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

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**Date of Meeting:**        **19th April 2016**

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**Subject:**                    **Planning Application 15/00296/FULL - Erection Of 3 No. Houses on Land at 55 Ochil Road, Menstrie, Clackmannanshire**

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

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**1.0 Purpose**

- 1.1. The purpose of this report of handling is to provide an assessment of and recommendations on the development proposals for Erection Of 3 No. Houses on Land at 55 Ochil Road, Menstrie, Clackmannanshire.
- 1.2. The planning application submitted by Hillfoot Homes is for a local development but requires to be determined by Committee following a request from a local Member.

**2.0 Recommendations**

2.1. Planning Application Ref: 15/00296/FULL is recommended for APPROVED subject to the following conditions:

1. Before any works commence on site a construction management plan shall be submitted for the written approval of the Council. The plan shall include details of:

- a. The means by which the existing vehicular and pedestrian access to the Ochil Hills to the west of the site shall be maintained during the construction phase.
- b. Vehicle access and parking arrangements.
- c. Liaison arrangements with neighbouring households.
- d. Proposed hours of construction.

Thereafter construction shall be carried out in accordance with the approved plan, unless otherwise agreed in writing by the Council.

2. Before any works commence on site, samples of external finishing material shall be submitted for the written approval of the Council. Sample details shall include the following:

- a. Smooth render and roughcast finish and colour.

- b. Natural stone and brick basecourse type.
- c. Timber cladding.
- d. Natural slate roof cladding.

Thereafter, all finishing materials shall accord with the approved details submitted under the terms of this condition.

3. Before any works commence on site, finalised details of the proposed SUDs scheme for the discharge of surface water from driveways, footpaths, gardens and roofs, 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 and shall be in place prior to occupation of the first new house within the proposed development.

4. Before any works commence on site, precise details of proposed ground and finished floor levels for all three houses in the site shall have been submitted to and approved in writing by the Council. Such details shall show:

- a. Levels for Plot 1 in accordance with those shown on the stamped approved Streetscape drawing.
- b. Levels for Plots 2 & 3 that generally adhere to those for Plot 1.
- c. Finished floor levels of all three houses to be above surrounding ground levels within the site.

Thereafter, the development shall be completed in accordance with such approved levels.

5. Before any works commence on site, the following details shall have been submitted to and approved in writing by the Council:

- a. The widening of the footway along the entire site frontage to Ochil Road to 2m width.
- b. Formation of the footway crossing access onto Ochil Road.
- c. Surface finish of all private driveways to be formed in a porous surface to ensure that no surface water or loose material is discharged onto the public road.

Thereafter, the development shall be completed in accordance with such approved details, prior to occupation of the first house.

6. Before any works commence on site, a landscaping plan and planting schedule shall have been submitted to and approved in writing by the Council, including:

- a. Details of new native tree and hedge planting.
- b. A natural rubble stone wall along the site frontage to Plot 1, as highlighted in pink on the stamped approved Site Plan.

- c. Details of all other forms of boundary enclosure.
- d. Details of finish and maintenance arrangements for any communal areas of land within the site.

Thereafter, the development shall be completed in accordance with such approved details, prior to occupation of the first house.

#### Reasons for Conditions

1. In the interests of residential amenity and public access.
2. In the interests of visual amenity.
3. In the interests of residential amenity.
4. In the interests of residential amenity.
5. In the interests of road and pedestrian safety.
6. In the interests of visual amenity.

#### Reasons for Decision

1. The proposed development involves erection of 3 No. houses on a site identified in the LDP for housing development and with an existing extant planning consent for erection of 6 No. houses already in place.
2. The layout and design of houses and proposed access arrangements, as amended during the processing of the application, would result in an appropriate layout, form and density of development with suitable access arrangements appropriate to the scale of development and existing road network. The application therefore complies with the adopted LDP.
3. Issues raised by objectors have been fully considered, and where appropriate resulted in changes to the development or planning conditions to deal with detailed matters, but otherwise do not present material considerations that would indicate that the application should not be approved.

#### Approved Plans

- Location Plan
- Streetscape
- Site Plan (Revised)
- Topographical Survey
- Elevations - Plot 1 (Revised)
- Floor Plans - Plot 1 (Revised)
- Plot 1 - Garage

- Elevations - Plot 2 (Revised)
- Floor Plans - Plot 2 (Revised)
- Elevations Plot 3 (Revised)
- Floor Plans - Plot 3 (Revised)

## 2.2. Considerations

## 2.3. Background

- 2.4. The site extends to around 0.23Ha of land on the north side of Ochil Road, Menstrie. It is mainly an agricultural paddock and garden ground located off a private track served from Ochil Road, and previously containing a vacant cottage and smaller outbuildings, now demolished. The site is generally level with a southern frontage to Ochil Road and western boundary to the access track that also serves an adjacent house and provides access to the hillside to the north. The site adjoins existing houses to the east.
- 2.5. The site lies within in the settlement boundary of Menstrie as identified by the Local Development Plan (LDP) adopted in 2015. It is also identified as Housing Proposal H35 in the LDP, with an indicative capacity of 5 No. units.
- 2.6. Planning Permission was granted in April 2009 for the erection of 6 No. houses on the site (including demolition of the existing derelict cottage). This proposal involved access via an upgrading of the track on the west side of the site serving three pairs of one and a half storey semi-detached houses and communal parking/turning area. Demolition of the existing derelict cottage was carried out in April 2014, and as such, the planning permission has been secured and remains live.
- 2.7. The current application proposes 3 No. two storey houses and excludes the access track to the west, with access via a shared driveway onto Ochil Road. The houses would be designed in a traditional style with slate roofs and smooth render/timber cladding and stone walls.
- 2.8. In the course of the application, the proposals were amended to show the house on Plot 1 re-positioned closer to the Ochil Road frontage, with garaging now detached and to the rear, and all 3 houses served off a single shared driveway.
- ## 2.9. Consultations
- 2.10. Roads: No objections. Concern that initially proposed access for Plot 1 was too close to the existing junction and that the access for plots 2 & 3 had poor visibility to the east, and suggestion that accesses could be rationalised to one more centrally located. Proposed conditional approval, involving access standards, visibility of 2m by 30m in both directions and footway widening. A review of the previously installed cut-off drainage system north of the site should be undertaken for the purposes of inspection and maintenance. The development should be free from flood risk, with floor levels above surrounding ground levels. *Comment: The 3 No. houses would now all be accessed off the one shared driveway as recommended, which would be*

close to the east side of the site's Ochil Road frontage, where visibility to the east is partially restricted so the full visibility splay proposed by Roads is not achievable in this location. Nevertheless, this is a low speed and lightly trafficked environment, and it should be noted that vehicles approaching from the east will be on the far side of the road, which has greater visibility. The requirement to extend the footway width should further increase road/pedestrian safety. There is no scope to reposition the driveway based on the applicant's proposed layout. A surface water cut-off drainage system, designed by a consulting engineer, was installed by the then developer in 2008 as a precautionary measure to re-direct any surface water flows from the adjacent hillside away from the site and towards Menstrie Burn. The system was inspected in February 2016 by an engineer and a report concludes that it is functioning well and is fit for purpose. It is noted that the site does not lie within SEPA's indicative 1:200 yr river or surface water flood risk zones. There is a statutory requirement for developments to utilise sustainable drainage arrangements (SUDs), and the details of such arrangements can, as is normal, be a requirement of planning conditions. Similarly, finalised details of house floor levels can be required by conditions.

2.11. Scottish Water: No response received. Comment: Scottish Water (SW) previously had no objections to the proposal for 6 No. houses on the site, which is still able to be implemented. Connection to public water and drainage infrastructure will still require SW approval in any event.

2.12. Environmental Health: No comments.

2.13. **Representations**

2.14. 10 No. neighbouring proprietors were notified of the planning application and a Neighbour Notification advert was placed in the Alloa Advertiser. In response, representations were received from the following parties:

Mr Paul Aldred, 49 Ochil Road, Menstrie

Dr Graeme Abel, 3 Long Row, Menstrie

Mr & Mrs P Sorowka, 8 Berkeley Street, Stirling

Mrs Marie Allen, 5 Long Row, Menstrie

Mr & Dr Kevin and Jane Gallacher, 47 Ochil Road, Menstrie

Mr David Leadbetter, 12 School Lane, Menstrie

Mr David Roderick, 7 Long Row, Menstrie

On the following grounds:

1. Lack of information on proposed house and ground levels in the site. Houses are two storey which is out of keeping with surroundings and previously approved houses. Comment: Details of site section and levels of Plot 1 on Ochil Road frontage have been submitted, demonstrating levels are generally in keeping with those of adjacent houses. Other than the change to garaging, this is the same house type as on Plots 2 & 3. The surrounding area contains a mix of 1½ and 2 storey house types of varying design although

those adjacent to the site are not 2 storey so the proposed style differs from the immediate neighbours. However, there is a wide variety of house styles in the surrounding area. There is no conservation or other townscape designation. The proposal is deemed to be acceptable on this basis. Floor levels and ridge heights will be sympathetic.

2. Comments on what will happen to the existing track adjoining the site, previously proposed for upgrading under the approved development. Comment: The site boundary does not include the access track. No changes to the track are proposed.

3. Two new driveways onto Ochil Road will reduce on-street parking for residents and visitors, including hill walkers, and houses do not appear to have turning spaces. Query over whether the proposed houses have adequate parking. Comment: The Roads Service have no objections to the proposals in respect of any loss of on-street parking in the area. Only one access is now proposed and each house would be served by adequate off-street parking and turning facilities.

4. Visibility is poor for the vehicles using the proposed new accesses, and Plot 1 may reduce visibility for vehicles using the existing track adjoining the site. Comment: Visibility to the east is restricted, however this is a low speed and lightly trafficked environment, and vehicles approaching from the east will be on the far side of the road. The requirement to extend the footway width represents an additional benefit. On balance, we do not believe that the development could be refused for reasons of road safety in relation to the use of a single shared driveway.

5. Blocked field drains have previously caused flooding in part of the site. The site is low lying and houses may be at risk from flooding. Comment: The site and adjoining houses do not lie in medium or high risk zones for river or surface water flooding. Planning conditions will require a SUDs scheme to deal with surface water run-off and to ensure houses are not at risk from localised surface water flooding.

6. The property at 3 Long Row has direct access to the hills, and this is not shown on the proposed plans. Comment: The Council is unaware of any private rights of access that may exist over the site. These would be private legal matters between relevant landowners, but not a barrier to the grant of planning permission.

7. Alignment of the house on Plot 1 differs from adjacent houses. Comment: The amended proposals, repositioning of Plot 1, and deleting an integral garage will remedy this matter.

8. The gable of Plot 1 has 7 windows, which may affect privacy of adjacent houses. Windows to the front may affect privacy of houses opposite. Comment: Windows on this gable have been reduced to one double window serving a bedroom at the northern end of the gable. This would be approximately 15m from and at an angle to an upper floor window in the adjacent house, with existing trees also providing a level of screening. This arrangement would not appear to result in a detrimental loss of privacy for existing or proposed houses. There would also be no detrimental overlooking or loss of privacy to houses opposite, which are in School Lane, given the

*distance involved (over 20m), lower levels of these houses and fencing and hedging.*

9. The house positions and height may affect views and daylight for adjacent residents. Comment: *The positioning and height of proposed houses and their relationship to existing houses would not result in unacceptable loss of privacy, light or amenity to adjacent houses.*

10. A tree on the site has previously been cut back, and may be removed. Comment: *There is one small tree in the centre of the site, and another close to the Ochil Road frontage, both of which would already require removal as part of the approved and proposed schemes. Planning conditions require details of new native planting in the site.*

11. Bats may have roosted in outbuildings that have now been demolished. Comment: *Demolition of these small outbuilding on the site is not subject to planning permission, and their removal does not represent any breach of planning control. The approved development on the site also required their removal.*

12. The proposals do not comply with the Local Development Plan (LDP) policies on waste management, fire brigade access and disabled access or plot sizes for infill development, as shown in SAN 2. Comment: *The Service has no evidence to suggest that the proposed development cannot comply with waste management, fire safety or other building regulations, and will still be subject to Building Warrant approval in any event. The proposed plot ratios are acceptable in this location. Each plot is in excess of 700m<sup>2</sup>, and whilst SAN 2 is now obsolete, the plot ratios and garden ground provision in the development exceed minimum standards set out in it.*

13. The site boundary differs from the previously approved application and the LDP. Comment: *The site boundary differs from that of the previous application but is generally in line with that shown in the LDP.*

14. Development could create a precedent for further development along the rear of houses on Ochil Road/Long Row along the hillside. Comment: *There are no such proposals before the Council, and therefore this is not a material consideration. The application site is a proposal site in the Local Development Plan.*

15. No details of SUDs/Waste disposal arrangements. Comment: *Details of SUDs will be required by planning conditions.*

16. The LDP sets out requirements for education and affordable housing developer contributions. Comment: *The existing planning permission for 6 houses does not contain developer contribution requirements. This application would reduce the number of houses on the site, and as such would not create additional pressures on infrastructure that would justify any additional developer contributions.*

17. The house alignment is not suited to solar power generation on roofs. Comment: *This is not a material planning consideration that would outweigh other site layout objectives.*

Following the initial application, revised proposals were submitted. These showed amendments to the design of Plot 1, rationalisation of the access arrangements and details of proposed ground and finished floor levels. Neighbours and objectors were notified of these changes, and in response further representations were received from the following parties:

Dr Graeme Abel, 3 Long Row, Menstrie

Mr & Mrs P Sorowka, 8 Berkeley Street, Stirling

Mr David Leadbetter, 12 School Lane, Menstrie

Mrs Marie Allen, 5 Long Row, Menstrie

And raise the following additional points:

1. Some access issues addressed by rationalising two driveways to one.
2. Several original concerns are not addressed in revised plans.
3. No information on levels of plots 2 & 3 in relation to adjacent houses. *Comment: Level details for Plot 1 have been provided and are considered acceptable. Planning conditions require additional level details for all plots, and that these generally accord with Plot 1.*
4. A wall at rear of 7 Long Row is not shown. House shown as 3 Long Row is in fact 5 Long Row. *Comment: The wall running north-south at the boundary with 7 Long Row is identified on the topographical survey drawing and adjacent houses appear to be numbered correctly on the site and location plans.*

## 2.15. **Planning Assessment**

- 2.16. The application must be determined in accordance with the development plan unless material considerations indicate otherwise. The Clackmannanshire Local Development Plan, adopted August 2015 (LDP) comprises the development plan and many of the issues raised in the preceding representations relate to development plan policies.
- 2.17. The site is identified in the adopted LDP as a housing proposal for 5 units. Key policy considerations from the LDP are as follows.
  - Policy SC5 - Layout and Design Principles
  - Policy SC9 - Developer Contributions
  - Policy SC12 - Development Proposals - Access and Transport Requirements
  - Policy SC20 - Water and Drainage Infrastructure and Capacity
- 2.18. Policy SC5 sets out design criteria for new developments, including integration with existing townscapes and provision of suitable amenity for residents.



- 2.19. The proposed houses would be of a complimentary design and finish using traditional measures. The immediate locality includes traditional single and 1½ storey cottages, a large two-storey house to the northeast, and a mix of single, 1½ and two storey house of various design in the surrounding area. The removal of the integral garage, and bringing forward of the main front elevation of Plot 1 will provide the site with a more active and attractive frontage to Ochil Road. Whilst the houses are two-storey, as opposed to 1½ storey as previously approved, and therefore characterised by higher wallhead heights, the overall height of the proposed houses is very similar to that already approved. In our judgement, the townscape/placemaking solution is entirely sympathetic to the locality.
- 2.20. The position, orientation and fenestration arrangement on the proposed houses are such that they would not detrimentally affect the privacy and amenity of surrounding houses. The proposals allow for house plots each in excess of 700m<sup>2</sup> and with large private garden ground.
- 2.21. The LDP sets out potential developer contributions for new development, as set out in Policy SC9 and the related Supplementary Guidance. The site has an existing planning permission for 6 No. houses, pre-dating the LDP, but which is live and can be implemented. Given the current proposals reduce the number of units now proposed for the site, based on that already approved, no additional developer contributions are required in this case.
- 2.22. In respect of Policies SC12 and SC21, the development will be served by appropriate access arrangements, appropriate with its scale and nature and the existing road network. A SUDs scheme will be required for surface water drainage, and there are no known drainage capacity issues.

### **3.0 Sustainability Implications**

- 3.1. The proposals involve a small scale housing development on an infill site within Menstrie settlement boundary and identified for housing in the LDP.

### **4.0 Resource Implications**

#### *4.1. Financial Details*

- 4.2. 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

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

#### *4.4. Staffing*

### **5.0 Exempt Reports**

- 5.1. 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
- 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)

## 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

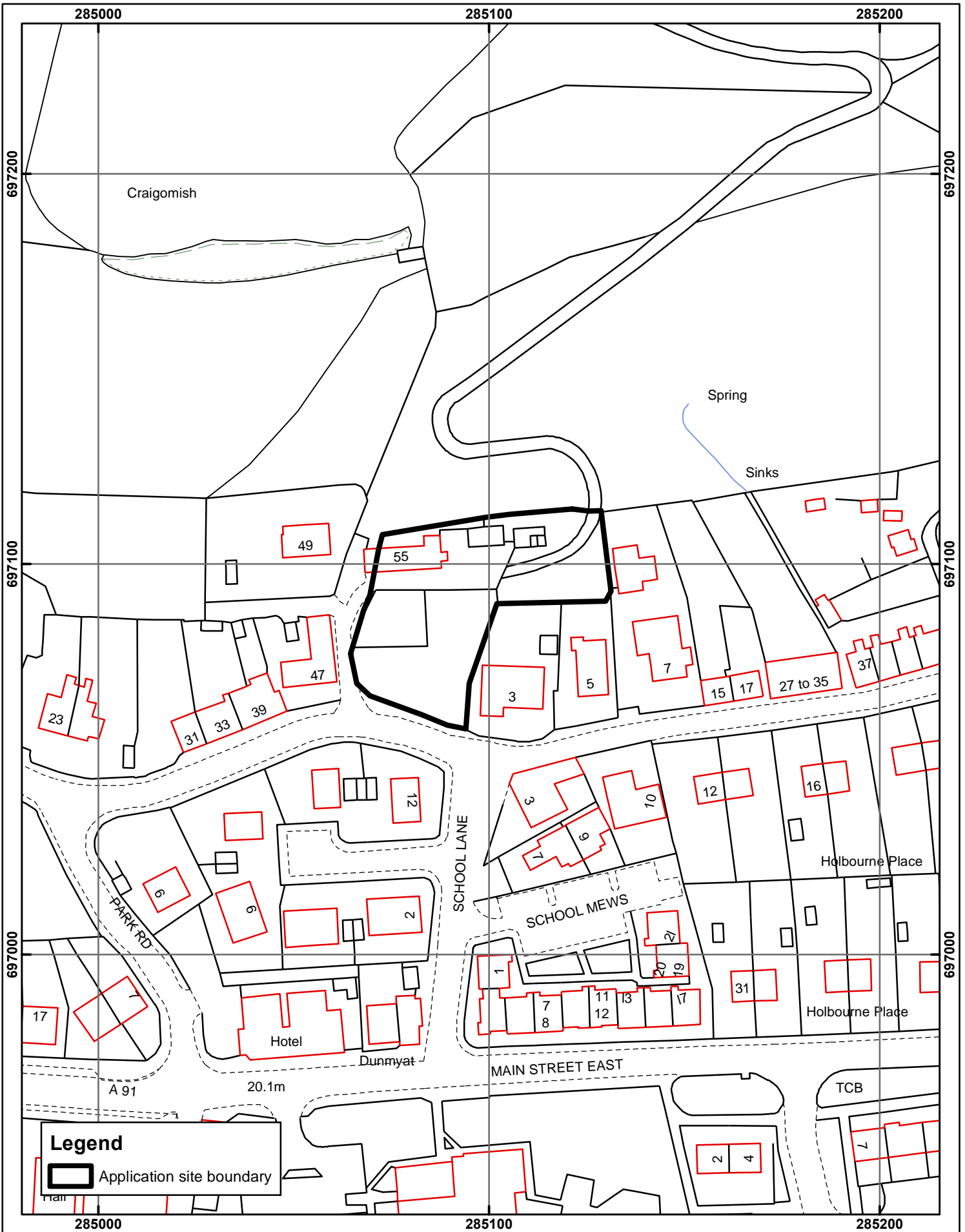
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**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Julie Hamilton	Development Services Manager	Signed: J Hamilton
Gordon McNeil	Head of Development and Environment Services	Signed: G McNeil





**15/00296/FULL – 55 Ochil Road, Menstrie  
Erection Of 3 No. Houses.**

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