



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

Kilncraigs, Greenside Street, Alloa, FK10 1EB (Tel.01259-450000)

Planning Committee Pre-determination Hearing

Thursday 1 October 2020 at 9.30 am

Venue: **Via MS Teams**

Date	Time
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Planning Committee

Subject to paragraphs 3.28 and 11.4 of the Scheme of Delegation, the Planning Committee has responsibility for taking decisions on planning applications and enforcing planning laws, and;

Carrying out the local authority's function in relation to street naming under section 97 of the Civic Government (Scotland) Act 1982; and

Dealing with regulatory and enforcement issues arising from matters delegated to or delivered by Development and Environment Services related to Building Standards.

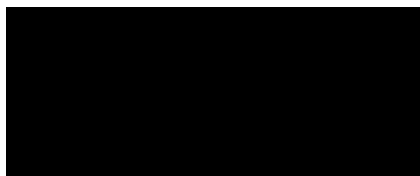
Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

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23 September 2020

A MEETING of the PLANNING COMMITTEE will be held Via Ms Teams on THURSDAY 1 OCTOBER 2020 at 9.30 AM.



PETE LEONARD
Strategic Director (Place)

B U S I N E S S

	Page No.
1. Apologies	--
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
3. Confirm Minutes of Meeting of the Planning Committee held on 23 January 2020 (Copy herewith)	05
4. Pre-determination Hearing Covering Report – report by the Principal Planner (Copy herewith)	09
5. Pre-determination Hearing for Planning Application 18/00283/PPP - Mixed Use Development Comprising Residential, Employment, Commercial and Community Uses, Sports Hall, Sports Pitches And Running Track, Including Associated Landscaping And Supporting Infrastructure On Agricultural Land And Playing Fields on Land South Of Dollar, Clackmannanshire – report by the Principal Planner (Copy herewith)	13
6. Pre-determination Hearing for Planning Application 19/00018/PPP - Mixed Use Development With Supporting Infrastructure Comprising Residential, Retail (Convenience) With Associated Parking, Open Space, Landscaping, Drainage, and Accesses from the A91 (Muckhart Road) on Land To South And East Of Dollar, Clackmannanshire – report by the Principal Planner (Copy herewith)	25

Planning Committee – Committee Members (Membership 10 – Quorum 4)

Councillors

Wards

Councillor	Donald Balsillie (Convenor)	2	Clackmannanshire North	SNP
Councillor	Jane McTaggart (Vice Convenor)	3	Clackmannanshire Central	SNP
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Councillor	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Chris Dixon	4	Clackmannanshire South	IND
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
	(Vacancy)			



**MINUTES OF MEETING of the PLANNING COMMITTEE held within the Council
Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on THURSDAY 23
JANUARY 2020 at 1.00 PM**

PRESENT

Councillor Donald Balsillie (Convenor)
Councillor Jane McTaggart
Councillor Martha Benny
Councillor Chris Dixon
Councillor Kenneth Earle
Councillor Helen Lewis
Councillor George Matchett QPM
Councillor Derek Stewart

IN ATTENDANCE

Emma Fyvie, Senior Manager, Development (Place)
Allan Finlayson, Team Leader, Planning and Building Standards
Grant Baxter, Principal Planner
Lee Robertson, Solicitor, Legal and Governance (Clerk to the Committee)
Gillian White, Committee Services

PLA(20)23 APOLOGIES

Apologies for absence were received from Councillor Tina Murphy.

PLA(20)24 DECLARATIONS OF INTEREST

None.

PLA(20)25 MINUTES OF PLANNING COMMITTEE HELD ON 5 DECEMBER 2019

The minutes of the meeting of the Planning Committee held on Thursday 5 December 2019 were submitted for approval.

Decision

The minutes of the meeting of the Planning Committee held on Thursday 5 December 2019 were agreed as a correct record and signed by the Convenor.

PLA(20)26 PLANNING APPLICATION

Planning Application Ref: 19/00148/FULL – Residential Development of 50 No. House with Associated Access, Infrastructure, Landscape Treatment and Engineering Operations at Former Bowling Green, Green Loan, Pool of Muckhart, Clackmannanshire

The report, submitted by the Principal Planner, provided an assessment and recommendation on a planning application in relation to proposals for the former bowling green and adjoining land at Green Loan, Pool of Muckhart. The application required to be determined by the Planning Committee as the application, being for 50 houses and on a site of more than 2Ha in size, is classified as a major development and there is a substantial body of objections.

The Convenor set out the order of proceedings for the meeting.

Attendees Making Oral Representation:

John Anderson (Muckhart Community Council), Objector
Alison Peden, Objector
Catherine Macdonald, Objector
Elaine Carlyle, Objector
Peter Wyatt, Objector
Alex Croucher, Objector (on behalf of Alexandra Ostroumoff-Croucher)
Philip Lord, Objector
Alexandra Wilson, Objector
Jim Ravey (Springfield Properties), Applicant
Councillor Kathleen Martin, Local Elected Member (Ward 5)

Councillor Martin, Local Elected Member (Ward 5), declared a non financial interest in the application as a local member. In line with the Councillor's Code of Conduct, Councillor Martin agreed to leave the Chamber following her representation.

Councillor Martin withdrew from the Chamber following her oral representation.

Councillor Graham Lindsay, Local Elected Member (Ward 5), was unable to attend the meeting and therefore submitted a written representation which was read out to the Committee by the Team Leader, Planning and Building Standards.

The report was introduced by Grant Baxter, the Principal Planner.

The Committee then heard representations from the applicant; the objectors; and the local elected members. The Committee had the opportunity to put questions to all parties including Grant Baxter, Principal Planner.

In line with Standing Order 10.24, the Convenor adjourned the meeting at 3.10 pm, when the meeting resumed at 3.20 pm, 8 members remained present.

Motion

That Committee approves the application subject to the conditions and reasons set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Jane McTaggart.

Voting

For the motion	2 votes
Against the motion	6 votes

Decision

On a division of 6 votes to 2, the Committee agreed to REFUSE Planning Application Reference 19/00148/FULL for the following reasons:

The proposed development would result in the erection of 50 No. dwelling houses as opposed to 35 No. dwelling houses as identified in Proposal H49 of the Clackmannanshire Local Development Plan adopted August 2015. As such it is contrary to the provision of Policy SC5 - Layout and Design Principles of the Clackmannanshire Local Development Plan adopted August 2015, and as a result would not ensure a development density that reflects the character and townscape quality of the surrounding area, and would be contrary to the strongly expressed views of the local community in respect of number of houses on the site.

Action

Team Leader, Planning and Building Standards

Ends: 14:01 hours

Report to Planning Committee

Date of Meeting: 1st October 2020

Subject: Pre-determination Hearing Covering Report

Report by: Grant Baxter, Principal Planner

1.0 Purpose

- 1.1 This meeting of the Planning Committee is convened as a Pre-determination Hearing (PDH) in respect of two separate major planning applications in Dollar. The Planning Applications are:

Planning Application ref: 18/00283/PPP - Mixed Use Development Comprising Residential, Employment, Commercial and Community Uses, Sports Hall, Sports Pitches And Running Track, Including Associated Landscaping And Supporting Infrastructure On Agricultural Land And Playing Fields on Land South Of Dollar, Clackmannanshire. Applicant: Cowden Farming Company & Dollar Academy

Planning Application ref: 19/00018/PPP - Mixed Use Development With Supporting Infrastructure Comprising Residential, Retail (Convenience) With Associated Parking, Open Space, Landscaping, Drainage, and Accesses from the A91 (Muckhart Road) on Land To South And East Of Dollar, Clackmannanshire. Applicant: Harviestoun

- 1.2 The applications are for Planning Permission in Principle (PPP) and involve separate but adjoining sites encompassing land to the south and east of Dollar and as noted have been submitted by separate parties. The applications together cover Proposal H47 “Dollar Expansion” of the Clackmannanshire Local Development Plan (LDP) adopted 2015. It should be noted however that both applications also include additional land outwith the LDP allocation of land for H47.
- 1.3 As the applications comprise one LDP proposal site and were submitted within a few weeks of each other, they have been considered together (but not jointly) by the Planning Service. Each application requires to be considered and determined separately, and in accordance with the development plan, unless material considerations indicate otherwise.

- 1.4 Both applications fall into the category of “major” development proposals due to their size and as such were both subject to pre-application consultation with the local community.
- 1.5 The purpose of a PDH is to allow the views of applicants and those who have made representations to be heard BEFORE a planning application is subsequently presented to Planning Committee for decision.
- 1.6 There are no related legislative requirements to refer such cases to full council for decision.
- 1.7 This PDH is held in respect of the above noted planning applications. It should be noted that the hearing is not statutorily required due to the application being for a major development that is significantly contrary to the development plan, but is being held on a discretionary basis due to the applications being for major developments within the same settlement and being considered together, have attracted significant public interest.
- 1.8 Following today’s hearing, the applications will be presented to a future meeting of the Planning Committee for determination. This Hearing allows the Planning Committee to be made aware of the details of both applications, responses from consultees and issues raised in representations, and to hear directly from both applicants as well as community representatives. Members will also be able to ask questions of these parties as well as officers.
- 1.9 The Planning Service has maintained regular dialogue with Dollar Community Council and Dollar Development Trust on the development proposals since before the applications were submitted. As part of this dialogue, the Community Council and Trust indicated that they would be able to represent the wider views of those who have made representations on the applications at this Hearing, given the large number of representations that have been received. The Planning Service has posted a message on the electronic planning application files advising of this. Those who have made representations will be contacted directly in the lead up to the future Planning Committee when the applications are to be determined.
- 1.10 **Members are presented with two factual reports providing a summary of the assessment of each application. In addition, during the hearing:**
 - **Members will hear the views of the applicants/agents for both applications in respect of the proposals;**
 - **Members will hear the views of the Dollar community via representatives from Dollar Community Council and Dollar Community Development Trust;**
 - **Members will have the opportunity to lead factual discussion or ask factual questions that can inform detailed considerations when the applications are presented to a future Planning Committee for determination.**

2.0 Resource Implications

2.1 Financial Details

2.2 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 X

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

Staffing

3.0 Exempt Reports

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

4.0 Declarations

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

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

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

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

5.0 Equalities Impact

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

6.0 Legality

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

7.0 Appendices

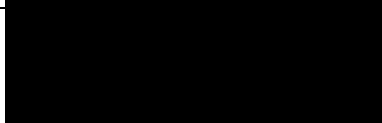
7.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

8.0 Background Papers


8.1 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 X

Author(s)

NAME	DESIGNATION	SIGNATURE
Allan Finlayson	Planning and Building Standards Team Leader	

Approved by

NAME	DESIGNATION	SIGNATURE
Emma Fyvie	Senior Manager (Development)	

Report to Planning Committee

Date of Meeting: 1st October 2020

Subject: Pre-determination Hearing for Planning Application ref: 18/00283/PPP - Mixed Use Development Comprising Residential, Employment, Commercial and Community Uses, Sports Hall, Sports Pitches And Running Track, Including Associated Landscaping And Supporting Infrastructure On Agricultural Land And Playing Fields on Land South Of Dollar, Clackmannanshire

Report by: Grant Baxter, Principal Planner

1.0 Purpose

- 1.1 Pre-determination hearings (PDH) to allow the views of applicants and those who have made representations to be heard before a planning decision is taken. The opportunity to attend pre-determination hearings must be provided in respect of applications for planning permission and planning permission in principle for major developments which are significantly contrary to the development plan, and for all national development, however, the planning authority may decide to hold a hearing for any development, such as where an applications has attracted public interest or objections.
- 1.2 This Pre-determination hearing is held in respect of the above noted planning application. It should be noted that the hearing is not statutorily required due to the application being for a major development that is significantly contrary to the development plan, but is being held on a discretionary basis due to the application being for a major development that has attracted significant public interest and objections and is one of two major planning applications for the expansion of Dollar that are being considered together.

2.0 The Application

- 2.1 The application is for Planning Permission in Principle (PPP) for the development described above. The application site covers 22.30Ha to the south of Dollar, and is split into three distinct parcels;
- Dollarfield West (land west of Devon Road which adjoining Lower Mains);
 - Dollarfield East (land east of Devon Road, which lies between the Devon Way and Dollarfield Farm); and

- Newfield (land to the south of Strathdevon Primary School).
- 2.2 **Dollarfield West** is agricultural land extending to 8Ha, and adjoins Lower Mains along its western edge and Devon Road to the east. The planning application proposes housing on this site.
- 2.3 **Dollarfield East** extends to 10.3Ha and is also agricultural land, but includes an area of unused ground in its northwest corner. The site extends southwards as far as the grounds of Dollarfield Farm steading and abuts Dollar Burn along its eastern side. The planning application originally proposed new pitches and sports facilities for Dollar Academy (pitches, sports hall, parking and running track) on the southern portion of this site and community/commercial/parking and housing on the northern portion. The arrangement of elements of the sports facilities have subsequently been revised and proposals for the northern portion have been revised from community/commercial/parking and housing to solely housing.
- 2.4 **Newfield** extends to 4.0Ha and is owned by Dollar Academy and laid out as sports pitches. It adjoins Dollar Burn to the west, Strathdevon Primary School to the north and Lover's Loan to the south and east. The extent of housing on this area of the site has subsequently been revised to include parkland in the northern part of the site, abutting Strathdevon Primary School.
- 2.4 The proposals indicate that up to 300 houses are planned in the development.
- 2.5 As a Major development, the application was subject to a pre-application consultation process in the local community, and this is summarised in a Pre-application consultation (PAC) report that accompanies the application. The application is also accompanied by an Indicative Masterplan, Design and Access Statement and a number of professional reports covering matters such as drainage, flood risk, ecology, archaeology, ground conditions and transport.
- 2.6 The application was also the subject of an Environmental Impact (EIA) Screening Opinion by the Council which concluded that an EIA was not required, but that the application would require to be accompanied by a number of detailed reports and assessments, which as noted above, have been provided.

3.0 **Background to the Site**

- 3.1 Much of the site is included in Proposals H47 of the Clackmannanshire Local Development Plan, adopted 2015 – “Dollar Settlement Expansion – 33.66Ha (350 units) “ *settlement expansion to the south and east of Dollar to provide a mix of residential, community facilities, leisure and recreation provision and employment opportunities*”. This allocation extends round the southern and eastern sides of Dollar. This application site boundary generally encompasses the southern portion of the LDP allocation, and also includes additional land south of the settlement boundary, and identified as Green Belt in the LDP.
- 3.2 In May 2014 Dollar Community Council produced a Community Masterplan, in response to the allocation of land for expansion of the village in the Local Development Plan. This document sets out the Community Council's vision of

how the town should grow over the next 20 years. The document does not form part of the Local Development Plan or Supplementary Guidance.

4.0 Amendments to the Proposal

4.1 Since the original submission, a number of elements of the proposed development have been amended and these are summarised below:

- The indicative layout of sports facilities proposed in Dollarfield East has been revised in response to remove some built elements from the Green Belt.
- The proposed scale and layout of housing development on Newfield has been reduced and an area of parkland is now proposed along the northern part of the site, adjoining Strathdevon Primary School.
- The northern part of Dollarfield East has been revised from community/commercial/parking and housing to solely housing.
- An additional at grade road crossing of the Devon Way, linking Dollarfield East with Newfield was introduced to consider potential alternative means of access to that part of the site, however, the masterplan has been subsequently revised again to remove this proposal.

5.0 Consultations

5.1 Regional Archaeologist:

- Agree with archaeological assessment and recommends a planning condition requiring a programme of archaeological works in advance of construction commencing.

5.2 Dollar Community Council:

- Sympathetic to need for new housing in Dollar provided this brings community benefit.
- The proposed Dollar Academy sports facilities will only bring benefit if the community have reasonable access to them.
- The development proposes 300 houses, and cumulatively would result in 500 houses including the Harviestoun application, whereas the LDP proposes a total of 360 houses. The developments collectively are over-development of Dollar
- More open space is required to serve Dollarfield West, where development density is higher than the existing settlement.
- There is no urban park proposed.
- Character of the development is not in keeping with Dollar and would not protect or enhance trees/woodland/landscape/townscape.
- Concern about level of active travel proposals connecting to existing settlement.

- Concern about how existing junctions e.g. at Devon Road/Bridge Street and at Ramshorn will cope with additional traffic.
- Concern about vehicle access proposals, in particular in relation to development on Newfield. A road should be built to serve Newfield from Devon Road with a new bridge carrying the Devon Way over this and paid for by the developer.
- Consideration should be given to a road linking both developments together.
- Proposals for traffic crossing the Devon Way at grade are not acceptable and risk safety of pedestrians and cyclists using the route.
- The proposals are unsustainable and over-development.
- Concern about amended proposals replacing community provision with more housing at Devon Road (Dollarfield East).
- New urban park at Newfield shown in revised proposals is too small.
- Proposals show loss of The Hive to accommodate school expansion.
- Detailed concerns about flood risk and SEPA's response and methodology used, particularly in light of recent events.

5.3 Dollar Community Development Trust:

- Support the need for new housing in the community but not at this scale.
- Concern that the settlement infrastructure could be overwhelmed and community cohesion affected by scale of development.
- Concern that required expansion of Strathdevon Primary will result in the loss of The Hive as a community asset.
- Concern at apparent lack of community benefit from proposals, and access to planned Dollar Academy sports facilities for the community.
- Wish to work with Dollar Academy on improving sports provision and retaining Newfield as a sports/recreation area.

5.4 Education:

- Developer contributions will be required to mitigate the impacts of the developments on education provision.
- Position as at 2019 in respect of both developments together: NURSERY: No capacity in nursery, and contributions required to serve 60 nursery pupils. PRIMARY: Space for 10 additional pupil at Strathdevon PS. Estimated 190 pupils from developments. SECONDARY: Current requirement for 22 pupils at Alva Academy (All figures are subject to review based on details of house numbers and mix). The Council commissioned a design brief for an expanded Strathdevon PS in 2013.

The Council then agreed that the two applicants undertake an update of this brief in 2019. This was subsequently prepared by architects appointed by the developers and set out options for expansion of the school, but is yet to be costed. The options show potential shortfall in outdoor space.

- Subsequent to this, it was agreed that the Council would be prepared to have further joint options appraisal undertaken with NHS Forth Valley that also considered redevelopment of the Dollar Health Centre and school site together and creation of a new community campus, with possible retention of The Hive.

5.5 Historic Environment Scotland:

- No comments to make.

5.6 NHS Forth Valley:

- Dollar Health Centre does not currently have capacity to accommodate the additional patients from the proposed number of houses.
- The development may impinge on Dollar Health Centre.
- NHS Forth Valley fully support and recognise the importance of Developer Contributions in such circumstances. This will be a fundamental requirement to ensure that an efficient delivery of Primary Care Services is maintained within Dollar.
- NHS Forth Valley will work in collaboration with Clackmannanshire Council and other stakeholders to identify the level of financial payments and/or additional infrastructure provisions that will be required to maintain the delivery of this service.

5.7 Roads:

- Concern that Transport Assessment may under estimate travel impacts around Dollar, and mitigation measures are insufficient, such as promotion of sustainable transport, are unclear.
- A connecting road through the developments linking the A91 with B913 should be considered to connect developments and address traffic impacts on Lover's Loan and Park Place from Newfield development.
- Junction improvements are required at Devon Road/Bridge Street junction and to enhance the A977/B913 (Ramshorn junction).
- Contributions required towards improved public transport infrastructure in Dollar.
- The street environment in Bridge Street requires to be enhanced to facilitate and encourage non-car movement generated by the development, particularly as scope to provide additional town centre parking is very limited.

- Insufficient information has been provided on how Dollar Academy's proposed new sports campus will be accessed.
- Flooding comments: Agree with SEPA that groundwater flood risk requires to be assessed. Provision of surface water drainage infrastructure provides opportunity to address existing drainage problems in Dollar.
- **UPDATED RESPONSE:** Note that road crossing of Devon Way no longer proposed and a reduced amount of development in Newfield may be capable of being accessed from the existing road network, subject to a number of provisions in respect of traffic management, active travel improvements around Park Place/Lover's Loan and Bridge Street.

5.8 Scottish Water:

- No objections, however, water and foul drainage capacity cannot be confirmed and will require the developer to submit a Pre-development enquiry, should planning consent be granted.
- The Turret Water Treatment Works currently has capacity for 480-500 houses.
- Further assessment of the water distribution network in Dollar will be required. A flow and pressure test will be required to determine impact on existing infrastructure, including the service reservoir and pumping station at Dollarbank.
- Any required mitigation will be at the developer's expense.
- Dollar Waste Water Treatment Works (WWTW) does not have capacity to serve demand from 480-500 houses and a growth project will be required to provide additional capacity.
- Scottish Water is funded to instigate growth projects and provide additional capacity where 5 Growth Criteria are met, which include the grant of planning permission.
- Initial phases of development will be able to connect to the existing WWTW . A Strategic Drainage Impact Assessment is planned for Dollar, the outputs of which will be shared with the Council and applicants.
- The applicant must identify any conflicts with Scottish Water assets.
- Surface water discharge will not normally be accepted to combined sewers.
- **UPDDATE:** A capability treatment process assessment of the WwTW has now been carried out to assess the impact of projected growth in the catchment associated with the Dollar South masterplan proposals. It is understood that the outcome of the assessment was that the WwTW has adequate capacity to accommodate the proposed development. A potential population increase allowance of 875 was included as part of the assessment.

5.9 Scottish Natural Heritage:

- The two proposed developments could cumulatively overwhelm and dominate the town, its landscape setting and character. A masterplan and development briefs are required for the entire expansion area to ensure integrated and sustainable development.
- The indicative street layout fits well with the Dollar Community masterplan, however the scale and mass of edge of town housing could alter the southern edge of Dollar.
- The sports campus, including buildings and track/stand extend southwards into Greenbelt and their scale and mass may be too dominant in this location. There is opportunity to create a new gateway and a distinctive new southern edge to Dollar.
- No impact on Damhead Wood SSSI, to the south of the River Devon, is anticipated.

5.10 SEPA:

- Initial objection as further information required on flood risk.
- Further groundwater investigations should be undertaken due to possible high groundwater levels in certain locations. New development should avoid any areas of groundwater flood risk. Recommend that groundwater investigations are undertaken to ensure no increased flood risk to nearby receptors will occur and the development is adequately designed to mitigate this potential source of flooding.
- UPDATE: SEPA subsequently withdrew their objection, following submission of requested detailed flooding information from the applicant's hydrologist. It is stated finished floor levels will be raised 0.6m above the 1 in 200 year plus climate change and that infrastructure will be located away from the functional floodplain, which SEPA now accept.
- Subsequent to recent flooding events in the area, Dollar Community Council commissioned a report by a flooding consultant raising technical questions about SEPA's assessment of the information submitted with this application. This is the subject of ongoing dialogue with SEPA, however, SEPA have given no indication that they require to revise their consultation response.

5.11 Sportscotland:

- Newfield contains 3 grass pitches catering for rugby and football. The proposed development indicatively shows two rugby pitches, two hockey pitches, one football pitch and a running track.
- Dollar Academy should confirm access to new pitches for groups outside the school should be at least the same as for existing pitches, and confirm phasing of delivery of pitches.

- To ensure new pitches are delivered timeously, and to sufficient quality, planning conditions are proposed in respect of the standard of construction and that they will be available within one year of commencement of development.

6.0 Publicity & Representations

6.1 A total of 51No. neighbouring properties were notified of the application. The application was also advertised in the local press. In response, there have been 281 separate contributors to the application, with 268 of these objecting to the application, 12 representations and one letter of support. In total 417 separate representations have been received.

6.2 All neighbours and those having made representations re-notified in February 2020, when the masterplan proposals were revised to include a road link across the Devon Way from Dollarfield East to Newfield. Just under half of the total number of representations received were submitted following this re-notification.

6.3 The representations cover a large number of topics, which cannot be fully summarised in this report, but key areas of objection are:

- Concern at loss of open space at Newfield to development. Newfield is the green hub of the village and should be retained/ no or only limited development on Newfield should be allowed.
- The development should support a community growth fund.
- Park Place/Lovers Loan and their junctions with A91 can't cope with more traffic.
- Transport Assessment is inadequate in addressing parking and congestion in town centre/not realistic about people not using cars for short journeys and underestimates traffic impact of Newfield development.
- Inadequate public transport to serve development/better public transport services required.
- Newfield development will create traffic congestion/road safety issues around school.
- Are SUDs proposals adequate? Will they be maintained properly?
- Harviestoun proposals must be considered at same time.
- The proposals do not reflect the community masterplan.
- Is there space required for Strathdevon PS and Health Centre to expand, and concern about loss of The Hive
- Concerns about flood risk to existing and proposed developments.
- The Devon Way should be lit and maintained eg winter gritting, and better active travel routes are required.

- The LDP states 350/360 houses only. This proposal alone is for 300 houses and represents over-development.
- Impact of this number of houses over a short time period will affect character of Dollar and put a strain on existing infrastructure/services
- Drainage system can't cope and will need upgraded.
- The development will detrimentally impact on Lower Mains residents, due to the density of development proposed.
- The Dollar Academy sports village will not benefit locals/Questions over commitment to local access to new sports facilities.
- Concerns about flood risk to proposed and existing houses following recent flood events.
- Objection to proposal for link road crossing Devon Way affecting safety and enjoyment of this traffic free route.

7.0 Summary

- 7.1 This provides a summary of the planning application and responses to it from consultees and those who have made representations.
- 7.2 This should be used to inform discussions and questions at the PDH.
- 7.3 The Planning service will consider all matters raised and discussed at the PDH and continue to finalise the assessment of this planning application before presenting a recommendation to a future Planning Committee for determination.

8.0 Resource Implications

8.1 Financial Details

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 X

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

8.2 Staffing

9.0 Exempt Reports

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

10.0 Declarations

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

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

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

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

11.0 Equalities Impact

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

12.0 Legality

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

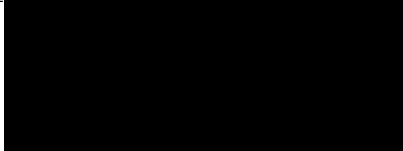
13.0 Appendices

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

14.0 Background Papers

14.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
 Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	SIGNATURE
Allan Finlayson	Planning and Building Standards Team Leader	

Approved by

NAME	DESIGNATION	SIGNATURE
Emma Fyvie	Senior Manager (Development)	

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18/00283/PPP – Land South Of Dollar, Dollar

Mixed Use Development Comprising Residential, Employment, Commercial and Community Uses, Sports Hall, Sports Pitches And Running Track, Including Associated Landscaping And Supporting Infrastructure On Agricultural Land And Playing Fields

Ward: Clackmannanshire East
 0 20 40 60 80 100 metres

Date:
 17 Sep 2020

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Comhairle Siorrachd
 Chlach Mhanann

OS Grid Ref: NS961975
 Scale: 1:5,000

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Report to Planning Committee

Date of Meeting: 1st October 2020

Subject: Pre-determination Hearing for Planning Application ref: 19/00018/PPP - Mixed Use Development With Supporting Infrastructure Comprising Residential, Retail (Convenience) With Associated Parking, Open Space, Landscaping, Drainage, and Accesses from the A91 (Muckhart Road) on Land To South And East Of Dollar, Clackmannanshire

Report by: Grant Baxter, Principal Planner

1.0 Purpose

- 1.1 This planning application is presented to the Planning Committee in a Pre-determination hearing (PDH) to allow the views of applicants and those who have made representations to be heard before a planning decision is subsequently made at a future meeting of the Planning Committee.
- 1.2 Pre-determination hearings (PDH) to allow the views of applicants and those who have made representations to be heard before a planning decision is taken. The opportunity to attend pre-determination hearings must be provided in respect of applications for planning permission and planning permission in principle for major developments which are significantly contrary to the development plan, and for all national development, however, the planning authority may decide to hold a hearing for any development, such as where an applications has attracted public interest or objections.
- 1.3 This Pre-determination hearing is held in respect of the above noted planning application. It should be noted that the hearing is not statutorily required due to the application being for a major development that is significantly contrary to the development plan, but is being held on a discretionary basis due to the application being for a major development that has attracted significant public interest and is one of two major planning applications for the expansion of Dollar that are being considered together.

2.0 The Application

- 2.1 The application is for Planning Permission in Principle (PPP) for the development described above. The application site covers 34.20Ha of land to the south and east of Dollar, encompassing the following parcels:

- Agricultural land to the east and west of the former railway embankment, south of Lover’s Loan and Gowanlea. (approx. 18.5Ha)
 - Agricultural land and woodland east of Gowanlea and the new Dollar cemetery, and adjoining the A91 east of Dollar. (approx. 12.5Ha)
 - Agricultural land north of the A91, east of Dollar (Approx 2.4Ha)
- 2.2 The land is largely in agricultural use, and includes areas of woodland; notably tree belts alongside the A91 and Kelly Burn, and the site boundary also extends eastwards by an additional 100m along the A91, to encompass a proposed new roundabout.
- 2.3 The land south of Lover’s Loan and Gowanlea is proposed as passive open space with no built development.
- 2.4 The land east of Gowanlea, and the new Dollar cemetery and north of the A91 are both proposed for housing development (circa 170 – 190 houses), and also includes a proposed retail site on the south side of the A91, adjoining the existing settlement.
- 2.5 An area of land on the south side of the A91, adjoining the eastern part of the application site is indicatively shown as a tourist hub on plans, however this does **not** form part of the current planning application, however adjoins the location of a new roundabout of the A91, serving the application site.
- 2.6 The proposals indicate that between 170 and 190 houses are planned in the development.
- 2.7 As a Major development, the application was subject to a pre-application consultation process in the local community, and this is summarised in a Pre-application consultation (PAC) report that accompanies the application. The application is also accompanied by an Indicative Masterplan, Design and Access Statement and a number of professional reports covering matters such as drainage, flood risk, ecology, archaeology, ground conditions and transport.
- 2.8 The application was also the subject of an Environmental Impact (EIA) Screening Opinion by the Council which concluded that and EIA was not required, but that the application would require to be accompanied by a number of detailed reports and assessments, which as noted above, have been provided.

3.0 Background to the Site

- 3.1 Much of the site is included in Proposals H47 of the Clackmannanshire Local Development Plan, adopted 2015 – “Dollar Settlement Expansion – 33.66Ha (350 units) “ *settlement expansion to the south and east of Dollar to provide a mix of residential, community facilities, leisure and recreation provision and employment opportunities*”. This allocation extends round the southern and eastern sides of Dollar. This application site boundary generally encompasses the southern portion of the LDP allocation, and also includes additional land south of the settlement boundary, and identified as Green Belt in the LDP.

3.2 In May 2014 Dollar Community Council produced a Community Masterplan, in response to the allocation of land for expansion of the village through the Local Development Plan. This document sets out the Community Council's vision for how the town should grow over the next 20 years. The document does not form part of the Local Development Plan or Supplementary Guidance.

4.0 Consultations

4.1 Regional Archaeologist:

- Agree with archaeological assessment and recommends a planning condition requiring a programme of archaeological works in advance of construction commencing.

4.2 The Coal Authority:

- Holding Response. The site falls partly in the Coal Mining High Risk Area and the northern part is likely to have unrecorded mine workings, however satisfied that proposals involve intrusive investigations to locate unrecorded mine workings, and recommend a planning condition requiring intrusive investigations to be undertaken in advance of development.

4.3 Dollar Community Council:

- Sympathetic to need for new housing in Dollar provided this brings community benefit. The developments cumulatively would result in 500 houses, whereas the LDP proposes 360 houses. The developments collectively are over-development.
- This application on its own is supported subject to payments to Dollar Community Development Trust fund and contributions to infrastructure upgrades, including Strathdevon Primary School and Dollar Health Centre. Consideration should be given to a road linking both developments together.

4.4 Dollar Community Development Trust:

- Support the need for new housing in the community and feel the scale and proposed mix of housing proposed is suitable.
- The proposed retail unit will be an enhancement to the village.
- The proposal offers new and enhanced green spaces, sustainable transport and renewable energy enhancements.

In respect of potential community benefits, the Trust can only support this development.

4.5 Education:

- Developer contributions will be required to mitigate the impacts of the developments on education provision.

- Position as at 2019 in respect of both developments together: NURSERY: No capacity in nursery, and contributions required to serve 60 nursery pupils. PRIMARY: Space for 10 additional pupil at Strathdevon PS. Estimated 190 pupils from developments. SECONDARY: Current requirement for 22 pupils at Alva Academy (All figures are subject to review based on details of house numbers and mix).
- The Council commissioned a design brief for an expanded Strathdevon PS in 2013. The Council then agreed that the two applicants undertake an update of this brief in 2019. This was subsequently prepared by architects appointed by the developers and set out options for expansion of the school, but is yet to be costed. The options show potential shortfall in outdoor space.
- Subsequent to this, it was agreed that the Council would be prepared to have further joint options appraisal undertaken with NHS Forth Valley that also considered redevelopment of the Dollar Health Centre and school site together and creation of a new community campus, with possible retention of The Hive. Discussions on this amongst the relevant parties is on going

4.6 Historic Environment Scotland:

- No objections.
- More details may be required, or planning conditions used, to ensure appropriate treatment of the Schedule Ancient Monument (Kelly Bridge Palisaded Enclosure) within the development site.

4.7 NHS Forth Valley:

- Dollar Health Centre does not currently have capacity to accommodate the additional patients from the proposed number of houses.
- The development may impinge on Dollar Health Centre.
- NHS Forth Valley fully support and recognise the importance of Developer Contributions in such circumstances. This will be a fundamental requirement to ensure that an efficient delivery of Primary Care Services is maintained within Dollar.
- NHS Forth Valley will work in collaboration with Clackmannanshire Council and other stakeholders to identify the level of financial payments and/or additional infrastructure provisions that will be required to maintain the delivery of this service.
- Discussions with NHS Forth Valley are ongoing.

4.8 Roads:

- Concern that Transport Assessment may under estimate travel impacts around Dollar.

- There should be a connecting road through both developments linking the A91 at the east of Dollar with B913, however this has not been proposed by the developer.
- The development must deliver enhanced active travel links with the existing settlement in order to reduce the need for car borne short journeys, including enhancement of sub-standard section of the Devon Way.
- Gateway roundabout at east of Dollar welcomed but considered to be too far out of the urban area, and will need to be accompanied by proposals to create urban environment west of it.
- Junction improvements are required at Devon Road/Bridge Street junction and to enhance the A977/B913 (Ramshorn junction).
- Contributions required towards improved public transport infrastructure in Dollar.
- The street environment in Bridge Street requires to be enhanced to facilitate and encourage non-car movement generated by the development, particularly as scope to provide additional town centre parking is very limited.
- Detailed comments given in relation to flood risk and surface water drainage.
- Provision of surface water drainage infrastructure provides opportunity to address existing drainage problems in Dollar.
- UPDATED RESPONSE: Connecting road still preferred and scope to retain future opportunity for this should be designed into development. Active travel measures have potential to deliver appropriate range and quality of routes. Discussions on this amongst the relevant parties is on going

4.9 Scottish Water:

- No objections, however, water and foul drainage capacity cannot be confirmed and will require the developer to submit a Pre-development enquiry, should planning consent be granted.
- The Turret Water Treatment Works currently has capacity for 480-500 houses.
- Further assessment of the water distribution network in Dollar will be required. A flow and pressure test will be required to determine impact on existing infrastructure, including the service reservoir and pumping station at Dollarbank.
- Any required mitigation will be at the developer's expense.

- Dollar Waste Water Treatment Works (WWTW) does not have capacity to serve demand from 480-500 houses and a growth project will be required to provide additional capacity.
- Scottish Water is funded to instigate growth projects and provide additional capacity where 5 Growth Criteria are met, which include the grant of planning permission.
- Initial phases of development will be able to connect to the existing WWTW . A Strategic Drainage Impact Assessment is planned for Dollar, the outputs of which will be shared with the Council and applicants.
- The applicant must identify any conflicts with Scottish Water assets.
- Surface water discharge will not normally be accepted to combined sewers.
- UPDDATE: A capability treatment process assessment of the WwTW has now been carried out to assess the impact of projected growth in the catchment associated with the Dollar South masterplan proposals. The outcome of the assessment was that the WwTW has adequate capacity to accommodate the proposed development. A potential population increase allowance of 875 was included as part of the assessment.

4.10 Scottish Natural Heritage:

- The two proposed developments could cumulatively overwhelm and dominate the town, its landscape setting and character.
- Development in this area should be carried out in such a way that is sensitive to and respects the town's character. The site should be developed in accordance with a masterplan and development briefs.
- The indicative layout fits well with the Dollar Community Masterplan.
- It is noted that areas of existing woodland adjacent to the A91 is not to be retained.
- Green infrastructure should be used to deliver benefits to people and nature. The proposed avenue of trees at the eastern approach is not considered appropriate, and there is opportunity to provide a new eastern gateway to the town.
- No impact on Damhead Wood SSSI, to the south of the River Devon, is anticipated.

4.11 SEPA:

- Initial objection on flood risk grounds.
- Further clarification required on a number of technical points.
- Objection withdrawn based on clarification of technical points and on basis of de-culverting of Westertoun Burn.

4.12 Sportsotland:

- No comments to make on this application.

5.0 Publicity & Representations

5.1 A total of 30 No. neighbouring properties were notified of the application. The application was also advertised in the local press. In response there have been 13 separate contributors to the application, with 7 of these objecting to the application, 4 representations and 2 in support.

- The development should support a community growth fund.
- Concern about increased parking and congestion in town centre/not realistic about people not using cars for short journeys.
- Inadequate public transport to serve development/better public transport services required.
- Are SUDs proposals adequate? Will they be maintained properly?
- Both applications must be considered at same time.
- The proposals better reflect the community aspirations in terms of number and type of houses proposed, including housing for older people and affordable homes.
- Proposals need to ensure they support improved community infrastructure, including at Strathdevon Primary School, Dollar Health Centre, and retention of The Hive
- Concerns about flood risk.
- The Devon Way should be lit and maintained eg winter gritting, and better active travel routes are required.
- The combined total number of houses, in both developments will be 500 units, with only 360 proposed in the LDP.
- Impact of this number of houses over a short time period will affect character of Dollar and put a strain on existing infrastructure/services
- Drainage system can't cope and will need upgraded.
- Concerns about flood risk to proposed and existing houses following recent flood events.
- Proposed sustainability and renewable energy elements welcomed.
- New retail unit will take pressure of Bridge Street.
- New retail unit may affect trade/viability of shops on Bridge Street.

- Community park and events field are welcomed.
- Community park and events field are located too far from homes and may not be useable due to drainage issues. How will these be maintained?
- The application includes areas of land outwith the settlement boundary.

6.0 Summary

This provides a summary of the planning application and responses to it from consultees and those who have made representations.

This should be used to inform discussions and questions at the PDH.

The Planning service will consider all matters raised and discussed at the PDH and continue to finalise the assessment of this planning application before presenting a recommendation to a future Planning Committee for determination.

7.0 Resource Implications

Financial Details

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

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

Yes

Staffing

8.0 Exempt Reports

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

9.0 Declarations

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

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

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so

that they can thrive and flourish

X

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

10.0 Equalities Impact

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

Yes No X

11.0 Legality

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

12.0 Appendices

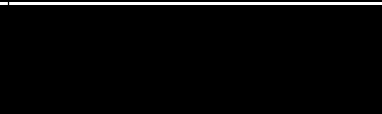
12.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

13.0 Background Papers

13.1 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)

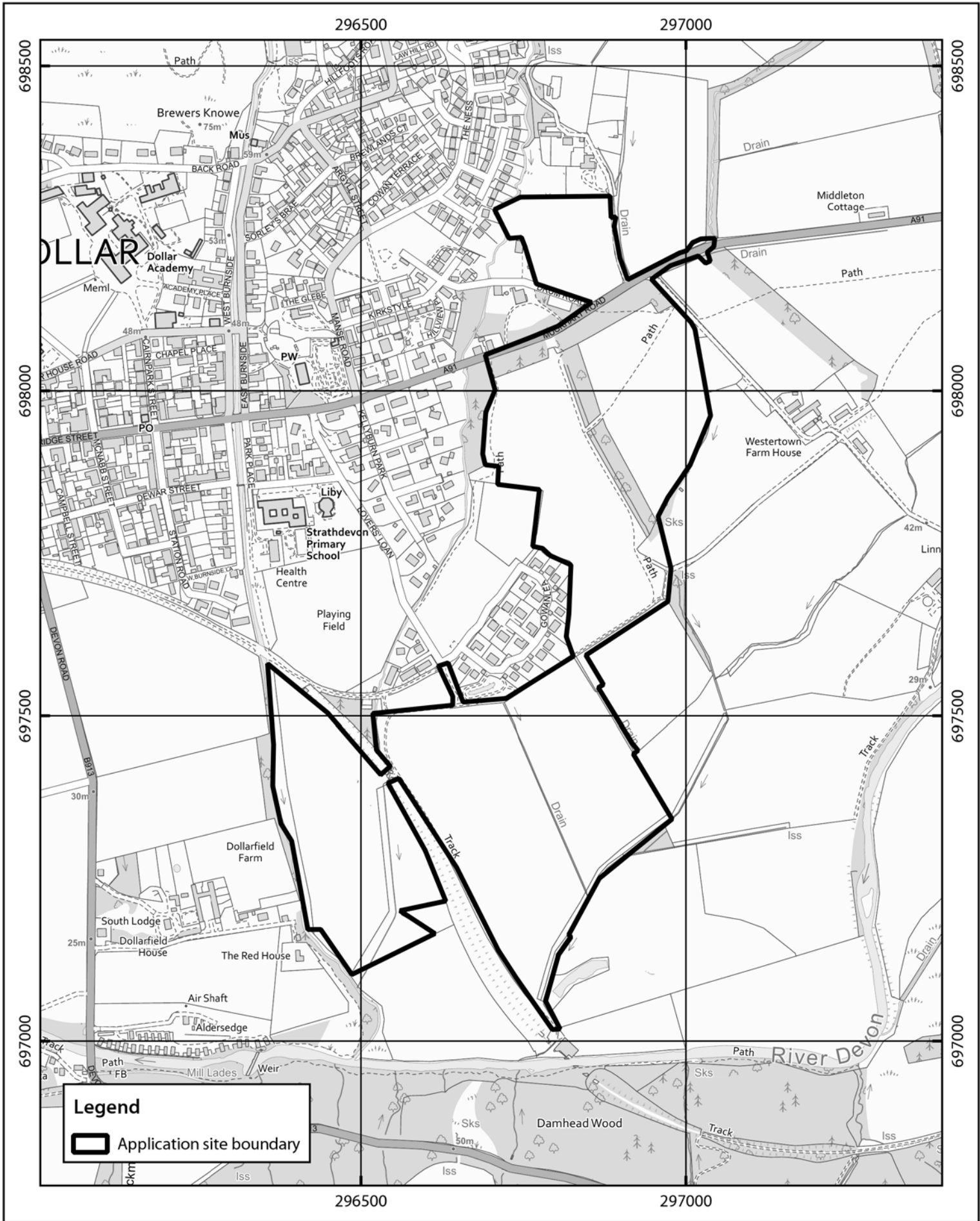
Yes (please list the documents below) No X

Author(s)

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Allan Finlayson	Planning and Building Standards Team Leader	

Approved by

NAME	DESIGNATION	SIGNATURE
Emma Fyvie	Senior Manager (Development)	



Legend

 Application site boundary



19/00018/PPP – Land To South And East Of Dollar, Dollar

Mixed Use Development With Supporting Infrastructure Comprising Residential, Retail With Associated Parking, Open Space, Landscaping, Drainage, and Accesses from the A91



Clackmannanshire Council
www.clacks.gov.uk

Comhairle Siorrachd Chlach Mhanann

Ward: Clackmannanshire East
0 50 100 150 200 250 metres

OS Grid Ref: NS967976

Scale: 1:7,500

Date: 17 Sep 2020

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