
Report to: Planning Committee

Date of Meeting: 30 October 2014

Subject: Planning Application ref: 14/00191/FULL - Erection of 164 Houses and Flats With Associated Access Roads, Paths, Parking, Landscaping And Open Space at Development Site, The Shore, Alloa, Clackmannanshire

Report by: Grant Baxter, Principal Planner

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 the proposed development falls in to the category developments classed as "major", namely a site exceeding 2Ha in area and a development of more than 50 houses.

2.0 Recommendations

- 2.1. It is recommended that the planning application is **APPROVED**, subject to
- (i) the developer entering into a Legal Agreement in relation to the phased payment of financial contributions towards primary and secondary education provision required as a result of the proposed development, and
 - (ii) conditions and reasons on the following matters, the final terms of which to be finalised by the Appointed Officer:
 - Phasing Plan - to ensure delivery of community infrastructure on and off site, including access road upgrade, play space, riverside walkway and works on Bowhouse Road.
 - Certain elements of the layout are not approved - revised plans showing agreed layout proposals require to be submitted
 - Detailed landscape plan and arrangements for implementation, adoption and maintenance - identify those areas for Council adoption (Bowhouse Road frontage, riverside walkway, park, play facilities and bund).
 - Technical reports - SUDs scheme/ Noise & Odour Assessments/Contamination reports/TA update.
 - Details of imported material and land-raising.

- Finishing materials/surfacing/boundary treatments/bin storage areas.
- Public art.
- Construction management plan.
- Water resistant materials and internal electrics positioned as recommended in FRA.
- Archaeological Scheme of Investigation.

3.0 Considerations

3.1. Background

- 3.2. The application relates to 3.84Ha of land at The Shore, Alloa, the site of the former Stirling Stone yard and adjoining former Scottish Enterprise property fronting Bowhouse Road. The site is level and broadly rectangular in shape, with a frontage to Bowhouse Road, opposite Alloa Academy. The southern part of the western edge of the site is onto the River Forth, whilst the northern portion adjoins Council owned land, including the remains of former industrial buildings and a small car park and amenity area overlooking the river.
- 3.3. The site is largely vacant and derelict, the only buildings being a vacant former training/enterprise building on Bowhouse Road. The riverside frontage is formed partly by the original stone dock walls, but also concrete blocks, which mark the entrance to the former Alloa Wet Dock which was infilled in the 1960s.
- 3.4. The site lies within the Old Alloa Conservation Area. The First Alteration to the Clackmannanshire Local Plan, adopted in October 2011 identifies the whole site (including adjoining Council land) as Housing Proposal H6, with development guidance referring to a mix of uses, including residential, retail, business and recreation. This is the current adopted Development Plan position.
- 3.5. The Clackmannanshire Local Development Plan, Proposed Plan (LDP) has been approved by the Council and is currently with Scottish Ministers for Examination. The LDP shows the site, and adjoining Council land, as Proposals M02 (Mixed Use Development), described as a residential opportunity to include an element of mixed use, leisure, recreation and business. There are no specific representations to the site's designation in the LDP Proposed Plan, being considered as part of the Examination.
- 3.6. The site, along with the Council owned land, was granted Outline Planning Permission in 2006 for residential, business, retail and restaurant development. A subsequent Reserved Matters application, including a masterplan was also approved by the Council in 2008. Further to that, an application to erect 132 houses and flats on the northern portion of the site, was submitted but eventually withdrawn. A planning application for 172 flats and houses was submitted by the current applicant in November 2013, but, that, too, was withdrawn as it did not contain an up to date flood risk assessment. There are therefore no current planning permissions on the site.

3.7. Proposals

- 3.8. The application proposes the erection of 164No. houses and flats, with associated roads, paths, parking, landscaping and open space. The layout proposes 81 No. mainly semi-detached and terraced two storey houses, including houses facing but set back from the frontage of Bowhouse Road by a landscaped belt. The flats would be contained in seven, 3 and 4 storey blocks, and positioned generally at the foot of Lime Tree Walk and on the river frontage.
- 3.9. The main access would off the Lime Tree Walk roundabout, with a secondary access off Forthbank Road at the site's eastern end. As well as the landscaped belt along Bowhouse Road, the proposals include a 3m high planted bund along the southern boundary, open space containing a play area, and a riverside walkway. The proposals also involve raising of ground levels across the site to ensure that the development is protected from flood risk. This will require the importation of sufficient quantities of material.

3.10. Consultations

- 3.11. Roads: No objections to the proposed arrangements for accessing the site, but comments on specific elements of the internal road layout and design, including junction design, layout of shared surface streets and parking. *Comment: As noted under paragraph 2.1 above, conditions are proposed that would deal with these detailed points, including that specific elements of the road design are not approved, and require re-design.*
- 3.12. Scottish Water: No response to the current application. On a previously withdrawn application (13.00256/FULL) they had no objections. Capacity exists in water and wastewater networks, although local water network enhancements may be required. SUDs will be required to deal with surface water. Comments were made regarding potential impacts of the nearby Waste Water Treatment Works (WWTW) on residents, eg visual impact, noise impact from mechanised equipment and odour impacts. Scottish Water recommend a study encompassing the necessary noise and odour site survey. *Comment: The current application proposes a 3m high bund, with trees planted on its crest to be formed along the site's southern edge, bounding the WWTW. In addition, it is proposed that any planning permission includes a condition requiring a detailed noise and odour assessment to be undertaken, in order to ensure appropriate measures are taken within the development to minimise the risk of nuisance to residents.*
- 3.13. Environmental Health: Comments on the potential for noise and odour from the WWTW to affect residents of the development. Conditions recommended for construction activity and hours of operation, a noise assessment, and further monitoring of groundwater and ground gas. *Comment: The site is identified as a residential opportunity in the proposed Clackmannanshire local Development Plan. It is proposed that any planning permission includes a condition requiring a detailed noise and odour assessment to be undertaken, in order to ensure appropriate measures are taken within the development to minimise the risk of nuisance to residents. The proposed contamination monitoring can be made a requirement of a planning condition.*

- 3.14. SEPA: No objections. SEPA are satisfied with recommendations set out in the Flood Risk Assessment (FRA) submitted by the applicant, proposing precise finished floor level for houses/flats above the estimated flood level, the use of flood resistant materials and position of electric cables and sockets in ground floor properties. A surface water flow path proposed along the site's southern boundary should be maintained at all times. SUDs, designed to be adopted by Scottish Water will be required, including care to avoid contamination of water. *Comment: The response to the FRA is noted. The additional issues can adequately be addressed in planning conditions.*
- 3.15. Education Service: The development will impact on the primary and secondary school estate, requiring additional accommodation at Park Primary School and Alloa Academy. A developer contribution of £282,000 will be required for additional and modified accommodation in both schools. *Comment: The process for securing and delivering such contributions will be the legal agreement described in Section 2 above.*
- 3.16. The Coal Authority: No objections on the basis of geotechnical documents that have been submitted with the application.
- 3.17. Regional Archaeologist, No objection but suspensive condition is recommended, requiring implementation of archaeological works in accordance with the scheme of investigation

3.18. Representations

- 3.19. A total of 37 No. neighbouring properties were notified of the planning application. In addition, the application was advertised in the Alloa Advertiser and Edinburgh Gazette as Development in a Conservation Area. In response no representations have been received from third parties.

3.20. Planning Considerations

- 3.21. The application must be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.22. 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.
- 3.23. As noted above, the Clackmannanshire Local Plan First Alteration identifies the site and adjoining Council land as a housing proposal, and development guidelines refer to a possible mix of additional uses that includes leisure, retail, industrial, business and recreation. Notwithstanding the omission of these optional uses, which could potentially be included in the remaining portion of the site, the proposals reflect the Local Plan allocation.
- 3.24. Although the proposed density exceeds the Local Plan guidelines, it is very similar to the Bowhouse Gardens/Riverside View development to the east. In addition, the applicant has cited viability issues associated with high development costs as a significant contributor to the density, and in particular the installation of the higher density flatted development. The higher density has contributed to the difficulties in resolving the internal road design and access arrangements, but this will be resolved by discharge of conditions.

- 3.25. The proposals include recreational space and a riverside walkway which can be linked to potential future routes to the north and south, which are currently being considered as part of the Alloa Climate Change and Heritage Park Project. There remains the potential to develop other uses on the remaining portion of the Local Plan site.
- 3.26. 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.
- 3.27. 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 does not propose any formal provision of affordable housing through a Housing Association or other RSL. Housing Services have indicated that whilst they would welcome the provision of affordable housing on this site, the development will add to the regeneration of the community and introduce a greater mix of tenure to this part of Alloa. In addition, the high proportion of 2 bedroomed units to be provided matches demographic trends showing a growing need for smaller houses.
- 3.28. It is proposed that the developer contributions from the development should be focussed on education provision, and as noted above, this would amount to around £282,000, and without the additional requirement for an affordable housing contribution. This position reflects the new Supplementary Guidance (SG) on Developer Contributions, which indicates that, in areas of insufficient educational capacity, the emphasis of contributions shall be towards addressing such capacity issues. In addition, this approach reflects the SG in taking account of abnormal costs associated with developing this site which the applicant has highlighted. This indicated that a requirement for both affordable housing and education contributions would threaten the viability of the development.
- 3.29. Policies RES 7 and RES 8 deal with the layout and form of development and amenity standards respectively. All proposed houses would have private garden ground, and communal open space is proposed in the curtilage of all flatted blocks. In addition, an open space area of around 2000m² with play park is proposed in the southern part of the site, as well as a waterfront walkway and landscaped belt fronting Bowhouse Road. The proposals therefore provide an adequate level of private and public amenity space.
- 3.30. Policy EN1 deals with sites of ecological importance. The site has a frontage onto the River Forth, and lies approximately 600m downstream of the Firth of Forth Special Protection Area (SPA). Policy EN2 requires that when considering applications for development, the Council will be guided by the Clackmannanshire Local Biodiversity Action Plan (LBAP). The LBAP makes reference to the issues around managing the habitats in and around the SPA, including mudflats, saline lagoons and saltmarsh areas. The proposed development is contained within the existing built-up area, and does not directly affect the river or any of these habitat areas. It also proposes residential development on a vacant and derelict brownfield site, which will not increase the presence of people within the marine environment. The application does not therefore conflict with this policy.

- 3.31. Policy EN10 deals with developments in Conservation Areas, and seeks to ensure that developments protect and enhance the character of the conservation area within which they are located. In this case, the site is presently derelict and detracts from the character of the area. The proposals will contribute positively to the conservation area. The provision of a landscaped belt along Bowhouse Road and a strong built frontage to the river, are key elements of the design solution.
- 3.32. In terms of layout and form of development, the Service has strongly advocated the incorporation of new placemaking design solutions into new residential developments, including this site. In this respect, there are elements of the design that perhaps do not fully integrate these principles, and this is largely as a result of the development density and the requirement to meet parking standards. However, the plans recommended for approval are the product of extensive negotiations with officers and represent a significant improvement on earlier versions. There are no substantive grounds for withholding planning permission. The Service will review design thresholds on implementation of the development as part of our continued drive towards improved standards of layout and design.
- 3.33. In summary, the proposals achieve partial compliance with the adopted development plan, acknowledging that certain policy provisions are no longer in line with various strands of government guidance. Crucially, the proposals will deliver housing development on a large and prominent brownfield site and contribute to the regeneration of this part of Alloa.
- 3.34. The material considerations for this application comprise:
- Consultations - the advice enables the Council to grant permission subject to conditions
 - Representations - no comments have been received by other 3rd parties
 - The Clackmannanshire Local Development Plan (see below)
- 3.35. The Council has approved the Local Development Plan, Proposed Plan (LDP), and as such is a material consideration to this application. The LDP continues to allocate the site, as part of a development proposal (Proposal M02), described as residential brownfield redevelopment opportunity to include an element of mixed use leisure, recreation and business. The proposals fulfil many of the development requirements set out in the LDP Proposal, such as access arrangements, crossings on Bowhouse Road, provision of open space and waterfront public realm.
- 3.36. As noted above, the application does not propose any works to the river itself. The site is 600m downstream of the Firth of Forth Special Protection Area with all built development set back from the existing sea wall. It is noted that SEPA, in their consultation response, advise that land raising adjacent to the River Forth may require further authorisation from SEPA or Marine Scotland. The applicant is aware of SEPA's advice in this regard, and should any proposed works require to impinge directly on the river, details of this would require to be submitted and considered by the relevant authorities before they could be approved.

- 3.37. The LDP continues to support residential developments on brownfield land. 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, as noted above, has partially succeeded in incorporating these principles, particularly in relation to circulation, street frontage, pedestrian safety, play and open space provision and environmental safeguards. This site has a number of challenging constraints, and the proposals are a proportionate response to these circumstances and the LDP guidelines.

4.0 Sustainability Implications

- 4.1. The development would involve the redevelopment of a large vacant and derelict brownfield site in a prominent location in Alloa for residential development including recreational space, riverside walkway and high quality landscaping along Bowhouse Road.

5.0 Resource Implications

5.1. Financial Details

- 5.2. 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 ☒

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report.

Yes ☐

5.4. Staffing

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 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)

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. If there are no appendices, please state "none".

None

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)

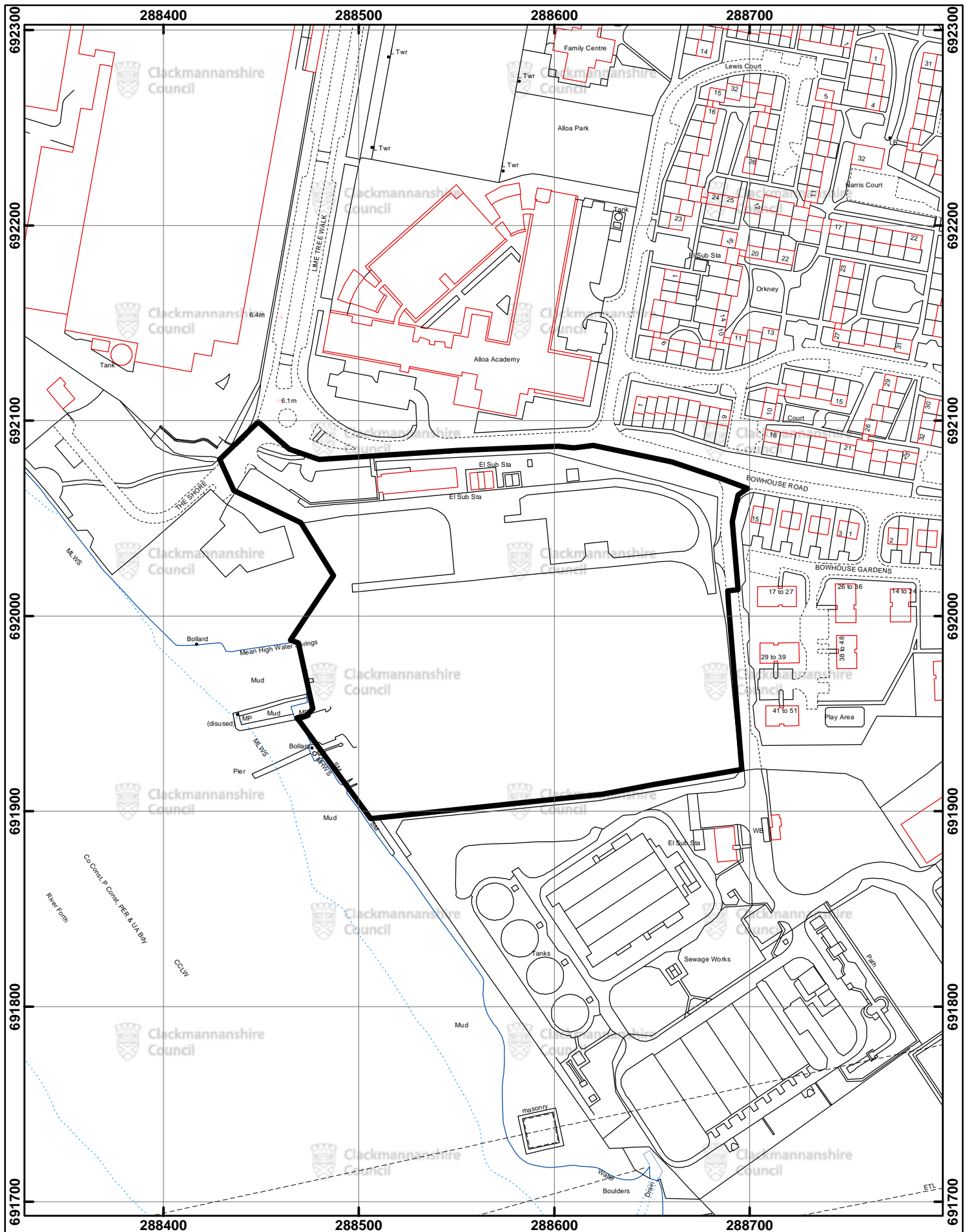
Yes ☐ (please list the documents below) No ☒

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Approved by

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Date:
06-Oct-2014

14/00191/FULL - Development Site, The Shore, Alloa
Erection of 164 Dwellings (Houses and Flats) With Associated
Access Roads, Paths, Parking, Landscaping And Open Space

Ward: Clackmannanshire South **OS Grid Ref: NS 89 SE**

0 25 50 75 100

Meters

47

Scale: 1:2,500

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