



**Clackmannanshire  
Council**

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**Greenfield, Alloa, Scotland, FK10 2AD (Tel.01259-450000)**

## **Clackmannanshire Council**

**Thursday 27 January 2011 at 9.30 am**

**Venue: Council Chamber, Greenfield, Alloa, FK10 2AD**

Date	Time
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# Clackmannanshire Council

There are 32 Unitary Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at the 6 weekly meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct. Co-option of religious representatives in respect of Education policy decisions is also a Council responsibility.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

Details of all of our Council and Committee dates and agenda items are published on our website at [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

If you require further information about Council or Committee meetings, please contact Finance and Corporate Services by e-mail at [customerservice@clacks.gov.uk](mailto:customerservice@clacks.gov.uk) or by telephone on 01259 452106 or 452004.

**19th January 2011**

**A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 27 JANUARY 2011 at 9.30 am.**

**ELAINE McPHERSON  
Head of Strategy and Customer Services**

**9.15 am Presentation - Services to Communities -  
Presentation of Customer Service Excellence Accreditation Certificate**

### **B U S I N E S S**

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1. Apologies	--
2. Declarations of Interest Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
3. Minute of Meeting held on Thursday 16 December 2010 (Copy herewith)	01

### **SERVICES TO COMMUNITIES**

4. Clackmannanshire Local Plan 1st Alteration (Housing Land) - Finalised Plan - Representations Received - report by Director of Services to Communities (Copy herewith)	09
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### **SERVICES TO PEOPLE**

5. St John's and Claremont Primary Schools - Consultation - report by the Interim Head of Education (Copy herewith)	47
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## Clackmannanshire Council – Councillors and Wards

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### Councillors

### Wards

Councillor	Eddie Carrick	1	Clackmannanshire West	LAB
Councillor	George Matchett	1	Clackmannanshire West	LAB
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Janis Paterson	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	John S Biggam	2	Clackmannanshire North	SLD
Councillor	Walter McAdam	2	Clackmannanshire North	SNP
Councillor	Robert McGill	2	Clackmannanshire North	LAB
Councillor	Sam Ovens	3	Clackmannanshire Central	LAB
Provost	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Gary Womersley	3	Clackmannanshire Central	SNP
Councillor	Janet Cadenhead	4	Clackmannanshire South	LAB
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Mark English	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	IND
Councillor	Alastair Campbell	5	Clackmannanshire East	CON
Councillor	Irene Hamilton	5	Clackmannanshire East	SNP
Councillor	Harry McLaren	5	Clackmannanshire East	LAB

### Religious Representatives

Vacancy

Father Michael Milton

Roman Catholic Church





**MINUTE OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, on THURSDAY 16 December 2010 at 9.30 am.**

**PRESENT**

Provost Derek Stewart (Chair)  
Councillor Donald Balsillie  
Councillor John Biggam  
Councillor Janet Cadenhead  
Councillor Alastair Campbell  
Councillor Eddie Carrick  
Councillor Mark English  
Councillor Irene Hamilton  
Councillor Craig Holden  
Councillor George Matchett, QPM  
Councillor Walter McAdam, MBE (from 9.50 am)  
Councillor Bobby McGill  
Councillor Harry McLaren  
Councillor Tina Murphy  
Councillor Reverend Sam Ovens  
Councillor Janis Paterson  
Councillor Gary Womersley  
Father Michael Milton (Religious Representative)

**IN ATTENDANCE**

Angela Leitch, Chief Executive  
Nikki Bridle, Director of Finance and Corporate services  
Garry Dallas, Director of Services to Communities  
Elaine McPherson, Head of Strategy and Customer Services  
David Thomson, Legal Services Manager (Clerk to the Council)  
Deirdre Cilliers, Head of Social Policy  
Lesley Robertson, Interim Head of Education  
Martin Dunsmore, Accounting and Budgeting Manager  
Julie Hamilton, Strategy and Support Manager, Services to Communities  
Kenny Hutton, Service Manager, Strategic Housing Services

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Councillor Eddie Carrick congratulated Keith Brown, MSP for Ochil on his appointment as Transport Minister and asked the Chief Executive to send a letter of congratulations with an invitation to meet with the Director of Services to Communities to discuss road signage for the Clackmannanshire Bridge.

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**CC.58 APOLOGIES**

Apologies for absence were received from Councillor Kenneth Earle.

## **CC.59 DECLARATIONS OF INTEREST**

None

## **CC.60 MINUTE OF MEETING HELD ON THURSDAY 4 NOVEMBER 2010**

The minute of the meeting held on Thursday 4 November 2010 was submitted for approval by Council.

The minute of the meeting held on Thursday 4 November 2010 was agreed as a correct record and signed by the Provost.

## **CC.61 MINUTE OF SPECIAL MEETING HELD ON THURSDAY 2 DECEMBER 2010**

The minute of the special meeting held on Thursday 2 December 2010 was submitted for approval by Council.

The minute of the special meeting held on Thursday 2 December 2010 was agreed as a correct record and signed by the Provost.

## **CC.62 INVESTMENT STRATEGY 2010/11 - 2012/13 AND ADOPTION OF NEW TREASURY MANAGEMENT CODE OF PRACTICE**

The report presented the Council's Investment Strategy for 2010/11 to 2012/13.

*Councillor Walter McAdam joined the meeting during the debate on this item.*

### **Motion**

That Council agree:

1. To formally adopt CIPFA's new Prudential Code which will be implemented as required in 2010/11 and for the 2011/12 budget setting process;
2. To formally adopt CIPFA's Treasury Management in the Public Services - Code of Practice and Cross Sectoral Guidance Notes as the basis for Treasury Management by Clackmannanshire Council; and
3. To approve the Investment Strategy for 2010/11 to 2012/13 attached as appendix A to the report in compliance with the Local Government Investments (Scotland) Regulations 2010.

Moved by Councillor Bobby McGill. Seconded by Councillor Harry McLaren.

### **Voting**

The voting on the motion was as follows:

For the motion	- 9 votes
Against the motion	- 0 votes
Not voting	- 8 abstentions

### **Decision**

On a division of 9 votes to 0 with 8 abstentions, the Council agreed to:

1. To formally adopt CIPFA's new Prudential Code which will be implemented as required in 2010/11 and for the 2011/12 budget setting process;
2. To formally adopt CIPFA's Treasury Management in the Public Services - Code of Practice and Cross Sectoral Guidance Notes as the basis for Treasury Management by Clackmannanshire Council; and
3. To approve the Investment Strategy for 2010/11 to 2012/13 attached as appendix A to the report in compliance with the Local Government Investments (Scotland) Regulations 2010.

**Action**

Director of Finance and Corporate Services

**CC.63 CLACKMANNANSHIRE LOCAL PLAN 1ST ALTERATION (HOUSING LAND) - FINALISED PLAN - REPRESENTATIONS RECEIVED**

The Provost proposed that consideration of this item (Item 8 on the Agenda) is deferred until the Council Meeting being held on 27 January 2011. This is to allow the opportunity for further consultation with local residents.

**Decision**

The Council agreed unanimously to defer consideration of the report until the Council Meeting being held on the 27 January 2011.

**Action**

Director of Services to Communities

**CC.64 ANNUAL TREASURY REPORT**

The report detailed the treasury management activities for the Council for 2009/10.

**Motion**

That the Council note and review the Annual Report on 2009/10 Treasury Management activities for Clackmannanshire Council.

Moved by Councillor Bobby McGill. Seconded by Councillor Harry McLaren.

**Decision**

The Council agreed unanimously to note and review the Annual Report on 2009/10 Treasury Management activities for Clackmannanshire Council.

**Action**

Director of Finance and Corporate Services

**CC.65 SCOTTISH JOINT COUNCIL AND SCOTTISH JOINT NEGOTIATING COMMITTEE  
- CRAFT OPERATIVES: PAY NEGOTIATIONS/AWARD 2010; ALLOANCES,  
PART-TIME REGISTRARS AND ASSISTANT REGISTRARS; STAND-BY, CALL  
OUT AND DISTURBANCE PAYMENTS (OFFICERS OTHER THAN SOCIAL  
WORKERS)**

The purpose of the report was to advise Council of the outcome of national pay negotiations which have taken place at the Scottish Joint Council for Local Government Employees (SJC) and the Scottish Joint Negotiating Committee - Craft Operatives (SJNC).

**Motion**

That Council:

- a. note the awarded pay rise of 0.65% for 2010/11 (backdated to 1 April 2010) to relevant groups of employees; and
- b. freezes pay in both 2011/12 and 2012/13 for those same groups of employees.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Harry McLaren.

**Voting**

Councillor Craig Holden asked for a roll call vote on this matter. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 members present who were eligible to vote.

For the motion (9):

Provost Derek Stewart  
Councillor George Matchett QPM  
Councillor Rev. Sam Ovens  
Councillor Harry McLaren  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Eddie Carrick  
Councillor Alastair Campbell  
Councillor John Biggam

Against the motion (8):

Councillor Craig Holden  
Councillor Mark English  
Councillor Walter McAdam MBE  
Councillor Janis Paterson  
Councillor Gary Womersley  
Councillor Irene Hamilton  
Councillor Donald Balsillie  
Councillor Tina Murphy

The voting on the motion was as follows:

For the motion	- 9 votes
Against the motion	- 8 votes
Not voting	- 0 abstentions

**Decision**

On a division on 9 votes to 8 with 0 abstentions, the Council agreed to:

- a. note the awarded pay rise of 0.65% for 2010/11 (backdated to 1 April 2010) to relevant groups of employees; and
- b. freezes pay in both 2011/12 and 2012/13 for those same groups of employees.

### **Action**

Director of Finance and Corporate Services

### **CC.66 THE 2010 SPENDING REVIEW AND BUDGET UP-DATE**

The report updated Council on the implications of the Scottish Government Spending Review 2010 and approve the proposed funding package contained therein. The report also provided an update on the Council's draft budget position for 2011/12 and indicative funding gap.

### **Motion**

That the Council:

1. agrees to accept the package of measures and commitments outlined in letter of 17th November to Leaders of all Scottish local authorities;
2. agrees the current planning assumptions relating to the Council's draft 2011/12 budget; and
3. endorses the Council's application under the Scottish Government General Consent to Borrow Scheme.

Moved by Councillor Rev. Sam Ovens.

### **Amendment**

"Change 2.2 to read: Notes the current planning assumptions relation to the Council's draft 2011/12 budget."

Moved by Councillor Gary Womersley.

Councillor Rev. Ovens agreed to accept the amendment into the original motion. The motion was then seconded by Councillor Gary Womersley.

### **Voting**

Councillor Walter McAdam MBE asked for a roll call vote on this matter. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 members present who were eligible to vote.

### **Voting**

For the motion (17):

Provost Derek Stewart  
Councillor George Matchett QPM  
Councillor Rev. Sam Ovens  
Councillor Harry McLaren  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Eddie Carrick  
Councillor Alastair Campbell  
Councillor John Biggam  
Councillor Craig Holden  
Councillor Mark English  
Councillor Walter McAdam MBE

Councillor Janis Paterson  
Councillor Gary Womersley  
Councillor Irene Hamilton  
Councillor Donald Balsillie  
Councillor Tina Murphy

The voting on the motion was as follows:

For the motion	- 17 votes
Against the motion	- 0 votes
Not voting	- 0 abstentions

### **Decision**

The Council unanimously agreed to:

1. agrees to accept the package of measures and commitments outlined in letter of 17th November to Leaders of all Scottish local authorities;
2. notes the current planning assumptions relating to the Council's draft 2011/12 budget; and
3. endorses the Council's application under the Scottish Government's General Consent to Borrow Scheme.

### **Action**

Director of Finance and Corporate Services

## **CC.67 CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN MAIN ISSUES REPORT AND OPEN SPACE FRAMEWORK**

The report updated Council on progress towards the preparation of the Clackmannanshire Local Development Plan and sought approval to consult on the Main Issues Report.

### **Motion**

That the Council:

- a) approve the Clackmannanshire Local Development Plan Main Issues Report (MIR) to enable public consultation to be carried out between January and March 2011; and
- b) approve the Environmental Report monitoring Statement and Open Space Framework.

Moved by Councillor Eddie Carrick. Seconded by Councillor George Matchett QPM.

Councillor Gary Womersley moved that the Council defer consideration of the report to allow a Members' briefing to take place.

### **Voting**

The voting on the motion to defer was as follows:

For the motion to defer	- 7 votes
Against the motion to defer	- 9 votes
Not voting	- 1 abstention

The voting on the motion to defer was defeated by 9 votes to 7 with one abstention.

The voting on the motion was as follows:

For the motion - 9 votes  
Against the motion - 7 votes  
Not voting - 1 abstention

### **Decision**

On division of 9 votes to 7 with one abstention, the Council agreed to:

- a) approve the Clackmannanshire Local Development Plan Main Issues Report (MIR) to enable public consultation to be carried out between January and March 2011; and
- b) approve the Environmental Report monitoring Statement and Open Space Framework.

### **Action**

Director of Services to Communities

## **CC.68 STRATEGIC HOUSING INVESTMENT PLAN AND LEAD RSL DEVELOPER**

The report presented the annual Strategic Housing Investment Plan (SHIP) which has been submitted to the Scottish Government in draft subject to Council approval. The report detailed the publicly funded affordable housing priorities for investment in Clackmannanshire over the next five years.

The report also detailed the Scottish Government's proposals to reform the affordable housing investment system by introducing a "lead developer" to each council area. The Registered Social Landlord (RSL) selected jointly by the Council and Scottish Government will develop the new RSL housing built using Housing Association Grant (HAG) allocated by the Government.

### **Motion**

That Council:

- a) approve the final SHIP 2011/16 to be submitted to the Scottish Government, a full copy of which was made available to Members in Group Rooms;
- b) approve the selection of Ochilview Housing Association as the Council's preferred RSL partner to deliver Affordable Housing Investment Programme expenditure in Clackmannanshire as outlined in the report; and
- c) instructs officers to prepare a framework agreement with Ochilview which, among other things, will require:
  - (1) the establishment of an operational Common Housing Register by end November 2011 and
  - (2) any enhanced contribution to tackling homelessness by the lead developer

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Eddie Carrick.

### **Decision**

The Council agreed unanimously to:

- a) approve the final SHIP 2011/16 to be submitted to the Scottish Government, a full copy of which was made available to Members in Group Rooms;
- b) approve the selection of Ochilview Housing Association as the Council's preferred RSL partner to deliver Affordable Housing Investment Programme expenditure in Clackmannanshire as outlined in the report; and
- c) instructs officers to prepare a framework agreement with Ochilview which, among other things, will require:
- d)
  - (1) the establishment of an operational Common Housing Register by end November

2011 and

- (2) any enhanced contribution to tackling homelessness by the lead developer

**Action**

Director of Services to Communities

**CC.69 THE CLOSURE OF TOWER NURSERY SCHOOL AND ITS RE-ESTABLISHMENT AS THE NURSERY CLASS OF PARK PRIMARY SCHOOL**

The report sought approval to conduct a formal public consultation on two elements of a proposal by Education Services:

- (i) to establish Tower Nursery as the nursery class of Park Primary School; and
- (ii) to close Tower Nursery School as a stand alone establishment

**Motion**

That Council approves a formal public consultation on both aspects of the proposal which contains two options. The second option emerged during informal consultation earlier this year. That Council also approves that a report is brought back to Council no later than June 2011.

Moved by Councillor George Matchett. Seconded by Councillor Eddie Carrick.

**Decision**

The Council unanimously agreed to approve a formal public consultation on both aspects of the proposal which contains two options:

- (i) to establish Tower Nursery as the nursery class of Park Primary School; and
- (ii) to close Tower Nursery School as a stand alone establishment

The Council also approved that a report is brought back to Council no later than June 2011.

**Action**

Interim Head of Education

ENDS 11.45am

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**Report to Clackmannanshire Council**

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**Date of Meeting: 27th January 2011**

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**Subject: Clackmannanshire Local Plan 1<sup>st</sup> Alteration (Housing Land) - Finalised Plan - Representations Received**

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

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**1.0 Purpose**

- 1.1 This report summarises the representations received following the publication of the Local Plan 1st Alteration Finalised Plan, and the proposed Council responses. Where agreement has not been reached, comments made are considered to be formal objections to the Finalised Plan and the Plan must be submitted to the Scottish Ministers for examination. Further details of this process are given in the 'Considerations' section below.
- 1.2 The Local Plan 1st Alteration Finalised Plan was approved on 5<sup>th</sup> November 2009, with consultation between 2<sup>nd</sup> December 2009 - 29<sup>th</sup> January 2010. It was prepared to ensure that adequate housing sites were identified to meet the initial housing requirement of the Structure Plan 3rd Alteration (Approved June 2009) up to 2017. Many of these sites were already identified in the adopted Local Plan, some had been granted planning permission since the Local Plan had been adopted and some additional sites were also identified where they were considered suitable for housing development.
- 1.3 This Local Plan 1st Alteration is only concerned with the allocation of housing land. Other policies and issues which are still relevant to housing, for example affordability, quality, standards, open space, etc. will continue to be addressed by existing Local Plan Policies until such time as the new Local Development Plan is approved. The Alteration includes 'Development Guidelines' in the Schedule of Sites.

**2.0 Recommendations**

- 2.1. It is recommended that the Council
- (a) Agrees the responses to the representations in Appendix 1 and associated changes to the Alteration text.
  - (b) Notes that the outstanding representations will be submitted to the Scottish Ministers for examination.

### 3.0 Considerations

- 3.1 During the consultation period, nine evening drop in sessions were held in Dollar, Muckhart, Alva, Tillicoultry, Menstrie, Tullibody, Sauchie, Clackmannan and Alloa, as well as one to one meetings with members of the public who had requested to speak to an officer. The numbers attending these sessions was not as high as at the previous stages of the Plan, although this would be partly due to the fact that there were very few new sites and issues raised in the Alteration and the fact that many of those who had participated in the earlier stages were satisfied with the content of the Finalised Plan.
- 3.2 There were 31 responses received during the consultation period from 19 individuals, 5 consultants/companies, 3 national bodies/groups and 4 community/local interest groups. Two of these related to more than one aspect of the Plan and there were therefore 36 points raised in relation to the Plan.

Section of Plan	Representation Status		
	Objection	Representation	Support
General		2	
New Sites		3	
RES1a	2	2	
H22 - Sauchie West, Sauchie		1	
H44 - Helensfield, Clackmannan	5		
H45 - Forestmill		1	1
H46 - Menstrie Mains (Site 7), Menstrie		1	
H50 - Middletonkerse, Menstrie	4	9	2
H59 - Dollar Road, Tillicoultry		1	
H64 - Kellyburn, Dollar		1	
H907 - Glentana/Dalmore Centre, Alva		1	
	<b>11</b>	<b>22</b>	<b>3</b>

- 3.3 These points are summarised in the table below and are grouped where they refer to the same sites or issues in Appendix 1. Appendix 1 is written in the format of 'Schedule 4's' as required by the new planning system. The Schedule 4's along with the original representations will be submitted to the Directorate of Planning and Environmental Appeals for their consideration.

## Summary of Representations Received

Contributor	DPEA Ref.	Type	Policy	Summary
Menstrie Community Council	1	Objection	Site H50 - Middletonkerse, Menstrie	Various Issues: Flooding/Traffic/Access/Lack of facilities for more residents e.g. shopping, community facilities, play facilities, sports provision, education.
The Coal Authority	2	Representation	General references to coal extraction and sterilisation of reserves Council wide.	Prior extraction at Sauchie West/Forestmill and in general. Impact of new development on 500m separation distance. Request additional wording on ground condition investigations to identify any mining legacy issues.
Bett Homes	3	Support	Site H50- Middletonkerse, Menstrie	Requests alterations to the Development Guidelines for Site H50 in the Schedule of Sites.
Historic Scotland	4	Representation	General reference to their previous suggested wording alterations	Confirmation that they are happy that wording changes suggested at the Consultative stage have been included in the Finalised Plan.
SNH	5	Representation	Policy RES1a - Tourism related Golf Course Enabling Development, Site H22 - Sauchie West, Sauchie Site H45 - Forestmill	Request additional wording to Policy RES1a and the Development Guidelines for Site H22 - Sauchie West and Site H45 - Forestmill. To include the requirement for Landscape and Visual Assessments at Sauchie West and further biodiversity studies at Forestmill.
Alan Campbell	6	Representation	Site H50- Middletonkerse, Menstrie	Various Issues: Traffic/Flooding/Wildlife concerns. Wishes to see more detailed plans.

Mr & Mrs Dick	7	Representation	Site H50- Middletonkerse, Menstrie	Various Issues: Flooding/Wildlife/Trees/Views.
Deveron Homes c/o HFM		Representation (not being pursued to examination)	Proposed New Site south of Coalsnaughton	Promoting the allocation of a site south of Coalsnaughton for residential development.
Dollar Civic Trust	8	Objection	Policy RES1a - Tourism related Golf Course Enabling Development	Object to the enabling policy in relation to Dollar Golf Club. Should it remain in the plan, more detail should be required.
Tillicoultry Community Council	9	Representation	Site H59 - Dollar Road, Tillicoultry	Question how the designation of Site H59, Dollar Road came about, particularly changes to the urban limit and Green Belt.
Hermiston Securities	10	Support	Site H45 - Forestmill	Support Forestmill development but question alterations to housing figures.
Perry Hutchins	11	Representation	Proposed New Site east of The Glen, Coalsnaughton	Promoting site to the east of The Glen, Coalsnaughton.
Louise Cannon	12	Objection	Site H50 - Middletonkerse, Menstrie	Various Issues: Flooding/Wildlife/Traffic concerns.
Graham Nicol	13	Representation	Site H907 - Glentana/Dalmore Centre, West Stirling Street, Alva	Requests wording change to Development Guidelines.
John and Penelope Lee	14	Representation	Site H50 - Middletonkerse, Menstrie	Concern over flooding if this area is developed.

Ristol Ltd.		Representation (not being pursued to examination)	Proposed New Site, Site H64 - Kellyburn, Dollar, Site H46 - Menstrie Mains, Menstrie (Site 7), Policy RES1a - Tourism related Golf Course Enabling Development	Promote a site east of Dollar should further land release be required in the Plan period, or consideration of the site through the LDP if further land is not required. Support H64 but should emphasise that the number of houses proposed should be clearly identified as an estimate. Merits of the site at Aitkenhead should be given due consideration as well as Forestmill. Support RES1a.
Ross Muirhead	15	Support	Site H50 - Middletonkerse, Menstrie	As landowner, supports the designation of site H50.
Sarah & Roger Ridley	16	Objection	Site H50 - Middletonkerse, Menstrie	Question the need for more development on greenfield sites. If large family homes are to be built, is there a demonstrable need for this type of housing? Flooding and tree preservation concerns. Erosion of green space between Menstrie and Tullibody.
Moira Coulter	17	Representation	Site H50 - Middletonkerse, Menstrie	Flooding and tree preservation concerns. No matching increase proposed for other facilities such as schools, shopping facilities, transport/public transport and health care facilities.
Tom Mack	18	Representation	Site H50 - Middletonkerse, Menstrie	Over development of Menstrie, flooding and traffic concerns. Lack of facilities available to the population of Menstrie is not being addressed.
Lynzie E Mack	19	Representation	Site H50 - Middletonkerse, Menstrie	Over development of Menstrie, road congestion, flooding and lack of facilities in the village.

Kenneth & Kathleen MacDonald	20	Objection	Site H50 - Middletonkerse, Menstrie	Flooding issues and concern over flooding closing the Tullibody road recently. Traffic concerns. Developers poor 'track record' in fulfilling obligations raises concerns over roads and educational improvements required. Lack of 'social infrastructure' in the village. Possible layout implications for current housing adjacent to the site.
Jim Anderson	21	Objection	Site H44 - Helensfield, Clackmannan	Visual amenity concerns. Lack of information on affordable/low cost/special needs units.
Barry Wickham	22	Objection	Site H44 - Helensfield, Clackmannan	Objects to the fields being built on and requests more details.
Bobby Anderson & 10 signatories	23	Objection	Site H44 - Helensfield, Clackmannan	Requesting further information on the Plan in 'simpler' terms and whether a planning consultant could be engaged at a later stage, following their representation. Seeking clarification on how the site came to be identified. Concerns over previous mine workings potentially impacting the site, and amenity issues regarding the proximity to the rail line. Scale of development in relation to Helensfield and loss of views from the bypass. Impact on wildlife. Coalescence of Helensfield and Clackmannan.
Mr & Mrs James McQuillan	24	Objection	Site H44 - Helensfield, Clackmannan	Object to the proposed roundabout access to the site, particularly in relation to the proximity to their house, and the location of a large housing development adjacent to Helensfield. Consider there are more suitable locations within existing town boundaries, although do not give any examples.

John Gourlay	25	Representation	Site H50 Middletonkerse, Menstrie	-	Development should not be approved until all of the residents in Menstrie Mains have been consulted. Queries why less than 25% of the units proposed are for affordable housing. Should be aware of current problems in previous phases of the development and not let them happen again, particularly in relation to SuDS pond design, drainage, open space provision and maintenance and community facilities.
Derek Hughes	26	Representation	Site H50 Middletonkerse, Menstrie	-	Construction traffic should access the site only from the Tullibody road (C101). Traffic calming should be continued from the Menstrie Mains site through Middletonkerse. Any construction compound should be located in the Middletonkerse site, i.e. entirely within the boundaries of site H50 to protect the landscaped amenity areas within the developed parts of the Menstrie Mains estate.
John Caldwell	27	Representation	Site H50 Middletonkerse, Menstrie	-	Flooding concerns, including impact on drainage and sewage. Access improvements to the C101 would be welcomed but it should be guaranteed that the work would be carried out. Improvements to education provision should be established. The developer questions the existence of a TPO (there are 4 areas covered by a TPO) and does not take any notice of trees on the field boundary.
Maureen Wheeler	28	Objection	Site H44 - Helensfield, Clackmannan		Concerned over devaluation of property, loss of views, noise nuisance, overshadowing, overlooking issues. Loss of 'countryside' area and green belt. There would also be adverse impacts on wildlife, drainage problems and road traffic issues.
Muckhart Community Council	29	Objection	Policy RES1a - Tourism related Golf Course Enabling Development	-	Wish to see the section on "Enabling Development and Tourism" removed from the Alteration. If this is not accepted by the Council then there are objections to the wording of the section and Policy RES1a in particular.

- 3.3 As there are still matters of dispute which have not been resolved, the Plan must be submitted to the Scottish Ministers for examination. Ministers will appoint a person to carry out the examination and the arrangements for the examination will be made by the Directorate for Planning and Environmental Appeals.
- 3.4 Under the new planning system the examination will be led by the Reporter and neither the objector nor the Council have a right to be heard at a public local inquiry. Written submissions should usually be sufficient, however it will be for the Reporter to decide whether it will be necessary to hold a hearing to explore the information further, and who to invite to participate in the hearing. Only exceptionally will an inquiry session be necessary to test the information through cross-examination. The Council must summarise the unresolved representations by topic on a standard 'Schedule 4' form. When grouped together there are 9 separate issues to be considered by the Reporter. The Reporter will submit a report of the examination to the Council, containing his or her conclusions and recommendations on each issue and any modifications to the Plan which are recommended by the Reporter will generally be binding on the Council. The Schedule 4 forms are included at Appendix 1.
- 3.5 The majority of responses received (20 of the 31) relate to 2 previously 'white land' sites (land within current settlement boundaries but not previously allocated for housing) at Menstrie and Clackmannan. As they were 'white land', they were favoured for development rather than greenfield sites outwith the settlement boundaries. The sites previously had perceived constraints to their development, which have now been resolved, and they were therefore included in the Finalised Plan as the best additional site allocations, having already been identified as 'white land', to compensate for known and anticipated later starts on other sites. Both of the sites are being actively promoted for development.
- 3.6 Given that the change in status from 'white land' to allocated sites was not made until the Finalised Plan, it is perhaps not surprising that these sites have been the subject of most of the representations. Many of the representations received accepted that the sites were likely to be developed and were seeking clarification and reassurance that issues such as flooding, traffic management and access, densities and the protection of wildlife would be fully considered and highlighted through the Plan.
- 3.7 In resolving issues raised it has been necessary to reword parts of the Plan.

#### **4.0 Sustainability Implications**

- 4.1 It is the intention that the Local Plan Alteration's policies and proposals will be firmly based on the principles of sustainable development, and will provide an important contribution to delivering the Council's objectives on sustainability and climate change, as set out in the Clackmannanshire Sustainability & Climate Change Strategy. The likely significant environmental effects of the Alteration have been assessed through the statutory strategic environmental assessment process and an environmental report has been prepared setting out these likely effects.

## 5.0 Resource Implications

- 5.1 The funding of the Alteration will be met from existing budgets.
- 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 There are no additional staffing requirements associated with this work.

## 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 2008 - 2011 (Please double click on the check box )

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

### (2) Council Policies (Please detail)

## 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".

Appendix 1 - Schedule 4's for submission to the Directorate for Planning and Environmental Appeals.

## 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

Full representations from objectors

Environmental Report

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Julie Hamilton	Development Services Manager	2657

### Approved by

NAME	DESIGNATION	SIGNATURE
John Gillespie	Head of Community & Regulatory Services	(Signed: J Gillespie)
Garry Dallas	Director of Services to Communities	(Signed: G Dallas)

## **Appendix 1**

### **Schedule 4's for submission to the Directorate for Planning and Environmental Appeals**

<b>Issue 1</b>	<b>Site H50 - Middletonkerse, Menstrie</b>	
<b>Development plan reference:</b>	H50	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
1 Menstrie Community Council 3 Bett Homes 6 Alan Campbell 7 Mr & Mrs Dick 12 Lousie Cannon 14 John & Penelope Lee 15 Ross Muirhead 16 Sarah & Roger Ridley 17 Moira Coulter 18 Tom Mack 19 Lynzie E Mack 20 Kenneth & Kathleen MacDonald 25 John Gourlay 26 Derek Hughes 27 John Caldwell		
<b>Provision of the development plan to which the issue relates:</b>	Site H50 - Middletonkerse, Menstrie	
<b>Planning Authority's summary of the representation(s):</b>		
<b><u>Flooding</u></b> (Reference of body or person(s) commenting on this matter: 1, 6,7,12,14,16,17,18, 19,20,27)  A number of concerns are raised as the site has a history of flooding. This could also be problematic for drainage/sewerage and the proposed access road.		
<b><u>Roads and Access</u></b> (Reference of body or person(s) commenting on this matter: 1,3,6,12,17,18,19,20,25,26,27)  The developer seeks amendment to the text to clarify the roads and access requirements. It would not be reasonable to expect the development to fund works in isolation where other developments contribute to the requirement for them.  Around 250 additional vehicles would aggravate existing congestion on the road network. Need for clarity about the access arrangements. People will use the Middleton estate as a shortcut with resultant road safety implications. Traffic calming and enhanced public transport access would also be required. Need assurance that the necessary works will be carried out given past experience. Need provision to avoid construction traffic using Hazel Avenue.		

### **Social infrastructure**

(Reference of body or person(s) commenting on this matter: 1,17,18,19,20)

The village does not have adequate facilities to cope with over 600 additional residents. The proposal does not make any provision for enhanced local facilities such as a primary school, local shopping etc. Clarity should be given regarding any expected improvements to education provision. Further classrooms would be required at Menstrie primary school.

### **Environment/amenity**

(Reference of body or person(s) commenting on this matter: 6,7,12,16,19)

Concern about loss of trees protected by a TPO. Loss of green space between Menstrie and Tullibody merging the two towns. Further expansion will destroy the character of the village. West Myreton has already destroyed the village character.

The site is of wildlife value with buzzards, bats and owls.

The privacy and amenity of adjoining properties should be protected by setting back the development and careful location of play parks. Landscape and amenity areas on the Menstrie Mains estate should be protected by locating the working compound away from the site boundaries.

The owners of the site state that it is suitable to form a natural extension to Menstrie Mains and the settlement of Menstrie.

### **Site Capacity**

(Reference of body or person(s) commenting on this matter: 3,16)

The density suggests large family homes which are not required if the size of households is decreasing.

### **Affordable housing**

(Reference of body or person(s) commenting on this matter: 3,25)

Accept the need for affordable housing but a footnote to the schedule should clarify a degree of flexibility. Wording suggested below (in the modifications box).

Why does the Finalised Plan show less than 25% of the housing as Affordable Housing?

### **Other**

(Reference of body or person(s) commenting on this matter: 1,3,6,7,12,15,18,20,26)

In the Schedule of Sites, the site status is missing from the text, this should read (A) for additional site. The text on open space provision should be amended as detailed below to remove reference to off site provision.

The proposed housing is in the wrong place, there is potential for further development next to the new houses in the Menstrie Mains estate which were built recently.

**Modifications sought by those submitting representations:**

Removal of the site from the housing allocations in the Local Plan Alteration.

Further detail in relation to flooding, roads and access and protection of trees and wildlife.

The Development Guidelines text should be amended to secure necessary improvements as follows.

“Subject to Development Brief and Design Statement. Developer to create main access from either Menstrie Mains or from the C101. A link from Menstrie Mains to C101 should be considered as part of delivering the site. Improvements to C101, including the hump back bridge and the C101/A91 junction, must be considered as part of a transport assessment and provided as required. It is not expected that this site should have to fund highway works in isolation where other proposed developments are likely to also contribute to the requirement for them. If required, it is considered that the railway line can be crossed at grade.”

It is requested that the following footnote be added to the text in the ‘Afford’ column of the Schedule.

Footnote – “This figure is indicative only and the actual number of affordable homes will be considered in the context of Government guidance in SPP3 and PAN74 and in light of Policy RES4 in the Local Plan. All forms of affordable housing as included in PAN 74 (at paragraph 11) and SPP 3 (at paragraph 91) will be considered appropriate for the site. A commuted payment may be accepted if circumstances suggest this.”

The Development Guidelines Text should be amended as follows.

“Developer to provide for...formal and informal open space provision on site only.”

**Summary of responses (including reasons) by Planning Authority:****Site History**

The site was shown as being within the Settlement Boundary in the Local Plan (Adopted August 1994) and identified as part of a 'Long Term Growth Area' in the Clackmannanshire Local Plan 2nd Alteration (Housing Land Supply), October 1996.

**Appeal**

- Outline Planning Application (00/00129/OUT) by Bett Homes for Residential Development, associated infrastructure and Community Facilities - Submitted 20/04/2000.
- Site area encompassed 24 hectares but did not include site H50. A masterplan was submitted that showed 6 housing sites, and area of public open space/amenity/recreation, a site for a shop and for community and potential business use, all to the west of the rail line.
- Refused by the Council on 27 September 2000 for 5 reasons, including the fact that the land east of the rail line was excluded from the site and that therefore the preferred link road between the A91 and C101 could not be delivered.
- An appeal was lodged against this decision, and a public enquiry held between 25 and 27 June 2001.
- Planning Permission granted on appeal - 4 March 2002, following the conclusion of a S75 Agreement.

Following the appeal decision, the Adopted Clackmannanshire Local Plan, December 2004 indicated the site as being within the settlement boundary, but not allocated for development within the timescale of the local plan. It is therefore "white land".

### **Flooding**

(Reference of body or person(s) commenting on this matter: 1, 6,7,12,14,16,17,18, 19,20,27)

The Development Guidelines for the site require the submission of a detailed Flood Risk Assessment which will help to determine which parts of the site will and will not be developable and consider water management requirements. These detailed assessments will be undertaken either as part of the Development Brief/Design Statement process or as an integral part of any application for planning permission. **It is therefore considered that the Plan makes provision to address this issue and no changes are proposed to the Alteration.**

### **Roads and Access**

(Reference of body or person(s) commenting on this matter: 1,3,6,12,17,18,19,20,25,26,27)

A Transport Assessment will be required and infrastructure improvements, including the road network, will be a major consideration when assessing any planning application for this site.

Improvements required will be clearly laid out in either the conditions attached to any planning permission or through a legal Section 75 agreement. These will also include details of the timescales for the completion of any works required in relation to the construction of houses on the site. These detailed assessments will be undertaken either as part of the Development Brief/Design Statement process or as an integral part of any application for planning permission.

The site must be accessed from the C101 and must link into Menstrie Mains, including the construction of the road and cyclepath/footways on the west side of the disused railway to complete the link between the A91 via Menstrie Mains to C101. The disused railway should be crossed at grade and all necessary traffic management measures should be installed to accommodate a future cycle/pedestrian route on the line of the disused railway.

Contributions will be sought towards the improvement of the hump back bridge on the C101 and construction of a new road/footway and cycle route at grade level over the disused railway over the C101. Precise details will be determined through the Development Management process. As the road through the proposed site will link the C101 (Tullibody road) through the Menstrie Mains estate to the A91, it is hoped that a bus route will be routed along the new road and that footpath links can be provided with the Middleton estate to allow easier access to public transport.

Road safety improvements to the C101 (Tullibody road) will also be required.

Access arrangements for construction traffic will form part of the conditions of any planning permission for the site and safety considerations will be a major part in determining the access routes and hours. Any upgrades required prior to the

commencement of construction on site will also be conditioned.

Details such as traffic calming measures will be considered in detail through a Development Brief, or a detailed planning application. It is likely that these will reflect the previous phases at Menstrie Mains.

**It is considered that the Plan makes provision to address these issues and no changes are proposed to the Alteration.**

### **Social infrastructure**

(Reference of body or person(s) commenting on this matter: 1,17,18,19,20)

Developer contributions have enabled the extension of the Primary School and the Dumyat Centre, and open space provision for the benefit of the local community. The latest information from Education Services is that a further extension to the school would be the most appropriate way to accommodate any increased pupil numbers from the proposed development.

The Development Guidelines require developer contributions to address any primary education needs arising as a result of the development, formal and informal open space provision and funds for public art. As the Alteration only addresses housing, it identifies what is needed, i.e. improvements required as a result of the development of this phase of the site.

**It is therefore considered that, within the remit of the Alteration, provision is made to address this issue. Further detailed consideration can be given to all aspects of social infrastructure through the Local Development Plan Main Issues Report. No changes are proposed to the Alteration.**

Education Services will continue to be consulted on the suitability of the school to accommodate any additional pupil numbers from this development and developer contributions will be sought for changes to the school to accommodate these pupils if necessary. This is highlighted in the Development Guidelines for the site.

**No changes are proposed to the Alteration.**

### **Environment/Amenity**

(Reference of body or person(s) commenting on this matter: 6,7,12,16,19)

The TPO covers the two groups of trees in the east field, and the two lines of trees on the east and west boundaries of the east field. TPO policies will therefore apply to these areas. Depending on their condition, they should be retained and incorporated into any development layout.

**TPO reference to remain in the Development Guidelines. No changes are proposed to the Alteration.**

### **Site Capacity**

(Reference of body or person(s) commenting on this matter: 3,16)

While the number of units identified in the Schedule of Sites is indicative, it is considered that constraints on the site such as areas prone to flooding and the requirement for the provision of open space make it unlikely that the site capacity would exceed around 200 units. It is envisaged that the developable area of the site will be developed at medium density, however the whole site is included in the Alteration to allow for design solutions to be developed without the potential

constraints of the smaller site size. A previous submission by Gladedale indicated that the site capacity would be between 150-200 units. It is considered that this is a reasonable number and that the Local Plan figure of approximately 175 is representative of the site capacity.

**No changes are proposed to the Alteration.**

### **Affordable Housing**

(Reference of body or person(s) commenting on this matter: 3,25)

The number of affordable units identified in the Schedule of Sites have either been agreed through a planning consent, planning brief, RSL programme or are set at 25% of the site total in accordance with Policy RES5 'Affordable and Particular Needs Housing'. As the Alteration only considered housing sites and not the affordable housing policy this 25% figure must remain, although Policy RES5 does state that the 25% figure "may be moved up or down depending on specific local need and circumstances.". As the capacity of the site is listed as approximately 175, a 25% figure would be 43 units. The Plan will be changed to reflect this figure to ensure that provision is in line with Policy RES5.

**Affordable housing figure to be changed to 43 units. This could be revisited when an application is submitted to check if the local need has changed.**

### **Other**

(Reference of body or person(s) commenting on this matter: 1,3,6,7,12,15,18,20,26)

The fields adjacent to the recently built housing lie outwith the settlement boundary in the countryside and it is not considered that these areas represent more suitable sites than the site already identified within the settlement boundary at Middletonkerse.

### **Any further plan changes commended by the Planning Authority:**

Affordable housing figure to be changed to 43 units. This could be revisited when an application is submitted to check if the local need has changed.

'A' to be inserted in the relevant column of the Schedule of Sites.

Propose to delete the reference to "Including of site provision." in the Development Guidelines, but not add "...on site only.". Issue to be resolved at the time of any planning application or the preparation of a Masterplan/Brief.

<b>Issue 2</b>	<b>Site H44 - Helensfield, Clackmannan</b>	
<b>Development plan reference:</b>	H44	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>21 Jim Anderson  22 Barry Wickham  23 Bobby Anderson &amp; 10 signatories  24 Mr &amp; Mrs James McQuillan  28 Maureen Wheeler</p>		
<b>Provision of the development plan to which the issue relates:</b>	Site H44 - Helensfield, Clackmannan	
<b>Planning Authority's summary of the representation(s):</b>		
<p><b><u>Landscape Impact and Visual Amenity</u></b>  (Reference of body or person(s) commenting on this matter: 21,22,23,24,28)</p> <p>The existing site enhances the attractiveness of the area, and it's natural layout, contours, landscape and visual amenity should not be impacted in any way by the proposed development.</p> <p>The development will be in a Green Belt area, Helensfield will be joined up to Clackmannan and the Green Belt context would be lost. Helensfield should remain detached from the town to preserve its current identity. There are more suitable locations to locate a large housing development within existing town boundaries.</p> <p>Development would detract from the views of Helensfield itself and the views over to the church and Clackmannan Tower currently enjoyed by people entering the "Wee County".</p> <p>Neighbouring properties will be devalued and the attractive views from existing housing will be lost. The new build will create adverse and unacceptable overlooking and loss of amenity.</p> <p>Would like to request a more detailed brief before site application is submitted for the site.</p> <p><b><u>Social Infrastructure/Affordable and Special Needs Housing</u></b>  (Reference of body or person(s) commenting on this matter: 21)</p> <p>There are other factors which will have to be considered with regards to the social and welfare and proposed population of the development. It should also be pointed out, that there is little information contained within the Development Guidelines from the developer, in relation to the end use of Affordable/Low Cost/Special Needs units.</p>		

### **Ground Conditions**

(Reference of body or person(s) commenting on this matter: 23)

There are underground mining problems that would need to be overcome to enable any development there.

### **Roads, Access and Infrastructure Issues**

(Reference of body or person(s) commenting on this matter: 24,28)

Object to the prospect of a new roundabout on the A907 since it would detrimentally effect on the market value and amenity of Linsdale, Helensfield, and it would be safer to implement an alternative design solution for an access. Vehicular access from Cherryton Drive would be a more positive option. Access to the A907 will be problematic.

**Note to the Reporter:** Since the Schedule 4's were circulated prior to submission, eight residents of the Cherryton Drive area have contacted the Council to object to the suggestion made by another objector that access could be taken through Cherryton Drive (copies of objections enclosed). These objections are based on the impact of increased traffic in Cherryton Drive, Riccarton and at the junction with Main Street, which will become even busier following the completion of site H42, the unsuitability of the Category C Listed bridge and the inability to improve the bridge to a suitable standard without serious impact on its historical value.

The increase in car ownership in the vicinity will have adverse affects, particularly from increased noise pollution.

There will be major drainage problems associated with any development here.

### **Site Capacity**

(Reference of body or person(s) commenting on this matter: 23,28)

The extent of development is significant and will enlarge the existing village by 700%. This is unacceptable.

It is proposed to build around 220 new homes on the land at Helensfield.

### **Others**

(Reference of body or person(s) commenting on this matter: 21,23,28)

Concern that the residents are not experienced in dealing with the planning system and seek clarification that they can still retain legal services i.e. a planning consultant after the submission of their representations and any meetings with the council and that the deadline for comments of 12th February 2010 does not preclude this.

The residents are not clear on the planning context of how the site can be allocated in the proposed Finalised Alteration i.e. how can it appear now at this stage?

Suggested that perhaps due to the close proximity to the newly re-opened railway, any buildings on site would be adversely affected by trains e.g. vibrations, noise.

Seek confirmation whether all of the other areas identified in the Plan have been “used” or if this area has simply been identified as it is more lucrative/appealing than the other areas.

Seek an explanation of why the Council now wishes to include this land at what would seem to be the request of a developer.

Would like details of any public meetings/notices which may have taken place in the past relating to this proposal.

**Modifications sought by those submitting representations:**

Deletion of the site from the Finalised Plan.

Request more details about the way the site will be developed.

**Summary of responses (including reasons) by Planning Authority:**

**Landscape Impact and Visual Amenity**

(Reference of body or person(s) commenting on this matter: 21,22,23,24,28)

The land at Helensfield is mainly arable and lies within the existing urban boundary as defined in the adopted Local Plan. It is therefore an integral part of the existing urban area. The site is not designated as Green Belt and there are no planning restrictions requiring this land to remain in its current state.

No specific mention is made of any more suitable locations which are referred to.

The Schedule of Sites and the related Development Guidelines in the 1st Alteration make it clear that particular attention and steps are required to secure conservation of valuable habitat and landscape features at Helensfield/Clackmannan. They indicate the key considerations for any form of development at the site e.g. the developer to secure enhanced landscape and habitat values for adjacent riparian features and woodland, and careful attention to urban design is required amongst other requirements.

The perceived devaluation of property and protection of views are not material planning considerations. The currently adopted Local Plan contains policies to protect established residential amenity from any unacceptable and adverse impacts (Policies RES7 to RES12).

**No changes are proposed to the Alteration.**

**Social Infrastructure/Affordable and Special Needs Housing**

(Reference of body or person(s) commenting on this matter: 21)

It is unclear exactly what is meant by "the social and welfare and proposed population of the development". The Development Guidelines are not comprehensive, but do try to include as much information as possible. Further information would be forthcoming from a developer prior to any application being submitted as there is now a duty for them to consult while preparing their plans, rather than after the plans have been submitted. The Council has a Policy requiring affordable homes which will be applied to this development if appropriate.

**No changes are proposed to the Alteration.**

### **Ground Conditions**

(Reference of body or person(s) commenting on this matter: 23)

The whole area south of the Ochil Fault line requires consultation with the Coal Authority to prove that the ground is developable and appropriate technical investigation and advice on ground stability and other risks should be sought prior to the submission of any planning application.

**No changes are proposed to the Alteration.**

### **Roads, Access and Infrastructure Issues**

(Reference of body or person(s) commenting on this matter: 24,28)

The market value of any property is not a material planning consideration as to whether any site ought to be allocated, although amenity issues are taken into account when considering development proposals (please see the last point under 'Landscape Impact and Visual Amenity', above).

The roundabout design to the A907 will comply with the Development Roads Guidelines and Specifications of the Council and related safety considerations.

The Cherryton Drive option is not favoured, mainly since the footbridge over the River Black Devon can provide for only pedestrian and other light travel.

**Note to the Reporter:** The Council's Roads Department have advised that access through Cherryton Drive would not be favoured due to potential junction issues at Riccarton/Main Road, increased volumes of traffic due to a new development at Burnside (site H42) and potential issues with any required upgrade to the bridge over the Black Devon which is Category C(S) Listed and would require upgrading. Until such times as a more detailed assessment are carried out however, the Roads Department could not categorically state that an access through Cherryton Drive would be impossible or unacceptable. As neither the Council, nor the potential developer were considering access via this route, it has not been looked at in detail. Historic Scotland were not contacted for the same reason.

It is accepted that there will be increased traffic in the Helensfield area. The scale of this development, however, is not considered to be an unacceptable generator of pollution and the development will be required to provide for active travel options which can keep car travel to a minimum e.g. walking and cycling to Clackmannan and Alloa and with links to the nearby national cycle route and the local path network.

Consultation with Scottish Water does not indicate that development of this land is not feasible. The water and drainage infrastructure required for any development here will be required to meet the quality standards prescribed by the relevant authorities.

**No changes are proposed to the Alteration.**

### **Site Capacity**

(Reference of body or person(s) commenting on this matter: 28)

The extent of development is more related to meeting the strategic housing need for the area, as given in the Structure Plan, and specifically whether it can provide a quality place to live and can fit well into the existing landscape. It is considered

that housing on this land can serve such purposes well and it has therefore been allocated.

Whilst the Local Plan seeks to allocate around a gross area of 6.57 hectares of land as a development site the net site area for building will likely be significantly less than that. In any event the site is to be developed at a low density, which is around 12 homes per hectare. This equates to around 55 new homes in total as stated in the Schedule of Sites.

**No changes are proposed to the Alteration.**

### **Others**

(Reference of body or person(s) commenting on this matter: 21,23,28)

As you were advised in the letter from the Council (15th June 2010), this does not prejudice your ability for a fair hearing on any relevant planning considerations. All relevant planning matters can be dealt with through your written representations and such representations must be clearly documented by this Service and reasonable justification provided for any recommended outcome. You were advised to contact us if you had any further questions at any stage of the process and advised that another useful resource was Planning Aid for Scotland, a unique and independent charity which helps people understand, engage and benefit from the planning system.

You were also advised that, having made your comments, you were welcome to give more detail on them, although no new issues should be brought up. Initial representations are usually sufficient unless there are points which need clarified. We further commented that it was unusual for members of the public to engage professional services, although if you wished to approach a planning consultant, that was your choice. You were further advised that your representations would be considered by a Reporter, who are experienced in considering representations from members of the public and the absence of 'professional' input would in no way prejudice their decision.

In order to identify sufficient land to meet the projected housing needs it was necessary to identify 2 additional sites. This was because the previously anticipated start dates and development rates at some other sites was not as early and not as high as previously predicted. There was therefore a shortfall which necessitated the identification of additional suitable sites. The purpose of having an early draft of any Local Plan or Alteration is to enable amendments to be secured fairly and openly. Circumstances may change between the production of the Draft and the Finalised Plan, as was the case here, therefore amendments may be required.

The railway re-opening project considered all issues of this kind and a further opportunity to do so will arise at the formal planning submission stages for this site.

While some sites remain undeveloped, the delay in commencing construction on other sites has resulted in the need to identify additional land for development which it is considered could be developed in the shorter term to make up the shortfall.

Neighbours of the proposed new sites in the Finalised Plan were sent letters advising them of the changes from the Draft Plan, although no further public

meetings were held.

**Any further plan changes commended by the Planning Authority:**

No.

<b>Issue 3</b>	<b>Site H45 - Forestmill</b>	
<b>Development plan reference:</b>	H45	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
5 Scottish Natural Heritage 10 Hermiston Securities		
<b>Provision of the development plan to which the issue relates:</b>	H45 - Forestmill	
<b>Planning Authority's summary of the representation(s):</b>		
<p><b><u>Forestmill (Site H45)</u></b> (Reference of body or person(s) commenting on this matter: 5,10)</p> <p>SNH support the requirement to include the mitigation and enhancement measures as cited in the ER in the development guidelines section. They also refer to their detailed comments made in relation to this application and their natural heritage recommendations that should be incorporated into the development guidelines (ref. SNH's letter of 7 September 2006). These include River corridor surveys and in relation to Parklands Muir LWS adjacent, timing of works and specific landscape/visual recommendations.</p> <p>Hermiston Securities Limited fully support the identification of land within their ownership at Forestmill for housing within the Local Plan First Alteration – Finalised Draft (Site H45). Notwithstanding this, in terms of the number of houses expected to be delivered at Forestmill during the period of the Local Plan Alteration (i.e. up to 2017), the Finalised Draft Alteration articulates a figure of 320no. Conversely, the Consultation Draft Alteration previously suggested that 480no units would be provided within the same timeframe.</p> <p>The Finalised Draft Alteration does not appear to give any explanation for this significant reduction. Given that the indicative phasing strategy approved as part of the planning permission suggests that, allowing for enabling infrastructure works, up to 500no. houses could be developed within the first 6no. years, this revised figure needs to be clarified.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>Second last bullet point to be revised to read: Optimising the potential to achieve all of the above whilst minimising the environmental impact of the development and its impact on the landscape of Clackmannanshire. This will require that the mitigation and enhancement measures mentioned in the Environmental Report are firstly assessed in detail e.g. protected species and habitat surveys and River Corridor Surveys are done as relevant and required, and any development protects and enhances the natural heritage in the area for future generations by avoiding unacceptable impacts. Any removal of trees/scrub should be undertaken outwith the bird-breeding season.</p>		

**Summary of responses (including reasons) by Planning Authority:**

**Site History**

The Council has agreed that it is minded to grant an outline application (06/00283/OUT) for the development of a village, comprising houses, school, business units, shops, hotel, golf course, leisure and community facilities with associated roads, footpaths, other infrastructure, open space and landscaping, subject to the conclusion of a Section 75 Agreement.

**Forestmill (Site H45)**

(Reference of body or person(s) commenting on this matter: 5)

The second Environmental Statement prepared by Hermiston's agents and submitted to the Reporter in October 2008 advises that a River Corridor Survey was carried out on the Black Devon from May to July 2008. Later reference to otters, which appears to be the main area of concern, indicates that there were also surveys carried out in February and May 2006.

The Environmental Statement indicates that the mitigation measures for the river corridor will comprise a buffer zone, and there will be further survey work required for where the bridge crosses the river. In the conditions to be attached to the planning permission there is no specific call for additional survey work beyond that described above. Accordingly, as a River Corridor survey has been undertaken, with further survey work to be undertaken with reference to the area around the bridge, it is proposed to add the wording suggested to the text.

The housing figure was changed following information given to the Council that the start date for developing the site would be likely to be delayed from 2012 to 2014. It was therefore considered that the figure of 320 units was more realistic. There will be scope to revise any phasing in the Local Development Plan.

**No changes are proposed to the Alteration.**

**Any further plan changes commended by the Planning Authority:**

No.

<b>Issue 4</b>	<b>Policy RES1a</b>	
<b>Development plan reference:</b>	Policy RES1a	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>5 Scottish Natural Heritage  8 Dollar Civic Trust  29 Muckhart Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policy RES1a	
<b>Planning Authority's summary of the representation(s):</b>		
<p><b><u>Policy RES1a - General</u></b>  (Reference of body or person(s) commenting on this matter: 5,8,29)</p> <p>Support the landscape and visual assessment in this policy and consider this is applicable for all three sites. We note your response that once more detailed information on site boundaries is established, there will be more detailed consideration of impacts on the Black Burn Wood and Meadows SSSI. We welcome this and recommend the final bullet point in the policy is revised to include an ecological survey for species and habitats by a suitably qualified professional, with specific assessment of potential impacts on SSSIs adjacent to the Dollar and Muckhart golf courses if applicable.</p> <p><b><u>Policy RES1a - Dollar Golf Club</u></b></p> <p><b><u>Site History</u></b>  Dollar golf club have submitted 2 planning applications which have still to be determined:  10/00226/FULL - Erection Of Golf Club House With Associated Alterations To Car Park.  10/00227/FULL - Alterations (Including Partial Demolition), Stairwell Extension And Change Of Use Of Golf Club House To Form 5 No. Flats.</p> <p>To refer to linking enabling development to Dollar Golf Club is to open the way for speculative development over the length of the golf course.</p> <p>Concerns with regard to “other planning considerations”, which it is our view should be addressed before adoption of The Plan. This site is particularly sensitive in terms of its position at the top of “the most important street in Dollar” (Robin Kent, Dollar Conservation Area Appraisal of 2002) and at the junction between the Conservation Area within which the building lies and the Area of Great Landscape Value to the north.</p> <p>It seems surprising that a number of units or indeed an assessment of planning considerations could be arrived at without professional appraisals of the potential impact on both the Conservation Area and the AGLV; a point on which Dollar Civic Trust would seek reassurance.</p>		

The site is also extremely tight with a small car park and narrow access between the building and the burn. The building, although unlisted, is not without merit.

It seems possible that some limited development, such as extension and conversion of the club house building is an option which should also be considered. It is a concern that a developer partner may wish to demolish the golf club and, whilst this is not an attractive option in terms of preserving built heritage and sustainability principles, any new build should be required to enhance not just the viability of the golf club, but also the heritage character of the area. It would be difficult to ensure that new build would be of equal quality of build.

It would be preferable to consider any proposals for site development through the planning process rather than as part of enabling policy. It is the view of Dollar Civic trust that enabling development is not the best way forward with this site as it is too loose and open to leverage due to economic factors.

Should the reference to Dollar Golf Club remain within the Plan under enabling policy, it should be tied clearly to a boundary which is identical to the current ownership boundary of the Dollar Golf Club and, that Historic Scotland, Scottish Natural Heritage and AHSS should be consulted and involved in the definition of a development brief, before a developer partner is involved. There should be no harm to the character of the Conservation Area or the AGLV, rather there should be clear, open and transparent identified opportunities for enhancement.

#### **Policy RES1a - Muckhart Golf Club**

Object to the use of the enabling development policy to favour the financial gains of a private golf club without any clear indication as to what community gain might accrue from any such development. Whilst the aim of increasing the visitor numbers is to be supported, we would challenge the view that any such increase in the numbers playing golf at Muckhart and other golf clubs amounts to the kind of community gain that should accrue from enabling development. Furthermore that gain is not described or quantified in any detail in the Alteration, nor is there any description of acceptable thresholds for visitor numbers below which there would be no significant community gain. Therefore we would wish to see the section on Enabling Development and Tourism removed from the Alteration.

If the above objection is not upheld, then the following objections would still remain. However before detailing those additional objections, we wish to put on record that we welcome the improvements to policy RES1a contained in the Finalised Plan. They indicate that the Council has recognised many of the concerns that we expressed in our comments on the Consultative Draft of the Alteration.

The wording of 'Enabling Development and Tourism', and RES1a in particular, is far too open-ended. As it stands we have no idea as to how many houses might be built on the golf course or where they might be built. This open-ended approach involves asking the Muckhart community to accept an Alteration which could result in far more houses being built on the golf course than would be deemed acceptable. It could lead to speculative development being pushed through the planning system which results in the largest ever single growth of housing in the Muckhart area.

We cannot see why the enabling development policy as it relates to golf courses needs to detail three golf courses which happen to have approached the Council.

Enabling development is an existing policy which is being refined to attract more golf visitors to Clackmannanshire. Notwithstanding our primary objection to the use of the enabling development policy to benefit private golf clubs, we would argue that if RES1a has been drawn up on the back of a golf tourism policy then surely that policy should apply to all golf courses in Clackmannanshire, not just Muckhart, Dollar and Braehead.

We do not believe that the housing proposed for Muckhart Golf Club should relate to one type of housing only i.e. 'low density' housing. Muckhart requires a balanced range of housing, not just the 'expensive' or 'executive' housing that would result from the golf course proposal. Furthermore we as a community are trying to address the housing issue in Muckhart through the new Development Planning system but it is particularly difficult to deal with those issues when the extent of housing development on the golf course which might result from the Alteration is unknown. The overlap of these two planning processes is unacceptable. We therefore object to housing on the golf course being dealt with through the Alteration, separate from and parallel to the housing issues that will be addressed through the new Development Plan.

If policy RES1a does remain in the Alteration then its wording requires further editing, with appropriate consultation. For example, the words 'where required' should be removed from the section on the landscape and visual impact assessments. Housing on golf courses, (and Muckhart is no exception), always has a landscape impact and therefore a landscape and visual impact assessment should always be made, not just where required.

#### **Modifications sought by those submitting representations:**

Final bullet point to be revised to read:

- Consideration of amenity and environment, including ecological surveys for species and habitats, and measures to address any issues. Potential impacts on the SSSIs adjacent to Dollar and Muckhart golf courses should be specifically assessed.

#### **Summary of responses (including reasons) by Planning Authority:**

##### **Policy RES1a**

(Reference of body or person(s) commenting on this matter: 5,8,29)

It is considered that the principle of enabling development has been covered in great depth in paragraphs 3.18a to 3.22a and in Policy RES1a. This recognises that there will be uncertainties at the outset of such projects and aims to put in place conditions and criteria which must be met before enabling development will be considered. It is considered that these conditions address your concerns in relation to any proposals, e.g. your contention that it is unclear as to what community benefits might accrue from a development at Dollar Golf Club would be picked up in more detail under the very first bullet point of Policy RES1a.

Quantifying any potential benefits is likely to be an inexact science, however it is considered likely that, if facilities are improved, both member and visitor numbers may well increase. A better standard of product usually results in improved patronage, all other factors being equal. The Council is therefore keen to support such proposals in principle and, through Policy RES1a will address any potential issues which may arise as such proposals are progressed.

**No changes are proposed to the Alteration.**

**Policy RES1a - Dollar Golf Club**

It is not clear where the quoted "other planning considerations" referred to can be found in the Finalised Alteration document, however Policy RES1a does list the criteria and issues which will be taken into consideration when considering proposals submitted under the enabling development category.

**No changes are proposed to the Alteration.**

The Alteration does not give any indication of a number of units, it does state that any enabling development should be the minimum amount required. There are therefore a number of variables and these would be addressed under the criteria of Policy RES1a. These would include landscape and visual appraisals of any potential development, with particular regard paid to Conservation Areas, AGLVs and the surrounding area.

**No changes are proposed to the Alteration.**

When advice is sought on a potential development or a proposal is submitted for comment, Roads and Transportation will comment on the traffic and access issues.

**No changes are proposed to the Alteration.**

Comments on support for limited development are noted.

**No changes are proposed to the Alteration.**

In order to attract "developer partner finance" it would be necessary to have some form of development. As this would only be allowed if it directly benefited the Golf Club it would seem appropriate to describe it as enabling development in order that the criteria highlighted in Policy RES1a can be adhered to. Should any more detailed proposals emerge they will be consulted on and, if agreed may be included in the Local Development Plan in future. At this time however there is insufficient information available to allow any more detail to be included in the Alteration.

**No changes are proposed to the Alteration.**

At this stage no boundary has been identified, although constraints mentioned previously such as AGLV and settlement boundary will be considered in defining a site. Again it may be the case that as options are progressed a site boundary can be defined through the Local Development Plan. A danger in identifying a site at this stage is that it may be larger than necessary and therefore encourage over development, which is not the aim of Policy RES1a.

**No changes are proposed to the Alteration.**

Policy RES1a identifies that the minimum amount of enabling development is all that will be considered and that this should be demonstrated by the submission of a Business Plan. Therefore, while the output may not be as defined as e.g. allocated housing sites, it will always be at the minimum level required to enable the project to proceed.

**No changes are proposed to the Alteration.**

The Development Plan process is intended to identify areas where development may take place over the period of the Plan. In doing this, the Council tries to gather as much information as possible and to consult with the public based on that information. In the case of smaller developments, proposed extensions, etc. it will

normally be sufficient to include a general policy in the Local Plan, giving the option of considering the policies of the Structure Plan and National Guidance in order to ensure everything which needs to be considered in determining an application has been.

Where the Council is aware that there is an interest in development, as is the case with the 3 golf courses mentioned, we would try to get as much information as possible to include in the Local Plan Alteration. If this information is not to hand, or is in insufficient detail, in order to avoid including what could be seen as misleading information, minimal information will be included in the Plan, however the plan will make explicit what further information will be required if a development is being pursued.

Therefore only the clubs who have expressed an interest in investigating enabling development have been included in Policy RES1a in order to avoid complicating the Plan by including areas where there may be no intention of development taking place.

**No changes are proposed to the Alteration.**

**Policy RES1a - Muckhart Golf Club**

One of the fundamental aims of this type of enabling development is to achieve the capital required through the minimum development necessary. In the case of housing in the Muckhart area, this is likely to be best achieved through low volume, low density, high value units. If a housing mix was considered this would likely result in a far higher number of units being required, which could increase the amount of land required, increase traffic issues and infrastructure provision issues as well as visual and landscape issues.

**No changes are proposed to the Alteration.**

It is considered that Policy RES1a identifies all of the points which any submission for enabling development would be required to address. The level at which these are to be considered will be determined by the Council in order that they have sufficient information to enable them to make a decision/recommendation on any proposals submitted. However it is agreed that the wording "where required" should be removed.

**"where required" to be removed from Policy RES1a of the Alteration.**

**Any further plan changes commended by the Planning Authority:**

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<b>Issue 5</b>	<b>Site H22 - Sauchie West, Sauchie</b>	
<b>Development plan reference:</b>	H22	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
5 Scottish Natural Heritage		
<b>Provision of the development plan to which the issue relates:</b>	Site H22 - Sauchie West, Sauchie	
<b>Planning Authority's summary of the representation(s):</b>		
We note that the Sauchie West (H22) allocation now totals 52.81 ha - an increase from 19.80 ha in the Consultative Draft Plan. We support the development guidelines for this site but also recommend a landscape and visual assessment for this development as detailed in the ER for large scale development.		
<b>Modifications sought by those submitting representations:</b>		
Request that reference is made to the need for a landscape and visual assessment in the Development Guidelines for the site.		
<b>Summary of responses (including reasons) by Planning Authority:</b>		
<p><b><u>Site History</u></b>  09/00266/PAN - Residential Development of Land</p> <p>10/00153/PPP - Residential Development of Land received 11th June 2010, no decision.</p> <p>Noted. The increase in size is due to the fact that the whole site has now been identified, not just phase 1 as previously.</p> <p>Development guidelines will be amended to include reference to the need for a landscape and visual assessment as part of the Masterplan exercise.</p>		
<b>Any further plan changes commended by the Planning Authority:</b>		
Development guidelines to be amended to include reference to the need for a landscape and visual assessment as part of the Masterplan exercise		

<b>Issue 6</b>	<b>Site H59 - Dollar Road, Tillicoultry</b>	
<b>Development plan reference:</b>	H59	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
9 Tillicoultry Community Council		
<b>Provision of the development plan to which the issue relates:</b>	Site H59 - Dollar Road, Tillicoultry	
<b>Planning Authority's summary of the representation(s):</b>		
Object to the continued zoning of Site H59, Dollar Road, Tillicoultry		
<b>Modifications sought by those submitting representations:</b>		
Removal of site H59, Dollar Road, Tillicoultry from the Plan.		
<b>Summary of responses (including reasons) by Planning Authority:</b>		
<p><b><u>Site History</u></b></p> <p>The inclusion of this site as a housing site was upheld at the Public Local Inquiry into the Clackmannanshire Local Plan which commenced on 17th June 2003. The Plan sought to allocate the land at Dollar Road for housing, reference H97. Tillicoultry Community Council objected by written submissions.</p> <p>The Reporter's recommendation (paragraph 17.46) was that "There should be no change to the proposed Plan on account of these objections", and therefore housing site H97 was therefore included in the adopted Local Plan, although it was re-numbered as site H96.</p> <p>As your recent submission was seeking clarification and further information on the history and zoning of site H59, and did not specifically object to any part of the Finalised Plan it has been recorded as a representation.</p> <p>Only where objections/representations remain outstanding will the Plan be submitted to the Scottish Ministers for examination. Ministers will appoint a person to carry out the examination and the arrangements for the examination will be made by the Directorate for Planning and Environmental Appeals. They will only consider unresolved objections and representations which were submitted during the consultation on the Finalised Plan. It is considered that, in providing you with the information requested in your submission, your representation has been dealt with however it will still be forwarded to the Scottish Ministers for their consideration.</p>		
<b>Any further plan changes commended by the Planning Authority:</b>		
None.		

<b>Issue 7 Alva</b>	<b>Site H907 - Glentana/Dalmore Centre, West Stirling Street,</b>	
<b>Development plan reference:</b>	H907	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
4 Historic Scotland 13 Graham Nicol		
<b>Provision of the development plan to which the issue relates:</b>	Site H907 - Glentana/Dalmore Centre, West Stirling Street, Alva	
<b>Planning Authority's summary of the representation(s):</b>		
<p><b><u>Site History</u></b> 10/00143/FULL - Land To The Rear Of Glentana Mill West Stirling Street Alva Clackmannanshire - Erection of Confectionary Factory (Class 5) With Associated Offices, Cafeteria and Shop Application. Approved 2nd September 2010.</p> <p>Request the language in Table 3.3 relating to site H907 be changed as "including" is too ambiguous a term and could potentially lead to a future administration electing to ignore the brief entirely whereas "comprising" is a far stronger term and quite clearly sets out the expectation of how this site should be developed.</p> <p>Historic Scotland has received a formal request to consider the former Dalmore Centre building for listing.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>Request the language in Table 3.3 relating to site H907 be changed from:</p> <p>Existing/Previous Use: Retail/Tourist Information/Car Park/Community Use Potential for a mixed use development including housing accommodation designed specifically for the elderly, retaining sufficient public parking and a potential new tourism development opportunity. Subject to Development Brief.</p> <p>To:</p> <p>Existing/Previous Use: Retail/Tourist Information/Car Park/Community Use Potential for a mixed use development <b>comprising</b> housing accommodation designed specifically for the elderly, retaining sufficient public parking combined with a potential new tourism development opportunity. Subject to Development Brief.</p>		
<b>Summary of responses (including reasons) by Planning Authority:</b>		
<p>It is considered that the request to change the wording is acceptable and would give clearer guidance on the potential future development of the site. It is proposed to change the wording in Table 3.3 to that suggested above.</p> <p>The Dalmore Centre was listed C(S) on 24th July 2010. The Council are now looking at future uses for the building with an option appraisal being carried out.</p>		

**Note to the Reporter:** The Council will update the Reporter at the time of the examination on the current situation regarding the Dalmore Centre. The site is identified in the Finalised Plan as having potential for mixed use development including housing.

**Any further plan changes commended by the Planning Authority:**

Situation regarding the Dalmore Centre to be updated to reflect Listed status, with the Reporter being provided with up to date wording at the start of the examination.

<b>Issue 8</b>	<b>New site promoted at The Glen, Coalsnaughton</b>	
<b>Development plan reference:</b>	Residential Development - Schedule of Sites for Local Plan Alteration	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
11 Perry Hutchins/Solitsa Properties		
<b>Provision of the development plan to which the issue relates:</b>	Housing Schedule of Sites	
<b>Planning Authority's summary of the representation(s):</b>		
Promoting a site east of The Glen, Coalsnaughton for a residential development of general and affordable housing.		
<b>Modifications sought by those submitting representations:</b>		
Inclusion of the site to the west of The Glen, Coalsnaughton as a residential development site.		
<b>Summary of responses (including reasons) by Planning Authority:</b>		
<p>The Alteration already allocates sites in Coalsnaughton within the urban limit with a combined capacity of around 300 units.</p> <p>The recent slowing of the completion rate of new housing and the number of sites available in the Development Plan means that there is not currently a housing land shortage.</p> <p>The Main Issues Report of the Local Development Plan, which will be consulted on in early 2011 will consider the housing land requirement to the longer term, i.e. beyond the 2017 horizon of the Local Plan Alteration, and this would be when sites to the longer term would be considered.</p> <p><b>No changes are proposed to the Alteration.</b></p>		
<b>Any further plan changes commended by the Planning Authority:</b>		
None.		

<b>Issue 9</b>	<b>The Coal Authority</b>	
<b>Development plan reference:</b>	General references to coal extraction and sterilisation of reserves	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
2 The Coal Authority		
<b>Provision of the development plan to which the issue relates:</b>	General references to coal extraction and sterilisation of reserves	
<b>Planning Authority's summary of the representation(s):</b>		
<p><b><u>General Sterilisation of Surface Coal Reserves</u></b></p> <p>The vast majority of proposed sites for residential development are located on surface coal resources, which will be cumulatively sterilised if they are built on. There is no reason why prior extraction of surface coal cannot take place to avoid permanent sterilisation.</p> <p>SPP16 identifies that deposits of coal capable of being extracted should not be sterilised unnecessarily, and further indicates that, where practicable, it is desirable to secure extraction prior to new permanent development above workable coal reserves. The Local Plan First Alteration provides the opportunity to set out a phased approach to the development, to facilitate both the proposed housing development and extraction of the surface coal resource.</p> <p>The Local Plan First Alteration is not being consistent in its approach to strategic housing development sites. The presence of coal is recognised at site H22 as part of the Development Guidelines, yet not acknowledged at all in the Development Guidelines for site H45, development of which would result in a far greater sterilisation of coal resource than site H22.</p> <p><b><u>Site H22 – Sauchie West</u></b></p> <p>The Coal Authority welcomes the reference to the need to consider coal reserves that are present within this large 52ha site as part of development proposals. However, we consider that this reference would be clearer if it were to also note the need to consider prior extraction to avoid sterilisation of the resource. It would appear from the Schedule of Sites that residential development of this site is phased beyond the period to 2017, which would allow a reasonable lead-in time for prior extraction to take place.</p> <p><b><u>Site H45 – Forestmill</u></b></p> <p>The potential sterilisation of surface coal resources at Forestmill does not appear to have been a significant consideration in the planning application decision making process, and prior extraction of those resources does not feature as a condition. We are disappointed that the Local Plan First Alteration continues to ignore the significant impact that this proposed housing development would have in terms of permanently sterilising the surface coal resources that are present within the site, and wider area.</p>		

The Coal Authority accepts that, due to the presence of surface coal resources across most of the Clackmannanshire area, it is highly unlikely that an appropriate strategic housing land allocation could be made in the Local Plan First Alteration outside of the surface coal resource area. However, where housing land allocations are proposed that would result in the permanent sterilisation of surface coal resources full consideration should be given to the extraction of the coal prior to development. The proposed housing development would radically redraw the settlement boundary for Forestmill, which in turn could potentially sterilise large parts of this known surface coal resource through the potential imposition of the 500m separation distance from settlements.

The Council stated that the proposal would make a significant contribution to the housing land supply, and delaying development to facilitate coal extraction would not be desirable as it could reduce the contribution this site makes in the plan period to 2017, resulting in the need for further housing allocations in the Eastern Clackmannanshire area. We would contend that the Council could not evidence such an assertion, and that a phased programme of extraction should feature in the Development Guidelines for site H45. We note from Section 7 of the Masterplan, which accompanied the planning application that an indicative phasing plan has been prepared for the site. This assumed a construction period of 12 years, broken down into an enabling works package of 2 years followed by 5 phases, each representing a construction period of 2 years. The Council should therefore consider how the scheme of remediation/reclamation for the Meadowhill site and ground modelling proposed as part of the Masterplan can be phased to incorporate extraction of surface coal resources in the portion of the Aitkenhead area that will otherwise become sterilised, in order not to delay the housing development whilst still achieving extraction of some of the surface coal resource.

#### **Schedule of Sites – Development Guidelines - Zone of Influence**

All of the proposed new residential development set out in the Schedule of Sites are located within the potential zone of influence arising from past coal mining activity, such that the impact of mining legacy in terms of the risks presented may need to be investigated to ensure safety and stability of new housing.

#### **Modifications sought by those submitting representations:**

We would therefore recommend the following text be added to paragraph 3.9a:  
“...for new housing development outwith the settlement boundaries shown. In addition, there is surface coal resource throughout Clackmannanshire, upon which this housing development is proposed. Where practicable, as required by SPP16 developers should give consideration to prior extraction of the coal resource, to avoid it being sterilised.”

#### **Site H22 - Sauchie West**

We suggests the following amendment to the Development Guidelines with respect to Site H22:

“...with road alignment of B908. Coal reserves need to be considered for prior extraction to avoid sterilisation and relative to Policy EN21.”

#### **Schedule of Sites – Development Guidelines - Zone of Influence**

The Coal Authority would therefore recommend including the following text either within the Development Guidelines for each site individually, or as an overarching requirement for an assessment of mining information, to be added to paragraph

3.9a:

"There are potential issues relating to ground conditions in the area as a consequence of former mining activity in the locality. Appropriate technical investigation and advice on ground stability and other risks should be sought prior to submission of any planning application."

#### **Summary of responses (including reasons) by Planning Authority:**

##### **General Sterilisation of Surface Coal Reserves**

SPP16 has now been replaced by the Scottish Planning Policy (SPP), and paragraph 241 of the SPP contains a similar statement to that in paragraph 3.9a of SPP16, stating that "where practicable it is desirable to secure extraction prior to permanent development above workable coal reserves.". Paragraph 244 of the SPP will also be relevant as it identifies areas where surface coal extraction is unlikely to be environmentally acceptable.

Prior extraction of opencast coal is addressed in Local Plan policy EN22 "Opencast Coal and Related Minerals" which supports in principle the prior removal of affected reserves. This policy will remain in place as it does not form part of the Alteration.

**It is therefore considered that national and current Development Plan policies already address these issues and it is not considered appropriate for this housing alteration to go into further detail. When the Local Development Plan is being prepared there will be the opportunity to comment on minerals issues.**

##### **Site H45 - Forestmill**

Policy EN24 of the Clackmannanshire Local Plan generally seeks to protect mineral resources, the exception being where this would prevent residential development which contributes to the strategic housing land requirement and no other sites to meet the requirement are available elsewhere. In order to accord with the Structure Plan Alteration Strategy, this site has been identified as the most appropriate to meet this allocation in Eastern Clackmannanshire. As this site will make a significant contribution to the housing land supply, it is considered that delaying development to facilitate coal extraction would not be desirable as it may result in the need to identify another large land release in the Eastern Clackmannanshire area.

The potential sterilisation of surface coal resources was also considered as part of application 06/00283/OUT. Although the Inquiry into the application did not proceed the Council's statement of case stated that:

"The composite ES includes geological evidence which allows the Council to conclude that, in accordance with national policy guidance, the proposed village will not sterilise economically recoverable shallow coal deposits within or outwith the application site that are not already constrained by the existing village."

**It is therefore considered that there is no need for this issue to be revisited through the Plan and no changes are proposed to the Alteration.**

##### **Schedule of Sites – Development Guidelines - Zone of Influence**

Although no specific mention is made of ground stability issues in the Development Plan, the Council are aware of the history in the area and detailed ground condition surveys will be required as part of the planning application submission process where appropriate.

**It is therefore considered that this issue will be addressed through the Planning Application process and no changes are proposed to the Alteration.**

**Any further plan changes commended by the Planning Authority:**

**Site H22 - Sauchie West**

We suggests the following amendment to the Development Guidelines with respect to Site H22:

“...with road alignment of B908. Coal reserves need to be considered for prior extraction to avoid sterilisation and relative to Policy EN21.”

**CLACKMANNANSHIRE COUNCIL**

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**Report to Council**

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**Date: 27 January 2011**

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**Subject: St John's and Claremont Primary Schools - Consultation**

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**Report by: Interim Head of Education**

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**1.0 Purpose**

- 1.1. This report seeks approval from Council to undertake a new, formal consultation regarding proposals to deal with issues relating to the buildings of St John's and Claremont Primary Schools.
- 1.2. The proposals include an option to merge the schools into a single new school on a site known locally as the 'Redwell Site'.
- 1.3. The 'proposal document' required by statute is appended to this report. The document provides the full details of the proposals to merge St John's and Claremont Primary Schools as well as 3 other options for consultation. The document takes account of the motion by Councillor Womersley put to Council on 8 July 2010, which was approved unanimously. The motion stated that:

" Council undertakes the latest tranche of consultation regarding the provision of primary education in Alloa West in a full and open manner and not restricted to one option only, i.e. a new school for a merged St John's and Claremont Primaries to be erected at the current Redwell playing fields in Alloa."

and

"that such consultation seeks to pursue the community's view on all options stated in the original business case presented to Council and reports such views and any other views/preferences back to Council at a future date to allow Council, at that time, to make a decision, fully informed as to the expressed preferences of the community.

**2.0 Recommendations**

- 2.1. It is recommended that the Council :-
  - a) approves the "Proposal Document", which includes an educational benefits statement, to allow the formal public consultation exercise on the four options to be established and
  - b) authorises officers to undertake the public consultation beginning in February 2011 such that a report on the outcome of the exercise is presented to the Council no later than 18 August 2011.

### **3.0 Considerations**

- 3.1. The closure of any school requires that a formal consultation process be carried out which is consistent with the Schools (Consultation) (Scotland) Act 2010
- 3.2. At its September 2010 meeting, the Council approved the Property Asset Management Plan (PAMP). This document contains a number of recommendations connected with a review of the whole school estate.
- 3.3. The Council established a 3-12 Working Group to review its current arrangements for the provision of primary education in Clackmannanshire and to bring forward proposals for developing that provision in ways which would make it more universally fit for purpose in the 21st century. The Working Group's remit was to develop further the work undertaken by the Independent Commission on Education Provision (3-12) which was approved by the Council in 2007.
- 3.4. The 3 -12 Working Group, and other forums, identified the best options for the future delivery of early years and primary education in Clackmannanshire. All discussions were conducted within the context of the need to deliver an educational experience fit for the 21st century and took cognisance of the implementation of Curriculum for Excellence. The Working Group's discussions were wide-ranging and consultation exercises in respect of other establishments are also proposed.
- 3.5. Claremont and St John's Primary Schools share adjoining catchment areas and there is less than 800 metres between the current buildings.
- 3.6. Arising from the consultation, any agreement to merge the schools in a new school would result in one head teacher post becoming redundant.
- 3.7. Eight options were considered and four have been appraised prior to the consultation exercise. These are -:
  - (1) Refurbishment of St John's Primary School on the existing site.
  - (2) New build of St John's on a different site.
  - (3) Refurbish and extend Claremont Primary School to accommodate all of St John's pupils.
  - (4) Build a new school to serve the combined catchment areas of St John's and Claremont on the Redwell site.
- 3.8. A bid was submitted to the Scottish Futures Trust (SFT) to build a single new school to replace St John's and Claremont Primary Schools in November 2009. In their subsequent letter of 2 June 2010 the SFT confirmed that on the basis of the proposed merger/new-build project the Council would receive an indexed funding contribution of £4,053,750.
- 3.9. The amount is offered only to build a single new school. The sum offered was calculated on a proposed capacity of 400 pupils, a space allocation of 7.5 square metres per pupil and an all in base cost of £2 350 per square metre.

- 3.10. The letter made clear that the level of funding received by the Council would be adjusted to take account of any movements in inflation after April 2009 and the mid point of construction based on the tender price index used by the Scottish Futures Trust.
- 3.11. The letter also set out several strategic objectives which underpinned the Schools for the Future Programme, namely :-
- effective and efficient procurement
  - cost efficiency
  - sustainable lifecycle solutions
  - improved environmental performance and reduced carbon footprint
  - implementation of the nine principles included in the School Estate Strategy: Building Better Schools : Investing in Scotland's Future
- 3.12 The government document Building Better Schools: Investing in Our Future (2009) describes the national vision for schools. It states that the aim is to 'signal the high value we place on learning; which people and communities can enjoy using and can be proud; which are well designed, maintained and managed and which encourage continuous engagement with learning; which are far more than just 'educational establishments' whose quality of environment supports an accessible range of services and opportunities and which enrich the communities they serve and the lives of learners and families'.
- 3.13 Whilst the expected educational benefits of a new school for St John's and Claremont Primary Schools are consistent with this vision and are detailed in the proposal document, the following educational advantages have been identified from case studies of recently completed Scottish projects. A number of such case studies exist in Building Better Schools: Investing in Our Future which describe the benefits to pupils who now learn in newly designed buildings.
- 3.14 For the pupils of Blairdardie Primary School in Glasgow the school grounds are now used extensively for outdoor learning, with enhanced opportunities for physical activity and seating areas which encourage social interaction and emotional health, whilst the bog garden and woodland area give the children the chance to interact, and develop a connection, with the natural world." The design of the new Dalry Primary School in North Ayrshire is described as an innovative project which involved the close collaboration of artists, architects, pupils and teachers in the design and realisation of a new concept in primary school architecture. The school has been designed as a learning prototype, offering users multiple opportunities to engage with different organisational and teaching methods and to use or modify the facilities and spaces. The aim was to create a new language of learning projects...where routes tell stories, layout suggests systems of measurement, and specific spatial relationships inform about the local and global environment... and these help to prompt pupils to engage with their environment, to ask questions and encourage them to take responsibility for their learning.' And a case study of Newark Primary School in Inverclyde describes the benefits of

purpose built early years accommodation. "The nursery has its own entrance and safe and secure access to separate outdoor play areas. There are 3 separate play areas off each side of the nursery; the minibeast zoo adjacent to the quiet area; a playground area adjacent to the wet area and decking area adjacent to the eating area. The large open plan space is top lit with domed roof lights creating an exciting and stimulating teaching space"

3.15 All of the options presented have been costed at this stage. It should not be assumed at this stage that there is funding available to realise all of them.

### 3.16 **Conclusions**

The proposal document (Appendix 1) contains details about the consultation process as well as the options which have been appraised. Because funding is available for it, officers consider that the preferred option is to build a new merged school on the Redwell site with funding identified from the Scottish Futures Trust as indicated in the paper.

## 4.0 **Sustainability Implications**

4.1 One of the guiding principles of the School Estate Strategy is that schools are 'greener', more sustainable and environmentally efficient. School buildings will contribute to the statutory framework of annual targets and lead by example in environmental performance.

## 5.0 **Resource Implications**

5.1. Financial Details

5.2. The full financial implications will be evaluated following identification and approval by the Council of the preferred option. Yes

5.3. Costs of the public consultation proposed in this paper are likely to be in the region of £1000. This includes the hire of facilities for meetings, the publication of related materials etc.

5.4. Staffing

5.5. Again, the full staffing implications will be assessed once the Council has approved the preferred option.

## 6.0 **Exempt Reports**

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

## 7.0 **Declarations**

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

(1) **Our Priorities 2008 - 2011** (Please tick )

- 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. 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".

Appendix 1: Proposal document.

**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

Independent surveys of the buildings.

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Lesley Robertson	Interim Head of Education	2515

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Lesley Robertson	Interim Head of Education	(Signed: L Robertson)
Garry Dallas	Director of Services to Communities	(Signed: G Dallas)



Services to People: Education Service

PROPOSAL DOCUMENT: January 2011

### **Review of Education Provision**

The following schools are affected by this proposal document

ST JOHN'S PRIMARY SCHOOL

CLAREMONT PRIMARY SCHOOL

This document has been issued by Clackmannanshire Council for consultation in terms of the Schools (Consultation) (Scotland) Act 2010.

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Proposal for the merger of St John's and Claremont Primary Schools on one campus.

St John's Claremont Oct 2010



## **Summary Proposal**

It is proposed that:

education provision at St John's Primary School and at Claremont Primary school should be discontinued on completion of a new school for Alloa West or as soon as possible thereafter

### ***Distribution***

A copy of this document is available on the Clackmannanshire Council web-site

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

A copy of the document will be provided for:

The Parent Council of each school  
The parents of pupils on the roll of each school  
Parents of children expected to attend the affected schools within 2 years of the date of publication of this proposal document  
The pupils at the affected schools  
The staff of the affected schools  
Trade Union representatives of the staff at the affected schools  
Alloa Central Community Council  
Alloa West Community Council  
Relevant users of the affected schools  
The constituency MSP  
Chief Superintendent Alloa Police  
Chief Executive NHS Forth Valley  
Area Commander Alloa Fire Station  
HMle

A copy of this document is available from Council Headquarters, Greenfield Alloa  
Alloa Library Drysdale St Alloa  
St John's Primary School  
Claremont Primary School

This document is available in alternative formats or translated form for readers whose first language is not English. Please apply to the Education Service, Lime Tree House, Alloa, by telephone 01259 452437 or by email consultation @clacks.gov.uk



## **This is a proposal document**

### **Proposal**

That subject to the outcome of this consultation exercise:

Education provision at St John's Primary School and Claremont Primary school should be discontinued on completion of a new school for Alloa West or as soon as possible thereafter.

#### **1.0 Introduction**

- 1.1 Clackmannanshire Council aims to provide the best possible educational experience for all pupils.
- 1.2 Aspirations for education are contained within the Single Outcome Agreement and the Council's Priorities contained within the Corporate Plan. Key priorities for education are :

Our communities are more cohesive and inclusive  
Our people are better skilled and ready for learning and employment  
Vulnerable people and families are supported  
Health is improving and health inequalities are reducing  
The Council is effective, efficient and recognised for excellence.

- 1.3 The vision for education is contained within the document Learning to Succeed in Clackmannanshire in the 21st century. The skills and knowledge that young people will require in the future are consistent with the Council's aspirations to enable all learners to become :

Successful learners  
Confident individuals  
Responsible citizens  
Effective contributors

#### **2.0 Reason for the proposal**

- 2.1 As part of the Government's School Estate Strategy, Clackmannanshire Council, in common with all Scottish local authorities, is required to assess the condition and suitability of its schools and report these 'core facts' to the Scottish Government. It is required to produce a School Estate Management Plan (SEMP) also.

The major aims of the Council's Schools Estate Management Plan for the period to 2015 are to:

- bring the condition of all schools in the 3-12 estate to condition B or better and to maintain it

- address issues of sufficiency as they arise
- increase the number of 3-12 campus arrangements
- improve the suitability of external learning, teaching and social spaces
- improve dining facilities in those schools with the smallest dining space

2.2 At the Council Meeting of December 2009, Elected Members were advised that the condition of St John's Primary School was rated as 'D', the poorest category. For suitability, it was rated C/D. Suitability is the category used to assess the capacity of the building for effective service delivery.

2.3 On the basis of these assessments, the unanimous view of an officer - member working group convened to take forward the recommendations of the independent review of education 3-12 in Clackmannanshire, was that the current building which houses St John's Primary School was the highest priority for the SEMP to address. It was further agreed that this was a matter of urgency.

2.4 St John's Primary school roll is currently 245 pupils.

2.5 An independent survey of the St John's building which includes a structural report was carried out on 1 November 2010 and stated that defective stonework was observed on the original building. An issue with the northwest chimney was also highlighted which could necessitate its removal and/ or reconstruction. Extensive work on the roof is required and internal downpipes which are hidden behind finishes are likely to continue to be problematic. Issues with corrosion of ground floor support beams mean that steel work treatment to these is required. In the gym area, the most significant issues are repairs which are required to the eaves' coursing damage and the poor roof condition. There are issues around accessibility to the whole building for the disabled. There is a restriction on the number of occupants using the first floor of the 1908 building for fire safety reasons. The conclusion is that the building appears to be at the end of its serviceable life and that considerable investment would be required to refurbish the school for the medium term. This will not address inherent suitability difficulties.

2.6 Claremont Primary School and St John's Primary School share adjoining catchment areas and there is less than 800 metres between the current buildings. Given the geographical proximity of Claremont with St John's Primary School, the member – officer working group also examined the condition and suitability of Claremont Primary School. Claremont Primary school is assessed as C for condition and C for suitability. However, Claremont Primary School is difficult to adapt to make it fully compliant with the Disability Discrimination Act and it is likely that the building will require attention to bring it to the desired B standard for condition and suitability.

2.7 The roll of Claremont Primary School is currently 181 pupils.

2.8 An independent survey of the condition of the building and structure of Claremont

Primary School was conducted on 5 November 2010. The report identified minor repairs which are required to fill cracking in a number of areas and UPVC damage to fascia. Overall the building was described as being borderline between satisfactory and poor condition and it is likely that the roof coverings will need to be replaced in the short to medium term. The building was identified as 'not fully accessible' and it is not possible to pass from the lower ground floor to the main assembly hall without using stairs or going outside the building.

2.9 The conclusion is that neither school is fit for the purpose of delivering education for the 21st century. Full detail is provided in the background papers which will be available on clacksweb - the specific link will be notified by the commencement of the consultation period.

2.10 School roll projections show that there is likely to be little change in primary schools' rolls across Clackmannanshire in the period 2010 -11 to 2023 - 24 (3813 - 3725). The current and maximum projected rolls for each of the schools concerned are shown below :

	Current (2010 -11)	Max Projected (2010 - 24)	Projected at 2024
St John's	245	196 (18-19)	196
Claremont	181	190 (17-18)	186

2.11 Figures are based on the roll at the September census in 2010. Based on these figures, one class configuration in August 2012 could be as follows.

Year group	16 classes		
P1	17	17	18
P2	24	24	
P3	24	24	
P4	30	31	
P5	26	29	
P6	27	28	
P7	25	25	25

2.12 If St John's and Claremont primary schools were to be merged, to address current and future need a new building would require to have ;

- 16 classrooms (based on a projected roll of approximately 400 in the period 2012 -24 and assuming class sizes of 25 or fewer in P1 to P3)
- 4 other rooms for small group teaching etc.
- early years accommodation 60:60
- out of school care /community accommodation
- access to the best available computer hardware and technology to support personal laptop use by all pupils
- a library

- a dining hall / social space
- games hall
- PE storage
- PE changing facilities
- support staff work base, with sink
- meeting room for 12 people
- two low stimulus rooms
- hygiene suite / medical room/ disabled WC
- toilets
- reception area and admin. office
- Headteacher's office
- staff room and toilets

2.13 The decision of the member - officer working group convened to take forward the recommendations of the independent review of education 3-12 in Clackmannanshire was to consult on the proposal to build a new school on the Redwell site for pupils at St John's and Claremont Primary Schools. On the basis of all of these assessments, a wide range of options has been assessed. The preferred option of officers remains the new build on the Redwell site and, subject to the outcome of a consultation exercise, funding has been secured for this through the Scottish Futures Trust. (SFT)

2.14 A bid was submitted to the Scottish Futures Trust (SFT) to build a single new school to replace St John's and Claremont Primary Schools in November 2009. In their subsequent letter of 2 June 2010 the SFT confirmed that on the basis of the proposed merger/new-build project the Council would receive an indexed funding contribution of £4,053,750.

2.15 The amount offered was calculated on a proposed capacity of 400 pupils, a space allocation of 7.5 square meters per pupil and an all in base cost of £2 350 per square meter at a base date of April 2009. The letter made clear that the level of funding received by the Council would be adjusted to take account of any movements in inflation after April 2009 and the mid point of construction based on the tender price index used by the Scottish Futures Trust.

2.16 The letter made clear that the offer was underpinned by several strategic objectives which were as follows:

effective and efficient procurement

cost efficiency

sustainable lifecycle solutions

improved environmental performance and reduced carbon footprint

implementation of the nine principles included in the School Estate Strategy:  
Building Better Schools: Investing in Scotland's Future

- 2.17 The current economic situation also means that all of the school estate will need to be managed to ensure maximum efficiency. Council approved plans for review of this as part of the Property Asset Management Plan approved in October 2010. The Council's firm intention is to minimise the impact of any financial savings on the quality of service provided and to continue to strive to 'grow in excellence'. Every effort will be made to avoid large reductions in key areas of expenditure such as staffing and educational supplies. To achieve this, savings will have to be made in unnecessary property related expenditure.
- 2.18 In September 2010, the Council conducted a series of budget engagement events which sought views on how to address the issues that would emerge from the public spending review of November 2010. A wide range of suggestions was received. However, a significant number of respondents (75%) saw advantages in reducing the school estate rather than reducing the overall funding to schools.

### **3.0 The Options for Consultation**

#### **3.1 Option 1: Refurbishment of St John's Primary School on the Existing Site**

This option would maintain the status quo by retaining the existing building and refurbishing it and replacing the 1939 extension. There would be no betterment of existing facilities. Included in the refurbishment works is the renewal of the original internal cast iron down pipes and drains. A lift would also require to be installed and the top floor of the building would be made compliant with current health and safety regulations and Building Standards subject to listed building consent. The addition of external fire escape stairs are also required.

- 3.2 This option would not incorporate all of the required facilities within the site, nor would it result in sufficiently improved facilities to deliver a Curriculum for Excellence- especially in the areas of active learning or learning out of doors. In addition, it might be necessary to reduce the pupil capacity of the school to include the provision of disabled facilities and full access as well as creating a dedicated library. Traffic management around the school would continue to be problematic as would access to car parking for staff and visitors. There would be no enhancement of facilities such as sports fields for community use and pupils' space for outdoor play would continue to be restricted. The school would have to be decanted into temporary classrooms set up in the West End Park or in the playground. Leasing arrangements and servicing temporary classrooms would have costs of around £220,000 per annum assuming that half the school can remain in the building whilst the refurbishment is done. The refurbishment process is likely to be protracted and could be disruptive to pupils education.

- 3.3 Initial cost estimates for refurbishment of St John's are in excess of £2 868 376. There are no capital receipts associated with this option.

#### **3.4 Option 2 New build of St John's on a Different Site**

A new school for St John's could be built on the Redwell site. A school development on this site would incorporate facilities for the community use of the playing fields. The construction of a new school here would not disrupt learning and there should

be no need for a decant facility to be found. Considerable joint planning with partners and interested parties would need to take place to ensure concerns about the safety of pupils travelling to and from school can be addressed.

3.5 The cost of a new building for St John's PS on the Redwell site is estimated at £8,441,334. A small capital receipt of £350 000 would be expected. Funding from the SFT has been offered.

3.6 **Option 3: Refurbish and Extend Claremont Primary School to Accommodate all of St John's Pupils**

3.7 The school has limited grounds which would be reduced further by the extension of the school to provide a gym hall and additional classrooms and other accommodation. The current library is housed in temporary accommodation and would be required to be integrated to within the school. Road access to the school is poor as is the current disabled access around the school. Car parking is very limited, refurbishment is likely to be protracted and there would be a need for a decant facility. An initial cost for refurbishing Claremont would be £4,253,620. The costs of borrowing on this option would be £160 000 per annum which itself totals £8 300 000 over 5 years.

3.8 **Option 4 Build a New School to Serve the Combined Catchment Areas of St John's and Claremont**

3.9 The only site available and suitable for a new build to accommodate a combined St John's Claremont is Redwell. The same challenges apply to this option as were described in Option 2. The land could comfortably accommodate a new school and the site would be close to the current schools. Building here would not disrupt the work of either school and there would be no need for pupils to be decanted. The projected roll for a new school would be 420 pupils. The costs for this proposal £ 8,197,200 are similar to Option 2. At the time of the application to the Scottish Futures Trust for funding, Capital receipts for the Claremont site were expected to be in the region of £750 000.

This is the preferred option.

**4.0 Educational Benefits Statement**

4.1 The reduction of the school estate should have significant educational as well as financial benefits. Continuing to offer high quality education is largely dependent on long term financial sustainability. This section of the proposal document deals with considerations of an educational nature.

4.2 ***Educational Benefits***

The pupils would benefit from access to learning spaces and classrooms designed to facilitate active learning. A new building would also be fitted out with new furniture and equipment. This would include ergonomic and age sensitive furniture to support flexible approaches to learning.

- 4.3 Pupils would have access to specially designated areas for play both indoors and out.
- 4.4 A dedicated library and state of the art technology would be essential. The school would be 'hardwired' to ensure that every pupil could access a networked PC. This would enhance learning and teaching and should result in better outcomes for young people.
- 4.5 There would be a music room, a modern well equipped gym designed to sportsScotland specifications. These would enhance the pupils' experiences of creativity.
- 4.6 Any new design could include secure, enclosed garden areas for pupils to apply their learning independently in the eco schools programme or to study scientific or cross curricular topics expected in the delivery of curriculum for excellence.
- 4.7 Pupils would have well designed and varied areas during breaks.
- 4.8 The school would be fully compliant with the Disability Discrimination Act and with the Equalities Act. This would mean that all pupils and staff who have any form of disability would be able to access every aspect of the building with their peers. Personal care facilities would be of a high standard and will mean improved conditions for pupils who need to use them.
- 4.9 The location of the nursery would be central to the life of the school and as such, would be central in ensuring the best possible learning transition for all pupils.
- 4.10 Staff will benefit from working together and learning with a wider range of teaching colleagues. The authority has embarked on a nationally recognised development of 'teacher learning communities' which constitutes groups of 6-8 teachers sharing best practice and agreeing programmes of CPD based on developing their individual and collective skills which will, in time, impact on the classroom experiences of pupils.
- 4.11 Parental involvement could be enhanced through the provision of facilities which could also be used for the community. Pupils would benefit from the use of a full sized grass pitch and a full size all weather pitch, an outdoor, multi use games area and specially designed changing facilities.
- 4.12 The pupils of both primary schools are in the catchment for the same secondary school so there would be no additional issues with transition to secondary.
- 4.13 The likely effects of the proposals would be to create teaching groups which would sit well within Government class size guidelines.
- 4.14 Pupils and parents would have access to a state of the art building which is fully equipped and designed to meet pupils' needs and to deliver Curriculum for Excellence. It would be an opportunity for all pupils, staff, parents, and partners to benefit from working together in an outstanding physical environment to ensure the highest possible quality of education is available to the greatest number of pupils

irrespective of their needs or abilities

## **5.0 Other Considerations**

- 5.1 If there was to be a merger of the two current schools into one new school, the following would need to be agreed:
- 5.2 Pupils, parents, staff and the community should be consulted about the design of any new building
- 5.3 Sufficient lead in time so that pupils and staff had time to get to know each other
- 5.4 Robust consultation with all interested parties including pupils about the name and identity of the new school
- 5.5 The formation of teaching groups would take account of the views of the previous / current class teacher (whichever is most relevant at the time) The prime consideration would be to minimise any adverse impact on the learning and teaching of all pupils.
- 5.6 Every effort would be made to continue the range and extend the type of extra curricular activity offered by each school.
- 5.7 Out of School Care is provided in St John's Primary School. This should be planned for in any design.
- 5.8 In addition to the benefits detailed above, there has been a systematic approach to staff development in Clackmannanshire over many years through the introduction of a number of innovative initiatives designed to improve learning and teaching. These include Cooperative Learning, Thinking Through Philosophy, Teacher Learning Communities, Health Promoting Schools, Rights Respecting Schools and Grounds for Learning. Opportunities to learn collaboratively and independently would be enhanced with the provision of specially designed spaces.

## **5.9 Other Options**

Three other options were considered and rejected:

- new build on the current St John's site
- closing St John's completely and redefining Alloa catchment areas
- merging both schools with another primary school and refurbishing and extending it

These were all considered and rejected. Demolition of the current building would require permission from Historic Scotland and this is not likely to be forthcoming. During demolition and building there would be significant disruption to neighbours and the existing playground is not big enough to build a new school which would mean pupils decanted to elsewhere for the duration of the construction. The second option was rejected because current capacity levels in other schools would make this difficult to achieve without the need to split siblings. In the third option, whilst a

3 way merger could be possible. It would be a challenge to manage appropriate pre-5 education in this setting.

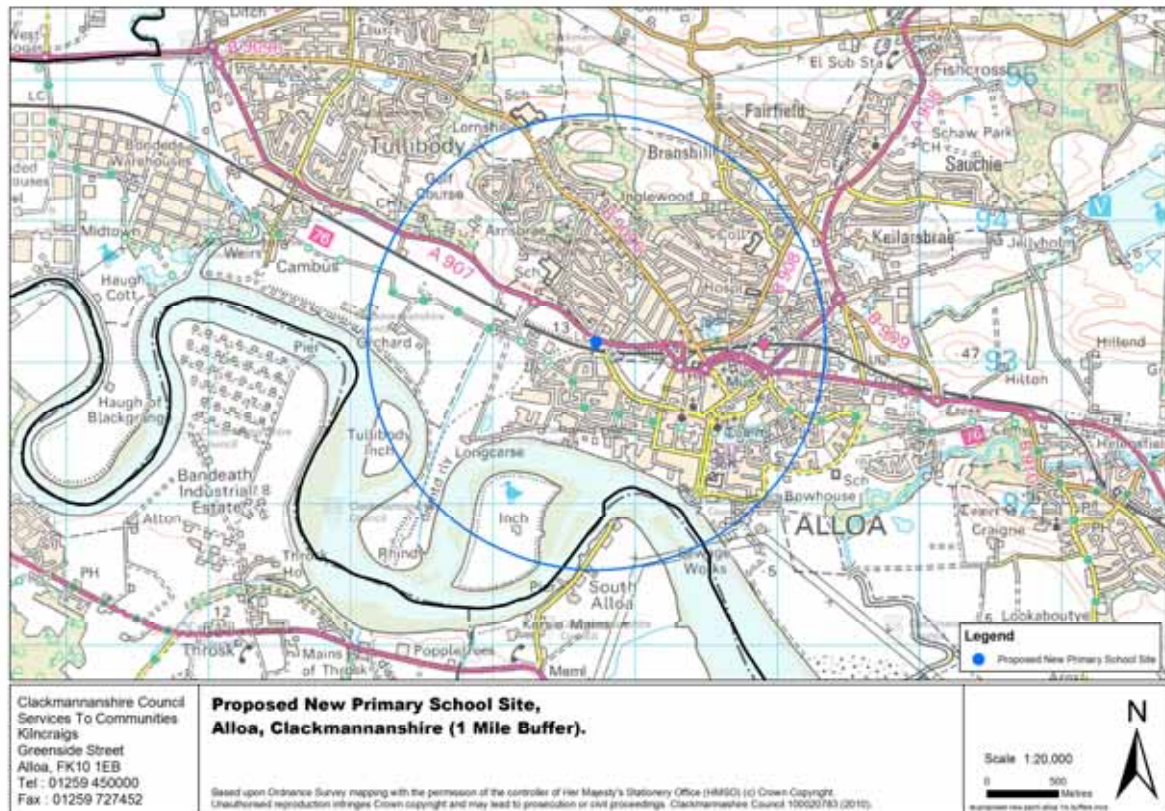
## 6.0 Feasibility

6.1 There is a finite sum of money with which to work. Costs of borrowing over an extended period (30 - 50 years) have to be examined in each of the options where borrowing would be required. It is essential that the best balance between providing the best, modern accommodation and resources to ensure that teaching and learning reflect the principles necessary to implement a Curriculum for Excellence.

<b>School</b>	<b>Occupancy</b>	<b>Cost/Pupil</b>	<b>Sufficiency</b>	<b>Energy Use</b>	<b>Condition</b>
	%	£/Pupil	m <sup>2</sup> /Pupil	Kwh/Pupil/Yr	Grade
St John's	75	3,500	4.3	2060	D
Claremont	82	4,200	8.6	1024	C
New school	380 + nursery (2024) 95	N/A	8.3	1500	A

6.2 As well as regard being given to the accommodation requirements of a new, merged school, consideration was given to whether there were travel time or safety issues that would preclude the proposed changes taking place.

6.3 The distance between the two schools is 0.43 miles. A one mile radius from a new school on the Redwell site would include all of the catchment area currently zoned for both schools.



## 7.0 Safety

- The Council has considered the impact on pupil safety. Parents have raised issues of the safety of the new site. Central Scotland Police have no record of any serious traffic accidents in the last 5 years on the stretch of the A907 which would pass the school. Adaptations would be made (subject to the final design of any new building) as follows:
  - 20mph limit for Claremont area (residential streets)
  - The school crossing patrol should be retained on Claremont at Gean Road and on the puffin crossing at the foot of Alexandra Drive
  - The look and layout of the road should be altered to provide a drivers' environment that will encourage low speeds. This would include widening of footways (on south side if required), signed/marked parent drop off bays on road, improved street lighting, school signing, part time 20mph on A907 in school frontage.
  - The location of the pedestrian entrance should ensure pupils are encouraged to use the existing Puffin Crossing. The pedestrian entrance should be as close to the footbridge and Puffin as possible with the 'staff' entrance further west.
  - The school car park entrance should be located away from the pedestrian entrance.
  - Cycle shelters and cycle access to the playground should be provided.

- The school travel plan to be implemented before the move to the new site. This to include promotion of walking/cycling routes through parent evenings/leaflets with maps, including walking times

## **8.0 Service Users**

8.1 The proposal will result in pupils in a merged primary school attending a school building which is better designed for the delivery of education. The proposal will not affect the rights of parents to request that their child attends the school of their choice in an area outwith the designated catchment for their home address as determined by the Education (Scotland) Act 1980. The staff, pupils and Parent Councils of both schools will be consulted fully about the development of plans for the integration of pupils into the school on the chosen site.

## **8.2 Staff**

The proposal would mean that one headteacher post would become redundant. If both of the current post holders expressed an interest in the post of headteacher of a merged school, appointment would be made by competitive interview. Almost all other staff would transfer to the new merged establishment. Any surplus staff would be redeployed wherever possible. All staff transfers would be completed in accordance with the Council procedures relevant to the posts. It is anticipated that any impact on staff travel would be minimal given the distances between the two schools. The proposed new school is within walking distance of available public transport. Staffing of the school will be in accordance with Council staffing standards. The staffing allocation for support assistants may vary because these posts are allocated to schools on a needs led basis and are managed by the Access to Educational Resources Group.

## **8.3 Trade Unions and Professional Associations**

Representatives of all staff will be included as part of the consultation exercise.

## **8.4 Other pupils in the Authority**

All pupils will benefit from an education service that is efficient and makes best use of available resources which can be focussed on front-line delivery.

## **8.5 Other Users of the Buildings**

Current levels of community use do not indicate that either school fulfils a particular need in the community. There would continue to be access to other facilities within both communities should the proposed merger take place. The enhancement of the playing fields on the Redwell site to include access to changing facilities for outdoor sports would improve facilities for leisure and recreation in the west side of the town. The out of school care facility would be planned for.

## **9.0 Financial impact**

9.1 Within the present net value, calculations are capital costs associated with the initial

construction associated with each option, on going maintenance, and additional revenue costs or resulting savings for each option.

- 9.2 If the existing buildings at St John's Primary School and Claremont Primary Schools are demolished, security costs will be minimal and the capital receipts would be expected to be in the region of £750,000.

	<b>Total Pre Merger</b>	<b>Post Merger (est.)</b>	<b>Saving</b>
School costs	£1 475 000	£820 000	£655 000
Property costs	£ 225 000	£100 000	£125 000
Catering	£ 63 000	£ 40 000	£ 23 000

### 9.3 *Environmental Impact*

	<b>Pre Merger</b>	<b>Post Merger</b>	<b>C02 Reduction</b>
	<b>Kg CO2</b>	<b>KG CO2</b>	<b>Kg and %</b>
St John's	111 586	0	59%
Claremont	76 522	77 000	41%
Total	188 108	77 000	59%

## 10.0 Equal opportunities

- 10.1 As part of the consultation, the Council will consult with a wide range of stakeholders including staff, parents, pupils, trade unions, elected members and members of the community. Comments about equality will be addressed. The target groups are :

Disability  
 Gender  
 Sexual Orientation  
 Belief  
 Age  
 Black and Ethnic Minorities

- 10.2 Under the Disability Discrimination Act, (DDA) education providers must not treat disabled pupils less favourably and should take reasonable steps to avoid putting disabled pupils at a substantial disadvantage. This is the reasonable adjustments duty. The Council is committed to providing a fully accessible service to all pupils.
- 10.3 Subject to a more detailed Equalities Impact Assessment, the Council considers that there will be no negative impact on any of the target groups. If, in a subsequent EIA issues are identified then these will be addressed by the Council.

## 11.0 Consultation Arrangements for this Proposal Document

The full consultation timeline is attached at the end of this document :

1. Consideration by the Council's 3-12 Working Group, by Council at its

December 2009 meeting and at a special Council meeting held on 8 July 2010.

2. Proposal Document issued to consultees and published on Clacksweb  
A copy will also be issued free of charge to the consultees listed on the previous page.
3. An advertisement will be placed in relevant local newspapers. The proposal process may be announced on Central FM.

#### 4. Length of Consultation

An advertisement will be placed in local newspapers on 2nd of February 2011. The consultation will run thereafter until close of business on 22 March. This covers a period of at least 30 school days.

5. A public meeting will be held on 10th February further details are included on the next page.
6. Involvement of HMIE

When the proposal document is published, a copy will be sent to HMIE. HMIE will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period. HMIE will receive a copy of oral representation made at the public meeting and, as available (and so far as is otherwise practicable), a copy of any other relevant documentation. HMIE will then prepare a report on the educational aspects of the proposal not later than 3 weeks after the Council has sent them all representations and documents mentioned above. The 3 week period of HMIE work will not begin until after the consultation period has ended. In preparing their report HMIE may enter the affected schools and make such reasonable enquiries of such people they consider appropriate and may make such reasonable enquiries of such other people as they consider appropriate.

#### 7. Preparation of consultation report

The Council will review the proposal having regard to the HMIE report, written representation that it has received and oral representations made to it by any person at the public meeting. It will then prepare a consultation report. This report will be published in electronic and printed formats and will be advertised in local newspapers. It will be available on clacks web and from Council headquarters, Alloa library and the affected schools, free of charge. Anyone who made written representation during the consultation period will be informed about the report. The report will include a record of the total number of written representations, a summary of the written representations, a summary of the oral representations made at the public meeting, the Authority's response to the HMIE report, a copy of the HMIE report, and any other relevant information, including alleged inaccuracies and how those have been handled. The report will also contain the proposal in light of the

HMIe report and representations (both written and oral) that it received. The consultation report will be published and available for further consideration for a period of 3 weeks.

## 8. Decision

This report together with any other relevant documentation will be considered by the Council which will come to a decision.

Scottish Ministers' Call-in. The Council is required to notify the Scottish Ministers of the council decision and provide them with a copy of the proposal document and the consultation report within 6 days of the decision being made. The Scottish Ministers have a 6 week period from the date of that final decision to decide whether they will call in the proposal. Within the first 3 weeks of that 6 week period, the Scottish Ministers will take account of all relevant representations made to them by any person. Until the outcome of the 6 week call in process has been notified to the Council, they will not proceed to implement the proposal approved at step 8 above. If the Scottish Ministers call in the proposal, they may refuse to consent to the proposal or grant their consent to the proposal subject to conditions or unconditionally. Until the outcome of the call in has been notified to the Council, it is unable to proceed to implement the proposal.

Note on corrections – If any inaccuracy or omission is discovered in this proposal document, either by the Council or any other person, the Council will determine whether relevant information has been omitted or whether there has been an inaccuracy. It will then take appropriate action which may include the issue of a correction or the reissuing of the proposal paper or the revision of the timescale for the consultation period if appropriate. In that event, relevant consultees and HMIe will be advised.

## 9. Public Meeting

A public meeting will be held to discuss the proposals. Anyone wishing attend the public meeting is invited to do so, The meeting, which will be convened by Clackmannanshire Council in consultation with the parent councils of St John's Primary School and Claremont Primary School will be addressed by the Chief Executive of Clackmannanshire Council or any other senior officer of the Council.

The meeting will provide an opportunity to :

- hear more about the proposals
- ask questions about the proposals
- have your views recorded so that they can be taken into account as part of the proposal process

The meeting will be held on **the 10th of February in the Town Hall**

**A note will be taken at the meeting of questions and views. This note**

**will be published on the Council website and a copy will be made available on request.**

## **12.0 Responding to the Proposal**

- 12.1 Interested parties are invited to respond to the proposal by making written or electronic submissions to the Interim Head of Education, Clackmannanshire Council, Lime Tree House Alloa FK10 1EX. Email [servicestopeople@clacks.gov.uk](mailto:servicestopeople@clacks.gov.uk).
- 12.2 A form is provided at appendix 1 for the convenience of those wishing to respond. Its use is not compulsory. However, those wishing to respond are invited to state their relationship with the school – for example, ‘pupil’, parent, carer, grandparent, teacher in school, member of the community, etc. Responses from the parent councils staff and pupil council are especially welcome.
- 12.3 Those sending a response whether by letter or electronically should be aware that their response will be open to public scrutiny and may be supplied to anyone making a reasonable request to see it. If they do not wish their response to be made publicly available, they should clearly write on the document ‘I wish my response to be considered as confidential with access restricted to elected members and officials of Clackmannanshire Council’. Otherwise it will be assumed that the person making the response agrees to it being made publicly available.
- 12.4 Responses should be made to the proposal no later than close of business on Wednesday the 22nd of March 2011
- 12.5 It is recommended that the Head of Education prepares a report on the results of the proposal process for consideration at a future meeting of the Council.

## **13.0 Conclusion**

- 13.1 The Council has difficult decisions to make in the course of the next financial year and beyond. It is difficult to justify spending resources on property that could draw funding away from spending which would be of direct benefit to pupils.

The Council is of the view that the measures proposed in this document will improve the educational provision for a significant number of pupils in Alloa and in the wider Council area. In this way, the reputation for educational provision can be maintained and improved.

**December 2010**  
**Lesley Robertson**  
**Interim Head of Education.**

**NB Consultation Report must Contain**

- The number of written representations received.
- Summary of representations made at public meeting
- Summary of all written and oral representations made and the authority's response to these
- The authority response to the HMIE report
- The full text of the HMIE report
- A statement of how the authority reviewed the proposal in the light of the representations and the HMIE report
- Details of any omissions or inaccuracies and actions taken to correct these
- Explanation of how people can make representations to Ministers
- The report must be available in electronic and paper format at Greenfield on the website and at both schools as a minimum
- All persons who make written representations must be informed of the publication of the consultation report

***Proposed timeline for consultation***

<b>DATE</b>	<b>EVENT</b>
27th January 2011	Council Meeting
31st January 2011	Consultation Starts
22nd February 2011	Parent Council - Alloa Academy
10th February 2011	Public Meeting - Alloa Town Hall
22nd March 2011	Consultation Ends
1st April 2011	Report to HMIE
16th May 2011	HMIE Report Consultancy Period Ends
18th August 2011	Council Meeting
23rd August 2011	Scottish Minister's Notification