within the settlement boundary of Alloa identified in the Local Plan. Policy T2 (Clackmannan Road Car Park) relates specifically to the application site and allocates the land for retention as a car park for the football ground.

- 6.3 The Structure Plan and Local Plan provide the policy context and framework for retail development. Structure Plan Policy S1 (Role and Function of Strategic Shopping Centres) identifies Alloa town centre as the main shopping centre for Clackmannanshire for convenience and other types of shopping. The policy states that its role will be protected and enhanced through; appropriate improvements to the town centre; the restriction of further out of centre shopping except for that specified in the Plan; restrictions on the range of goods which can be sold in out of centre household shopping centres; and requiring any development exceeding 2,500 square metres gross floorspace (gfs) to be accompanied by a retail impact assessment. The policy also identifies the retail park at Clackmannan Road as a strategic shopping centre and defines its role for out of centre household shopping. *Comment. The proposed supermarket would principally sell convenience goods at an out of centre location. The Structure Plan only identifies further out of centre shopping at the Sterling complex in Tillicoultry. The application would not accord with this Policy.*
- 6.4 Policy S4 (Supermarkets) supports the development of supermarkets, including extensions, where the development is commensurate in scale with the size of the local community to be served and will not undermine the vitality and viability of the Centre, and it satisfies the sequential approach. *Comment. The accompanying text in the Plan states that support is provided for sites in or adjacent to appropriate centres although proposals could accord with the Policy on an out of centre site if it can satisfy these criteria including the sequential approach. These issues are discussed in paragraph 6.5 below since it is considered that Policy S5 would be more applicable to the proposal but these criteria are also applied as part of this Policy.*
- 6.5 Policy S5 (Other Shopping Development) sets out criteria to consider against proposals which are not explicitly planned for within the policy framework in Policies S1 and S4. Such proposals will normally be permitted only where they can satisfy the criteria set out in the Policy. This is examined below,
- a. A sequential approach has been applied demonstrating that no suitable sequentially preferable site is available ie. first preference is for a town centre site, followed by an edge of centre site and only then by out of centre sites which is also easily accessible by a choice of means of transport. *Comment. A sequential assessment has been carried out by the applicant which considers a number of potential sequentially preferable sites and comments on whether they are suitable and available. This included sites within Alloa Town Centre (the existing Lidl site at Candleriggs, the vacant former Coop site at Primrose Street, the former health centre site at Mar Place and the area of open space to the east of the Leisure Bowl). No potential edge of centre site was identified. A site within Alloa Retail Park at Clackmannan Road was also considered. This Park is identified as a Household Shopping Centre by Structure Plan Policy S1 and is considered to comprise a shopping centre. The Service has carefully examined the assessment and reviewed the findings about the suitability and/or availability of the sites. Our assessment has also had*

regard to the most recent national guidance on applying the sequential approach contained in Scottish Planning Policy, 2014, which is a material consideration. This requires consideration of locations in the following order; town centre; edge of town centre; other commercial centres in the Development Plan; then out of centre locations that are easily accessible. Planning authorities and developers should also be flexible and realistic in applying the sequential approach. The SPP also states that out of centre locations should only be considered where; all sequentially preferable sites have been assessed and discounted as unsuitable or unavailable; the scale of the development is appropriate and it has been shown that the proposal cannot be reasonably altered or reduced in scale to allow it to be accommodated at a sequentially preferable location; the proposal will help meet qualitative or quantitative deficiencies; and there will be no significant adverse effect on the vitality and viability of existing town centres. While not afforded the same weight as the Development Plan policy position, it has informed the overall assessment of the sequential position. The applicant has also highlighted recent case law relating to the interpretation of whether an alternative site is available or not. Our key conclusions are that;

- *the assessment has considered all other potential sequentially preferable sites. There are no suitable existing buildings.*
- *recent case law decisions indicate that when considering the suitability of alternative sites to the one proposed, the question to be asked should be whether the alternative site is suitable for the proposed development, not whether it can be altered or reduced to fit into the alternative site.*
- *in terms of suitability, relevant factors include the proposed size of the proposed development, the provision of a customer carpark, the servicing requirements, the distinct characteristics in terms of layout requirements for discount supermarkets which can distinguish them from other convenience and comparison retail development, and other potential constraints including environmental or built heritage/townscape issues and the likely viability of the development.*
- *weight should be attached to the evidence submitted by the applicant about the future viability of the existing Lidl. The store was one of the earliest Lidl opened in Scotland in 1994. The applicant has advised that it no longer meets its requirements and it has concern about its viability due to its small size, internal configuration and absence of dedicated parking, particularly in comparison with other supermarkets serving the town centre. This is supported by the evidence of recent developments by the applicant elsewhere.*
- *having regard to the site layout, servicing and design requirements to accommodate a supermarket development as proposed, the evidence provided and the relevant guidance, we are satisfied that there are no other alternative sequentially preferable sites which are suitable or available. As part of our analysis, we have concluded that the existing Lidl site is not suitable to accommodate the proposed development and that there are compelling factors as to why there are no other suitable*

town centre, edge of centre of other commercial centre sites available. Our conclusion has also had regard to the evidence from the applicant about the unsuitability of its current supermarket to meet current market and business requirements in the event that an alternative site is not approved. The criterion has been complied with.

- b. The applicant has demonstrated that the form, design and scale of the development could not be adapted to make it appropriate for town or edge of centre sites. Comment. *As discussed in the point above, we are satisfied that the applicant has demonstrated why the proposed development could not reasonably be adapted to be accommodated within one of the alternative sequentially preferable sites. This criterion has been complied with.*
- c. The development meets an identifiable deficiency in shopping provision. Comment. *The applicant has submitted a Retail Impact Assessment (RIA) although the proposed development is below the size threshold of 2,500 square metres gross floor space where one is required. The Assessment has been reviewed together with the findings of the Clackmannanshire Retail Capacity Study 2012, prepared on behalf of the Council. The proposed net increase in convenience turnover would be roughly equivalent to or below the range of predicted forecast spare convenience expenditure capacity up until 2022. Although the spare capacity is relatively modest, the proposal would therefore accord with this criterion.*
- d. The applicant has demonstrated that the development would not undermine the vitality and viability of existing town centres. Comment. *The applicant's RIA has addressed the potential impact on viability and vitality of other centres. This has considered the effects assuming no new retail use for the existing Lidl supermarket. The convenience turnover of the existing supermarket represents approximately 4% of the total convenience turnover in Alloa Town Centre. The proposed net increase from the larger store size would equate to about 2% of town centre turnover. The impact of relocating this turnover outwith the town centre is not considered to be significant. The RIA predicts that the percentage of trade diversion for the proposed store would be as follows; 67% from the existing Lidl store which closes, 9% from Tesco, 7% from Asda and 15% from the Morrisons superstore. The impact on these other retailers would be relatively small representing only 1%-2% of their turnover. There would be no significant impact on other town centres. This level of impact would not undermine the vitality or viability of Alloa Town Centre or Alloa Retail Park. The criterion has been complied with.*
- e. It is within the urban area and has effective links to the public transport network. Comment. *The proposal accords with this criterion.*
- f. Retail impact assessment is required for proposals above 2,500 square metres gross floor space. Comment. *An RIA has been submitted although the proposal falls below the policy threshold. This criterion is not relevant to the application.*

The assessment of compliance of these criteria is not a precise science and a degree of flexibility and realism is required as advised in the SPP. However,

our conclusion is that the applicant has demonstrated that the development would accord with this Policy and that while the out of centre location would not accord with the strategic policy framework, it would not have a significant adverse impact on the vitality or viability of Alloa town centre or other shopping centres within Clackmannanshire.

- 6.6 Local Plan Policy JOB6 (New Shopping Facilities). The policy directs new retail stores in excess of 1,000 square metres gross floor space to Alloa Town Centre. New shops outwith shopping centres which would detract from the vitality and viability of existing centres will not normally be permitted. *Comment. As discussed in paragraph 6.5 above, the development would satisfy the tests set out in Policy S5 including the impact on viability and vitality and it has been demonstrated that an exception to this Policy would be justified.*
- 6.7 Policy EN2 (Landscape and Ecology) requires development to retain existing landscape features including woodland; where possible include measures to protect and enhance these features; provide details of proposed landscaping and provide for establishment of plants. *Comment. The proposed size of supermarket could only be accommodated within the site if the existing tree belts on the north, east and west boundaries are removed. Although the previously approved permission in principle on the site anticipated the retention of more of the trees than currently proposed, we are satisfied that their removal, including a number of trees protected by a TPO would be justified and would not be contrary to this policy having regard to the following factors;*
- a. The footprint of the development could not reasonably be reduced to safeguard the trees and accommodate the size of store and related servicing and parking requirements. The sequential assessment of alternative sites has not identified a suitable available site.*
 - b. Although the trees on the west boundary are protected by a TPO, these comprise relatively young specimens which do not make a significant or special contribution to the amenity of the area and these factors contribute to the exceptional circumstances which would justify the removal of so many protected trees.*
 - c. The Landscaping Plan has been amended by the developer to incorporate boundary landscaping to match the pattern and species of the environmental enhancement scheme on Clackmannan Road which would help off set the impact from the removal of existing trees. This could be regulated by condition to ensure the specification would complement the established scheme.*
 - d. The planting along the Clackmannan Road frontage, which has a significant impact, would largely be retained. The planting is mainly on land owned by the Council.*
 - e. The applicant has agreed to undertake or fund landscaping measures outwith the site to help compensate for the number of trees that would have to be removed in recognition of the fact that there would be insufficient space within the site. This could be regulated by a planning condition.*

- 6.8 Policy EN4 (Water Resources) requires all development to be assessed for flood risk and surface water drainage should be managed using SUDS principles. *Comment. A Drainage and SUDS Report has been submitted and this demonstrates that the development would accord with this policy.*
- 6.9 Policy EN11 (Enhancing Environmental Quality) states that development should positively contribute to its surroundings through its design, layout, landscaping and protection of natural features. *Comment. The proposed design and siting of the building and the landscaping framework would respect and positively contribute to the existing character and amenity of the area. The Clackmannan Road elevation would incorporate glazing to provide design interest to this key elevation. The loss of the existing tree belts would be compensated by the new building design, landscape framework and mitigatory landscaping works. This Policy is complied with.*
- 6.10 EN14 (Contaminated Land) requires any potential ground stability or contamination issue to be satisfactorily addressed. *Comment. A Coal Mining Risk Assessment Report has been received which addresses the risks from historic mining at the site. The Coal Authority has advised that it is satisfied that the potential risks have been addressed. This Policy is complied with.*
- 6.11 Policy EN15 (Planning and Environmental Protection) requires any environmental protection matter to be fully evaluated so it does not adversely affect the neighbourhood. *Comment. Environmental Health has raised no objection. This Policy is complied with.*
- 6.12 Policy INF2 (Integration of Transport and Development Proposals) states that new development should be located where they are easily accessible by public transport, foot and cycle as well as private car. *Comment. Roads and Transportation have advised that the proposed location is well served by public transport and would be accessible for pedestrians and cyclists. A signalised pedestrian crossing on Clackmannan Road, a direct pedestrian/cycle route to the supermarket entrance and cycle parking would also be provided thereby helping to satisfy this policy.*
- 6.13 Policy INF4 (Development Standards) requires that development accords with the provisions of the Council's Development Roads Guidelines and Specification. *Comment. Roads and Transportation have raised no objection to the development and are satisfied that the parking, access and provision for sustainable transport modes meet with the relevant standards. The developer proposes to compensate for the loss of the football stadium parking owned by the applicant by providing a car park on the vacant land on the west side of Hilton Road which it also owns. The ownership of this land would be transferred to the Football Club. The proposed car park is annotated on the Revised Site Layout Plan. The car park would comprise a smaller area than exists at present. The Football Club indicate that the proposed capacity of the car park would be sufficient compensation and would form part of the arrangements to manage parking demand on match days. Informal advice from the Police is that the proposed car park alone may not accommodate the mix of bus and car parking displaced from the site, so the travel plan required by Condition 4 in Appendix 1 includes an examination of arrangements to replace this existing provision.*

- 6.14 Policy INF5 (Access For The Less Mobile) requires that new buildings open to the public should incorporate barrier free access to all users. *Comment. The development would provide level access to customers and the car park layout would include accessible parking provision. This Policy is complied with.*
- 6.15 Policy INF13 (Public Art) states that public art will be encouraged as an element of major private sector development. *Comment. The application does not include details for the provision of public art but the developer has acknowledged the policy requirements. A planning condition could be attached to require the submission of details for the approval of the Council. This would ensure compliance with this Policy.*
- 6.16 While the proposed out of centre location for the supermarket would not accord with the general objective of the Plan and retail hierarchy/ function to direct any supermarket development to Alloa Town Centre in the first instance, we have concluded on the basis of the information and analysis, that the developer has demonstrated that the proposed location and scale of development would be policy compliant based on the conclusions and robustness of the Sequential Assessment and Retail Impact Assessment. In addition to establishing the principle of retailing at this location, we are also satisfied that the proposals would also accord with other relevant policies of the Development Plan.

7.0 Other Material Considerations

- 7.1 Material considerations in the form of the consultation responses and representation have been considered in Sections 4.0 and 5.0 above. These are characterised by an absence of objections or concerns about significant adverse impacts, subject to the proposed conditions. They do not provide grounds to withhold permission.
- 7.2 The consideration of the application has also had regard to relevant national guidance including Scottish Planning Policy (SPP), Designing Places, PAN78- Inclusive Design, and PAN77- Designing Safer Places. We are satisfied that the assessment undertaken and information available demonstrates that the development is acceptable and accords with relevant policy guidance, including the policy principles set out in paragraph 29 of SPP that would contribute to sustainable development.
- 7.3 The developer has provided details of its proposals for the use of the existing Lidl supermarket should permission be granted. Rubicon Land would acquire the premises and they have provided information which indicates that negotiations are well advanced to secure a retail tenant for the premises. This would be a national operator which sells comparison and a smaller proportion of convenience goods. This business is expected to create about 25 jobs and if implemented would have a positive net effect on the vitality and viability of the town centre and a positive qualitative effect by boosting comparison turnover. Although the approval of the current application would not guarantee this investment in the existing Lidl store, and would not comprise part of the application, the evidence provided, together with the applicant's interest in both sites, is considered sufficient to justify attaching some weight to this arrangement in support of the application.

- 7.4 The proposed development would sustain the existing employment at the Lidl supermarket and create an additional 10-15 jobs thereby contributing to the local economy.
- 7.5 The Council has approved the proposed Clackmannanshire Local Development Plan (LDP) and, as such, is a material consideration. The LDP allocates the application site as a business site (Proposal B06) which reflects the extant planning permission in principle for development of land for a hotel, restaurant and associated car park. However, the applicant has provided details of the results of the marketing of the site which has failed to identify any serious interest for these uses. The proposed development also largely addresses the development guidelines for the site as set out in the LDP. The LDP continues to support the viability of town centres and identifies Alloa Town Centre as the principal shopping centre where development of this scale would normally be directed. The Plan also identifies Alloa Retail Park as a Commercial Centre whose main role would be as a household shopping centre with a superstore but the text suggests there may be scope for commercial leisure issues. Policy EN14 (Retail Network Centre and Hierarchy) seeks to protect the role and function of the network of centres. Policy EP16 (New Retail and Commercial Leisure Development) sets out the framework and criteria against which individual proposals would be assessed. We are satisfied that the information provided by the applicant is sufficient to satisfy the criteria in these policies. Policy EP17 (Supermarket and Superstore Development) only supports extensions to existing supermarkets which do not exceed 10% of the original gross floor space. Although the proposal would not accord with this policy, the applicant has provided information which demonstrates that the proposed net increase in convenience turnover for the proposed development would not have a significant adverse impact on the vitality or viability of existing shopping centres. It is concluded that there would not be sufficient grounds to withhold permission on the basis of Policy EP17 of the LDP.
- 7.6 In summary, it is concluded that there are no adverse material considerations which would outweigh the Development Plan position and justify withholding permission but there are some material considerations which provide support for the development.

8.0 Sustainability Implications

- 8.1 The development would utilise an underused area of brownfield land within the settlement boundary. The layout would be accessible by modes of transport other than the private car and would incorporate a drainage system based on SUDS principles. Although the existing tree belts highlighted in the report would be removed, compensatory landscaping measures would be provided within the site or nearby.

9.0 Resource Implications

9.1 Financial Details

- 9.2 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 ☒

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

10.0 Exempt Reports

10.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

11.0 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 type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input 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 type="checkbox"/>

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

12.0 Equalities Impact

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

13.0 Legality

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

14.0 Appendices

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

Appendix 1 - Conditions and Reasons for Conditions

15.0 Background Papers

- 15.1 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)

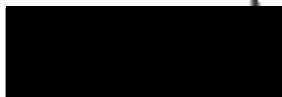
Yes ☒ (please list the documents below) No ☐

Clackmannanshire Development Plan; Proposed Clackmannanshire Local Development Plan; Scottish Planning Policy; Designing Places; Clackmannanshire Retail Capacity Study 2012.

Author(s)

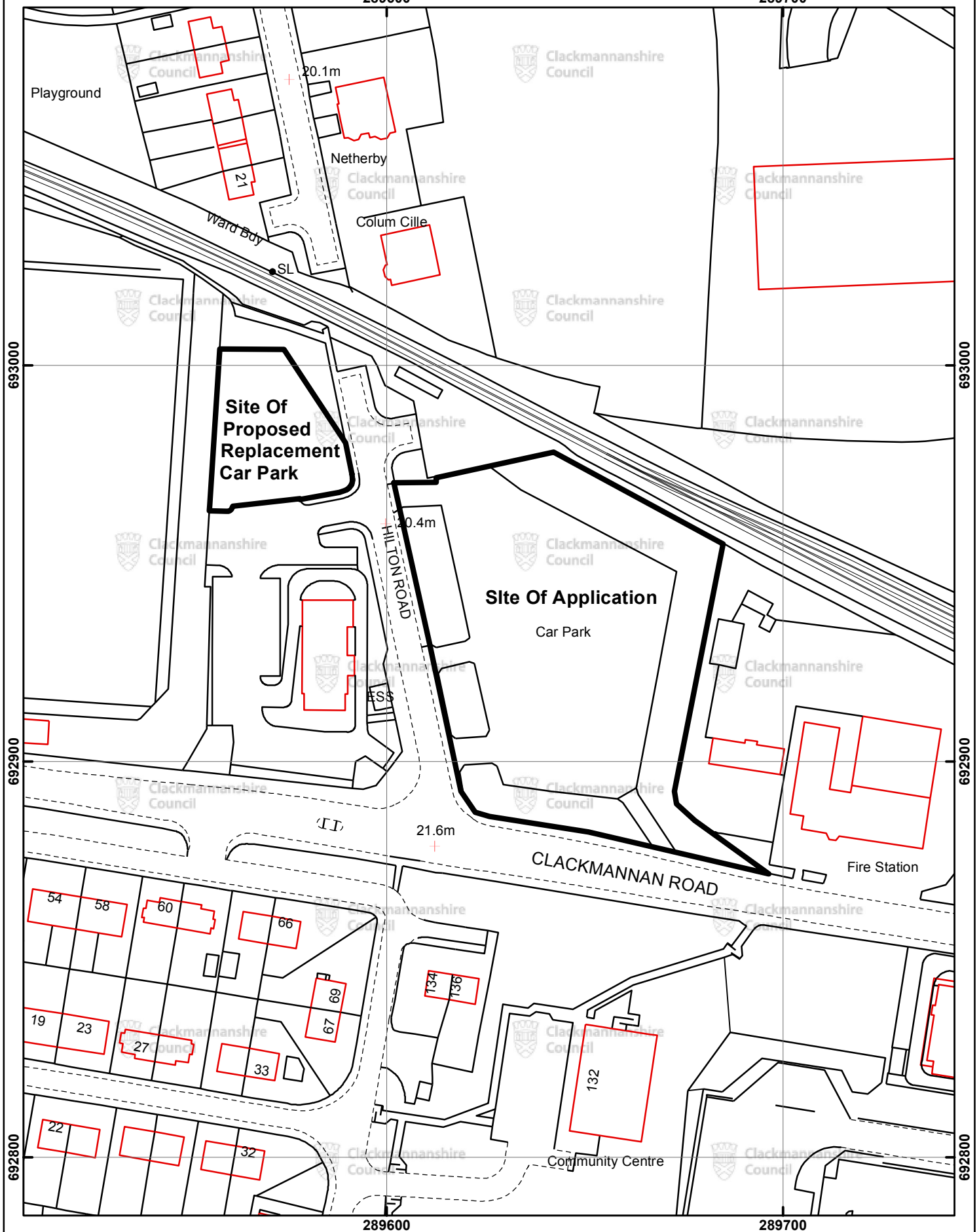
NAME	DESIGNATION	TEL NO / EXTENSION
Keith Johnstone	Principal Planner	01259 452614

Approved by

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

289600

289700



N



Date:
22-Oct-2014

14/00163/FULL - Site At Hilton Road, Clackmannan Road, Alloa
Erection Of New Store With Associated Car Parking

Ward: Clackmannanshire South

0 10 20 30 40
Meters

OS Grid Ref: NS 89 92 NE

Scale: 1:1,250

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Clackmannanshire Council

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APPENDIX 1 - CONDITIONS AND REASONS FOR CONDITIONS

1. Unless otherwise agreed in writing by the Council, as planning authority, no part of the supermarket development hereby approved shall be taken into use prior to;

(a) The submission for the consideration and approval by the Council of written details of the design, layout and management of the car parking area on the land generally as identified on the west side of Hilton Road on the Proposed Site Plan drawing (No OS (00) 01 K). This shall include details of the proposed surface finish, the proposed means of delineation of the parking spaces and circulation space, the means of boundary enclosure and landscaping, the proposed treatment of the boundary between the car park and the access link to the north east entrance to the football ground, and the arrangements for future management of the car park, and,

(b) The completion of the car park area in accordance with the details approved under (a) above.

2. Unless otherwise agreed in writing by the Council, as planning authority, no part of the supermarket development hereby approved shall be taken into use prior to the completion of the following measures to a standard adoptable by the Council;

(a) A signalised "Toucan" crossing on Clackmannan Road, generally in the vicinity of the existing island crossing immediately to the west of Hilton Road.

(b) The installation of "bus boarders" (elevated road kerb heights with an associated bus shelter platform area) at the two existing bus stops on the east and west bound carriageways on Clackmannan Road nearest to the site.

(c) The installation of dropped kerb pedestrian crossing points on either side of the Hilton Road/ Clackmannan Road junction.

3. Before any works commence on site, the following details shall have been submitted to and approved in writing by the Council, as planning authority;

(a) Details of all external finishing materials on the building and the layout and material specification comprising the pedestrian access area between Hilton Road and the customer entrance.

(b) Details of the design, finish and colour of any means of enclosure within or around the site.

(c) Details of the location and design of any external lighting within the site.

(d) The proposed measures and arrangements for implementation of a scheme of tree planting and/ or landscape management works outwith the site area, commensurate with the number of trees removed to accommodate the development.

Thereafter, the development shall be carried out in accordance with the approved details.

4. Before any works commence on site, details of a Travel Plan shall be submitted for the approval of the Council. The Travel Plan shall accord with the Framework set out in the Transport Assessment by JMP Consultants dated June

2014 and shall include an examination of arrangements for managing and accommodating football supporter traffic (buses and cars) that will be displaced from the site, and the arrangements for a suitable annual monitoring and review report for a period of at least 10 years. The Plan shall be approved prior to the supermarket being taken into use. Thereafter, the development shall be implemented in accordance with the requirements of the approved Travel Plan.

5. Before any works commence on site, protective fencing shall have been erected around all trees and hedges to be retained on or adjacent to the site, all in accordance with BS5837 (Trees in Relation to Construction) (2005). The developer shall make arrangements for an officer of the Council to have inspected these measures prior to commencement of construction works, and once approved, such protection shall remain in place for the duration of the construction work.

6. The collection, treatment and discharge of surface and roof water on the site shall be implemented in accordance with the details contained in the SUDS and Drainage Strategy document produced by Fairhurst dated 7th October 2014, or as amended and the requirement of "Sustainable Urban Drainage Systems, Design Manual for Scotland and Northern Ireland".

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

8. Before any works commence on site, finalised details of proposed ground levels and finished floor levels, including sectional drawings showing the relationship of the proposed development to adjacent land, including the landscaped area within the site owned by the Council, shall have been submitted to and approved in writing by the Council, as planning authority. Thereafter the development shall be carried out in accordance with the approved details.

9. Before any works commence on site, a detailed landscaping plan for the site shall have been submitted to and approved in writing by the Council, as planning authority. The plan shall include;

(a) A plan identifying the precise trees and hedgerow to be removed between the south elevation of the supermarket building and Clackmannan Road and the reason(s) for the removal. This shall include consideration of the scope to retain a longer length of hedgerow on the corner of Hilton Road and Clackmannan Road than shown on the Landscaping treatment Plan submitted by the applicant

(b) Details of the type, size, number, location, planting distances and means of protection of the proposed trees, hedgerow or other plants. This shall be designed to match the specification of the existing hedge and tree planting along the southern boundary of the application site.

(c) Further to (b) above, details of the proposed landscaping to replace the existing vehicular access to the site and the pedestrian access from Clackmannan

Road and the scope to screen the existing palisade fence adjacent to the north boundary of the site.

(d) A specification for the preparation of ground and soil conditions associated with the approved planting.

(e) A specification of the arrangements and measures for the implementation, establishment and future maintenance of the landscaping.

Thereafter, the developer shall implement the approved landscaping plan in accordance with the details under Condition 9 (e) above.

For the avoidance of doubt, the Proposed Landscaping Treatment Site Plan and Trees to be Removed Site plan relating to the land owned by the Council are not approved by this permission.

10. The access from Hilton Road, the parking spaces, cycle parking, footway and footpaths within the site and annotated on the approved Site Plan shall be completed prior to the commencement of the use of the building.

11. All construction work 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 hours to 1300 hours on Saturday and at no time on Sundays, unless otherwise agreed in writing by the Council, as planning authority.

REASONS

1. In order to ensure that measures are implemented to minimise the risk of displaced parking demand on the surrounding public road network due to the re development of the existing car park, in the interest of road and pedestrian safety, and in the interests of the visual amenity of the area.

2. In order to ensure the implementation of these works to encourage trips to the supermarket by more sustainable modes of transport than the private car and in the interests of pedestrian safety.

3. To consider these details yet to be submitted, in the interests of visual amenity and local environmental quality.

4. In order to maximise the use of sustainable modes of transport in trips to and from the site.

5. In the interests of visual amenity and to minimise the risk of damage to trees to be retained.

6. To ensure that surface water is managed in a sustainable manner.
7. To accord with the public art strategy set out in Policy INF 13 of the adopted Clackmannanshire Local Plan and draft Supplementary Guidance 1 of the Proposed Clackmannanshire Local Development Plan.
8. In order to consider these details yet to be submitted in the interests of visual amenity and local environmental quality.
9. These details have yet to be submitted and in the interests of visual amenity, local environmental quality having regard to the proximity of the site to one of the main routes to and through the town of Alloa.
10. In the interests of road safety and to encourage the use of sustainable modes of transport.
11. To minimise the risk of nuisance to nearby residents.