



**Clackmannanshire  
Council**

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Comhairle Siorrachd  
Chlach Mhanann

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

# **Planning Committee**

**Thursday 18 June at 9.30 am**

**Venue: Council Chamber, Kilncraigs,  
Greenside Street, Alloa, FK10 1EB**



## **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.

Delegated authority to take responsibility for making decisions on applications for Community Asset Transfers (CAT) in terms of the Community Empowerment Act (Scotland) 2015 (the "Act")

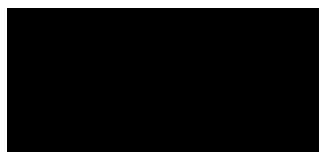
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**10 June 2026**

**A MEETING of the PLANNING COMMITTEE will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on THURSDAY 18 JUNE 2026 at 9.30 AM**



**KEVIN WELLS**  
**Strategic Director (Place)**

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

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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 Planning Committee held on 30 April 2026 (Copy herewith)	05
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## Planning Committee – Committee Members (Membership 10 – Quorum 4)

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### Councillors

### Wards

Councillor	Denis Coyne (Chair)	5	Clackmannanshire East	CONSERVATIVE
Councillor	William Keogh (Vice Chair)	2	Clackmannanshire North	LABOUR
Councillor	Phil Fairlie	1	Clackmannanshire West	SNP
Councillor	Mark McLuckie	1	Clackmannanshire West	LABOUR
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONSERVATIVE
Councillor	Fiona Law	2	Clackmannanshire North	SNP
Councillor	Jane McTaggart	3	Clackmannanshire Central	SNP
Councillor	Bryan Quinn	4	Clackmannanshire South	SCOTTISH GREEN
Councillor	Kenneth Earle	4	Clackmannanshire South	LABOUR



**MINUTES OF MEETING of the PLANNING COMMITTEE held in the COUNCIL CHAMBER,  
KILNCRAIGS, ALLOA, on THURSDAY 30 APRIL 2026 at 9.30 AM.**

**PRESENT**

Councillor Denis Coyne (Chair)  
Councillor William Keogh (Vice Chair)  
Councillor Donald Balsillie  
Councillor Martha Benny  
Councillor Kenneth Earle  
Councillor Fiona Law  
Councillor Mark McLuckie  
Councillor Jane McTaggart

**IN ATTENDANCE**

Jacob Muff, Team Leader Planning and Building Standards  
Mark Dunlop, Principal Planner  
Mairi Black, Planner, Development Quality  
Jason Mackay, Principal Roads and Flooding Officer  
Lee Robertson, Senior Manager, Legal and Governance  
Rona Burns, Solicitor, Legal and Governance (Clerk to the Committee)  
Melanie Moore, Committee Services, Legal and Governance  
Gillian White, Committee Services, Legal and Governance (Minute)

**PLA(26)13 APOLOGIES**

Apologies were received from Councillor Phil Fairlie and Councillor Bryan Quinn.

**PLA(26)14 DECLARATIONS OF INTEREST**

None.

**PLA(26)15 CONFIRM MINUTES OF THE PLANNING COMMITTEE HELD ON  
12 MARCH 2026**

The minutes of the Planning Committee held on Thursday 12 March 2026 were submitted for approval.

**Decision**

The minutes of the Planning Committee held on Thursday 12 March 2026 were agreed as a correct record and signed by the Chair.

**PLA(26)16 CONFIRM MINUTES OF THE LOCAL REVIEW BODY HELD ON  
12 MARCH 2026**

The minutes of the Local Review Body held on Thursday 12 March 2026 were submitted for approval.

**Decision**

The minutes of the Local Review Body held on Thursday 12 March 2026 were agreed as a correct record and signed by the Chair.

**PLA(26)17 APPLICATION FOR MATTERS SPECIFIED IN CONDITIONS (MSC)**

**Application 25/00194/MSC for matters specified in conditions for 248 new houses (Phases 3 & 4), including the detailed design of the buildings, roads and footpaths, landscaping, drainage and associated works for Land at Branshill, Branshill Road, Sauchie.**

The report, submitted by Mark Dunlop, Principal Planner, provided an assessment of the Matters Specified in Conditions (MSC) application for the construction of 248 houses with associated infrastructure including roads, footpaths, landscaping, and drainage.

The application had been referred to the Committee for a decision, as the proposed number of houses exceeds the threshold for a local development (50 or more) and falls within the category of Major development. Therefore, the application could not be determined under the Council's Scheme of Delegation.

**In Attendance**

Mr Gavin Lloyd, Bracewell (Agent)  
Euan McLaughlin, Persimmon Homes (Applicant) (Via Teams)  
Darren Mackey, Persimmon Homes (Applicant) (Via Teams)

The report was introduced by Mark Dunlop, Principal Planner and supported by Jacob Muff, Team Leader. Members of the Planning Committee had the opportunity to put questions to both Mr Dunlop and Mr Muff.

**Motion**

That Committee agrees the recommendations in the report as set out in the report.

Moved by Councillor Denis Coyne. Seconded by Councillor Donald Balsillie.

**Decision**

The Committee agreed to approve the application subject to the conditions listed in Appendix 1 and the plans listed in Appendix 2.

The application is considered to satisfy the requirements of the related PPP and complies with the relevant provisions of the Development Plan. There are not considered to be any material considerations that would justify refusing permission.

**Action**

Team Leader, Planning and Building Standards

Ends: 10.31 am

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**Report to Planning Committee**

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**Date of Meeting: 18<sup>th</sup> June 2026**

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**Subject: Application 26/00003/FULL for Planning Permission to change the use of a Dance Studio to a Hot Food Takeaway with the installation of a flue at 97B Main Street, Sauchie, FK10 3JT.**

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**Report by: Mark Stoddart, Planning Officer**

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**1.0 Purpose**

- 1.1. The purpose of this report is to provide an assessment of a full application for Planning Permission for the change of use of a dance studio at 97B Main Street in Sauchie to a Hot Food Takeaway, with the addition of a flue.
- 1.2. Although the development is “local development”, a petition of almost 200 people was submitted against the proposal therefore for probity the Chair and the Chief Planner have agreed that it is in the public interest for a decision to be made at Committee where both the Objector and the Applicants can be given the opportunity to represent themselves.
- 1.3. It is possible to bring an application to the Planning Committee where there is agreement between the Chair and the service under an amendment to the scheme of delegation dated the 31st October 2013.

**2.0 Recommendations**

- 2.1. The recommendation is to approve the application subject to the conditions listed in Appendix 1.
- 2.2. Providing the suggested conditions are applied and the conditions later satisfied, the proposed development is considered to be acceptable, complying with the relevant provisions of the Development Plan. There are not considered to be any material considerations that would justify refusing permission.

**3.0 Considerations**

- 3.1. Background and relevant site history
- 3.2. The unit was previously one larger unit that was subdivided under planning permission 03/00295/FULL. Until 2012 it was used as a bakery and an

application was approved to change the use of the shop to a hot food takeaway under planning permission 12/00063/FULL, however this does not appear to have been implemented.

3.3. Although no express planning permission was granted, the unit was used until recently as a dance studio and it does appear that the change of use was immune from enforcement action due to the passage of time.

3.4. Notwithstanding a lack of planning permission for the current use, a planning permission for a change of use to a Hot Food Takeaway is required as this is a *sui generis* use.

### 3.5. Consultations

3.6. Environmental Health Team - Did not object in principle to the proposed development but has advised that a detailed specification of the ventilation system should be submitted to the Council for its approval before the development commences on the site. The further details should include; the locations of the extractor fans, the specification for the carbon filter and their location, the acoustic specification of the plant, the arrangements for waste storage and a Noise Impact Assessment.

3.7. Roads and Transportation Team - Have no objections to the proposal.

### 3.8. Publicity and Representations

3.9. The application was publicised by a site notice, by neighbour notification letters, and in the Alloa Advertiser. A total of 15 representations have been received, including 14 objections to the proposed development and 1 neutral comment. In addition, a petition was also received from the owners of a neighbouring business objecting to the proposal outlining the potential impact that the opening of a new hot food takeaway may have on their business.

3.10. The petition had 198 entries with the most coming from the Sauchie area with others from Alloa, Tullibody, Alva, and Tillicoultry.

3.11. In summary the objections were:

3.12. This proposal represents an unacceptable overconcentration of similar food outlets in a small area and poses a direct threat to the sustainability of existing local businesses, particularly long-established operators that already serve the community. Allowing another takeaway in such close proximity would create unfair competition and undermine the economic balance of the local high street.

*Planning Authority Comments: This is not a material planning concern. Commercial centres such as this are consistently changing as tastes and trends change.*

3.13. The change of use from a dance studio to a hot food takeaway is likely to result in increased evening noise, late-night activity, cooking odours, and

additional traffic and parking issues. This would have a negative impact on residential amenity and the character of the local area.

*Planning Authority Comments: These potential impacts will be considered in the report of handling below.*

- 3.14. Past problems relating to late night businesses being a place for loitering of youths and in turn littering.

*Planning Authority Comments: There are a number of hot food takeaways in the area and one more will not increase the instances of anti-social behaviour. This type of behaviour can be reported to the Police who have powers to address any problems.*

- 3.15. The Main Street does not need another take away as we have a variety of choices already available to us and I believe if another hot food take away is opened there will be too many in the area.

*Planning Authority Comments: The appropriateness of the proposed use and the impact of a new restaurant on the vitality and viability of Main Street will be considered in the report of handling below.*

- 3.16. There are plenty of other hot food outlets in the area currently while something such as a dance studio provides a unique service to the community. The loss of a community-focused facility such as a dance studio is also deeply concerning. Such venues provide important social, cultural, and recreational value, and their removal further diminishes the diversity and character of the village.

*Planning Authority Comments: the dance studio use lapsed in 2023 and it moved to a new premises at 109 Main Street, Sauchie. There is at least one other dance studio in Sauchie and three within Alloa. No other recreational uses have been proposed for the unit.*

### The Development Plan

- 3.17. The National Planning Framework 4 (NPF 4) was adopted on 13th February 2023 and is now part of the statutory Development Plan. Decisions on planning applications have to be made in accordance with the Development Plan unless material considerations indicate otherwise. The NPF 4 and the adopted Clackmannanshire Local Development Plan 2015 and associated Supplementary Guidance currently comprise the Development Plan. A review of the Local Development Plan (LDP) is underway and will be informed by the policies in the NPF 4. Planning applications will be assessed against the relevant Principles, Strategies and Policies in the NPF 4 and LDP. As NPF 4 provides the latest national planning policy context for the assessment of planning applications, where it is considered there is an incompatibility between the provisions of the adopted Clackmannanshire Local Development Plan 2015 and NPF 4, the provisions of NPF 4 will prevail.

### 3.18. Planning Assessment

The key NPF4 policies in respect of this development are considered to be:

Policy 1 Tackling the Climate and Nature Crises

Policy 2 Climate Mitigation and Adaptation

Policy 3 Biodiversity

Policy 14 Design, Quality and Place

Policy 15 Local Living and 20 Minute Neighbourhoods

Policy 23 Health and Safety

Policy 27 City, Town, Local and Commercial Centres

### 3.19. The key LDP policies in respect of this development are considered to be:

Policy SC10 Education, Community Facilities and Open Spaces

Policy SC12 Access and Transport Requirements

Policy EP15 Promoting Town Centre Regeneration

Policy EP18 Food and Drink

Policy EP22 Shop Front Design, Advertising and External Security Measures

Policy EA11 Environmental Quality

### 3.20. Background and Principle of Development

3.21. The proposal seeks to change the use of a vacant commercial unit, previously a dance studio, to a hot food takeaway with the installation of a flue.

3.22. The property forms part of a terrace of commercial premises fronting Main Street and occupies a prominent position within an established commercial centre. It is surrounded by a good mix of retail, service and commercial uses, and is elevated above street level benefitting from rear access, where parking and servicing arrangements are available.

3.23. The proposal to bring a currently vacant unit into a new use within a commercial centre would add to the vitality and viability of this centre and a hot food takeaway is considered to be compatible with neighbouring uses and those expected of a town centre location. In principle the use is considered to be acceptable subject to a further detailed assessment which is below.

- 3.24. Impact on the Built Environment
- 3.25. The proposal includes the installation of an extractor flue to serve the takeaway operation. The building already has a raised parapet wall along the principal elevation which screens much of the roof structure from public view. The flue would be positioned behind this parapet and would project approximately one metre above roof level as detailed on the plans.
- 3.26. Given the flue's setback from the principal elevation and its limited projection above the roofline, it is not considered to be unduly prominent within the streetscape. Although further details are sought by condition, the projection at one metre above the roof level is not considered to adversely affect the character or appearance of the building or the wider area, and would have a similar projection to the flue seen on the attached property which is considered acceptable.
- 3.27. Providing details are submitted and approved, the proposal is considered to meet the requirements of Policy 14 of NPF 4 and Policy EP22 of the LDP.
- 3.28. Any advertisements associated with the business will also require separate consent so are not considered as part of this application.
- 3.29. Impact on the Vitality and Viability of the Commercial Centre
- 3.30. Concerns have been raised by a neighbouring business and in the representations. These raise issues regarding the number of existing takeaway businesses within the locality and the potential impact of the proposal on existing operators. While these concerns are acknowledged, competition between businesses is not a material planning consideration and therefore cannot be considered.
- 3.31. The application site is located within an established commercial centre where a mix of retail, service, food and drink, and community uses already exist. The introduction of a single additional takeaway use is considered to contribute to the diversity of services available to residents and visitors, and would bring a currently vacant premises back into active use adding to the vitality of this area.
- 3.32. Although the loss of a leisure use is unfortunate, the building is already vacant and it is not considered that this proposal would result in an overconcentration of hot food takeaway uses or undermine the overall balance of uses within the centre. Main Street would continue to accommodate a varied range of commercial activities, with no single use class is considered to dominate.
- 3.33. For these reasons the proposal is considered to support the vitality and viability of the commercial centre and accords with Policy 27 of NPF 4 and Policies EP15 and EP18 of the LDP, and raises no planning concerns in this respect.

- 3.34. Impact on the Natural Environment
- 3.35. The site is located within an existing built-up commercial area, and the proposal relates to the reuse of an existing building. No protected habitats, trees or ecological features would be affected by this development.
- 3.36. The proposed ventilation and extraction system will be designed to manage cooking fumes and odours generated by the operation. The Environmental Health Team has advised that further technical information relating to extraction, filtration, noise attenuation and waste storage should be submitted for approval prior to commencement of development and planning conditions to secure these details and the installation are suggested
- 3.37. Overall, the reuse of an existing commercial unit within a sustainable location would reduce pressures for new development elsewhere and supports the efficient use of existing buildings. The proposal is therefore considered acceptable in terms of Policies 1, 2 and 3 of NPF4 and Policy EA11 of the LDP.
- 3.38. Impact on Roads and Travel.
- 3.39. The application site occupies a sustainable location within the village centre and is accessible by walking, wheeling, cycling and public transport. Bus services operate nearby and public parking is available within a close proximity to the site.
- 3.40. The Roads and Transportation Team has reviewed the proposal and raises no objections and the proposed use is not anticipated to generate traffic levels that would result in any significant adverse impact on the local road network or highway safety. The availability of rear servicing access and nearby public parking further assists in accommodating the operational requirements of the proposed use..
- 3.41. The proposal is also capable of operating a delivery service, which may also reduce the need for some customers to travel directly to the premises.
- 3.42. Overall, the proposal is considered to be consistent with the objectives of Policies 13 and 15 of NPF4 and Policy SC12 of the LDP.
- 3.43. Impact on Neighbouring Residents
- 3.44. Concerns have been raised by representations regarding the potential for increased noise, cooking odours, activity and disturbance associated with the proposed use.
- 3.45. Whilst hot food takeaways have the potential to impact neighbouring amenity if poorly designed or operated, the application property occupies a commercial location where a degree of activity is to be expected. It is single storey and although there are residential properties are present nearby, it is sufficiently detached.

- 3.46. The Environmental Health Team has confirmed that it does not object to the proposal subject to conditions requiring approval of the extraction and ventilation system, noise mitigation measures, carbon filtration arrangements and waste storage facilities. These matters can be adequately controlled through planning conditions.
- 3.47. Appropriate provision is shown on the plan and exist to the rear of the premises for refuse and recycling storage, thereby a condition in this respect is not considered necessary for planning purposes.
- 3.48. Subject to compliance with the recommended conditions, the proposal is not considered likely to result in any unacceptable impacts on residential amenity and is considered consistent with Policy 23 of NPF4 and Policy EA11 of the Local Development Plan.
- 3.49. Other Material Considerations
- 3.50. No other material planning considerations have been identified.
- 3.51. Equalities Impacts
- 3.52. In reaching a recommendation on this application, the Planning Authority has to have due regard to its duties under the Equality Act 2010, including the need to eliminate discrimination, advance equality of opportunity, and foster good relations between persons who share a protected characteristic and those who do not.
- 3.53. The proposal relates to the reuse of an existing commercial unit and would provide an additional service within the local commercial centre. There are no aspects of the proposal that are considered likely to result in any foreseeable unlawful discrimination or adverse impacts on persons with protected characteristics. The premises benefits from an accessible town centre location that is well served by public transport and is within walking and wheeling distance of surrounding residential areas. No equalities issues have been identified that would alter the recommendation set out in this report.
- 3.54. Conclusion
- 3.55. Overall, the proposal would bring a vacant commercial unit back into productive use within Sauchie village centre, supporting the vitality and viability of the local commercial area.
- 3.56. Subject to conditions securing appropriate extraction and filtration, there are not considered to be any unacceptable impacts as a result of this proposal and no foreseeable conflicts with NPF 4 or the LDP. Approval is therefore recommended, subject to the conditions set out in Appendix 1.

#### 4.0 Sustainability Implications

- 4.1. The site is in a sustainable location that supports the aims of local living and the 20 minute neighbourhood. The proposal also reuses a vacant building. The recommendation to approve planning permission is not considered to raise any sustainability concerns.

#### 5.0 Resource Implications

##### 5.1. *Financial Details*

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

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

##### 5.4. *Staffing*

#### 6.0 Exempt Reports

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

#### 7.0 Declarations

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

##### (1) Our Priorities

- 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

Clackmannanshire Council Local Development Plan 2015

## **8.0 Impact Assessments**

- 8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty?

No, the Planning Report forms the basis of the committee's decision. A combined Equalities Impact Assessment has been embedded within the report of handling and is considered throughout. A dedicated section references how the application assesses the equalities impacts of this proposal.

## **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 Appendix 1 – Conditions

## **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

- 11.2 Adopted Clackmannanshire Local Development Plan (2015)

National Planning Framework 4 (2023)

## **12.0 List of Plans and Other Documents Forming Part of the Planning Application**


- 12.1 Location Plan - 2601

- 12.2 Existing and Proposed Floor Plans, Elevations and Roof Plan – 2601 01 REV A

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Mark Stoddart	Principal Planning Officer	2615

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Jacob Muff	Team Leader	

## Appendix 1 – Conditions

1. The development to which this permission relates must be begun not later than the expiration of 3 years from the date of this permission or, as the case may be, when the permission is deemed to be granted.

Reasons: As required by Section 58 of The Planning (Scotland) Act 2019.

2. Before any works start on site to convert any part of the building to use as a hot food takeaway, a detailed specification for the design, operation and location of the ventilation systems to be installed within the respective business premises shall have been submitted to and approved in writing by the planning authority. The specification shall be prepared by a suitably qualified and experienced person and shall include the following details:

(a) the ventilation and filtration equipment, including details of the layout and position of the canopy, filtration equipment and ducting and the dimensions, design and external finish of any equipment and flue to be fitted to the exterior of the building. The external elements shall be a dark colour with a matt finish and located on the rear elevation of the building.

(b) the location of fans, specific mounting points and installation.

(c) the height and position of the external flue outlets and their termination point in relation to the eaves level of the building and the ridge lines and tops of any upper floor window openings in neighbouring buildings. The design shall accord with the guidance in “Noise from Commercial Kitchen Exhaust Systems”, DEFRA, 2005.

(d) the acoustic specification of all fixed plant and equipment and details of measures to mitigate potential noise and vibration impacts transmitting through the ceiling and walls of the building to minimise the risk of nuisance to the adjoining properties.

(e) the efflux velocity of the flue.

Thereafter, the ventilation system shall be installed in accordance with the approved details for the premises before the first use of that premises for hot food takeaway use, unless otherwise agreed in writing by the planning authority

Reasons: To ensure there are sufficient details in order to safeguard the amenity of neighbours, the visual amenity of the area and the environmental quality of the area.

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

Reasons: In order to ensure that the alterations and proposed use of the building satisfactorily preserve and enhance the character and appearance of this building and the surrounding area.





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**Report to Planning Committee**

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**Date of Meeting: 18<sup>th</sup> June 2026**

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**Subject: Application 26/00038/FULL for Planning Permission to make alterations and to add an extension to the front, side and rear of an existing church at 152 High Street, Tillicoultry, Clackmannanshire, FK13 6DT**

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**Report by: Mark Dunlop, Principal Planner**

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**1.0 Purpose**

- 1.1. The purpose of this report is to provide an assessment of a full application for Planning Permission for alterations and extensions to the front, side, and rear of a church and hall at 152 High Street in Tillicoultry.
- 1.2. Although the development is “local development”, it has been requested by a ward councillor that the application be decided by the Planning Committee rather than by Officers under their delegated Powers. It is possible to do this under an amendment to the scheme of delegation dated the 31st October 2013.
- 1.3. The reasons the Councillor has requested for the application to be decided by the Planning Committee are due to the building’s location, the church’s current community offers and the circumstances surrounding their growing congregation. For these reasons, the Councillor has made the case that it is in the public interest for the proposal to be decided by the Planning Committee.

**2.0 Recommendations**

- 2.1. For the reasons set out in the Appendix 1 and as assessed in section 3.0, it is recommended that the application is refused.

**3.0 Considerations**

- 3.1. Background and relevant site history
- 3.2. This planning application is a resubmission of a previously refused application referenced 25/00078/FULL that was decided in 2025. The application carried the same description of development to this application sought here and was refused for the following reasons:

- 3.3. Reason 1 - The extension to the front of the building, due to its modern design and large size is unacceptable. It does not pay sufficient respect to the buildings historic character and identity and would over dominate the frontage of this church. It would present a harmful addition to the streetscape, having a long-term detrimental impact on its appearance and the setting of the conservation area, and fails to deliver the qualities required for a successful place. This conflicts with the Council's supplementary guidance on Placemaking, and fails to meet the requirements of Policies 7 and 14 of the National Planning Framework 4, and Policies EA23 and EA24 of Clackmannanshire's Local Development Plan 2015
- 3.4. Reason 2 - The new door proposed on the east facing elevation of the existing church hall due to its position and impact on the existing window, fails to respect the buildings existing architectural features and would detract significantly from its historic character and the symmetry on this elevation. This is considered to be poor design which fails to meet the aims of Policies 7 and 14 of the National Planning Framework 4, and Policies EA23 and EA24 of Clackmannanshire's Local Development Plan 2015.
- 3.5. No review was sought by the Applicant following the previous decision; therefore, these previous reasons for refusal are material planning considerations.
- 3.6. Although a planning authority is not legally bound by its earlier decision, decision-makers are expected to act consistently unless there is clear justification for departing from an earlier conclusion. It is considered that as there have been no changes to the Development Plan in the time since the previous Council decision, or to the context of this building, the previous reasons for refusal should therefore be given substantial weight.
- 3.7. Changes have been made to the previous proposal to try and overcome the previous reasons for refusal, therefore this application has to be judged and balanced on its own merits, with appropriate weight applied to the previous reasons for refusal.
- 3.8. There is no other relevant site history.
- 3.9. Consultations
- 3.10. No consultations have been carried out for this planning application.
- 3.11. Publicity and Representations
- 3.12. The application was advertised in the Alloa Advertiser on 11<sup>th</sup> March 2026. Eleven representations have been received.
- 3.13. One general comment was received from the Scottish Wildlife Trust. In summary this iterated that both bat roosts and bird nests are protected under law and may be features of the site. It suggested that if the Committee were minded to grant planning permission, an informative relaying this position should be added to the decision notice.

*Planning Authority Comments: An informative will be applied should the application be approved.*

- 3.14. One comment was received in objection to the proposal. In summary it suggested that on the basis that the new design does not address the reasons for refusing the previous planning application, the same decision should be made.

*Planning Authority Comments: The previous reasons for refusal are a material planning consideration and will be given appropriate weight in the assessment below*

- 3.15. Nine comments have been received in support of the application. The reasons for support are as follows:

- 3.16. The church building is a community asset.

*Planning Authority Comments: This is the case in planning terms. However, it must be noted that this is not an application for a material change of use of the church. In purely planning terms, the existing church may be used as such without any further planning permission. Therefore, the assessment for the Committee must be on the community benefits of extending the church – not of using it – and weighing up the benefit of extending it, as proposed, against any harm caused to visual amenity by the extensions.*

- 3.17. The proposal to extend the building will secure its future.

- 3.18. *Planning Authority Comments: The building does not appear to be physically at risk at the moment. The congregation could use the church for worship right now without needing any planning permissions. It should also be noted that the owners of buildings have a responsibility to maintain them, regardless of the nature or type of occupation.*

- 3.19. The existing church building nearby has been outgrown.

*Planning Authority Comments: The operational requirements of the congregation and the extent to which the existing accommodation meets their needs are not, in themselves, determinative planning considerations. However, the potential community benefits arising from the additional floorspace proposed, including increased capacity, flexibility and accessibility, are material considerations and will be taken into account in the assessment of this application.*

- 3.20. The proposed front extension enhances the building.

*Planning Authority Comments: The appearance of an extension to any building is always likely to be subjective. Consideration will be given in the main body of the report.*

- 3.21. The proposal does not harm the character of the area.

*Planning Authority Comments: Although this building is not in the Tillicoultry Conservation Area, it abuts it and is a prominent building within the town. The question of impact of development on the character of the area is regarding its*

*proximity and setting. Consideration will be given in the main body of the report.*

### The Development Plan

3.22. The National Planning Framework 4 (NPF 4) was adopted on 13th February 2023 and is now part of the statutory Development Plan. Decisions on planning applications have to be made in accordance with the Development Plan unless material considerations indicate otherwise. The NPF 4 and the adopted Clackmannanshire Local Development Plan 2015 and associated Supplementary Guidance currently comprise the Development Plan. A review of the Local Development Plan (LDP) is underway and will be informed by the policies in the NPF 4. Planning applications will be assessed against the relevant Principles, Strategies and Policies in the NPF 4 and LDP. As NPF 4 provides the latest national planning policy context for the assessment of planning applications, where it is considered there is an incompatibility between the provisions of the adopted Clackmannanshire Local Development Plan 2015 and NPF 4, the provisions of NPF 4 will prevail.

### 3.23. Planning Assessment

The key NPF4 policies in respect of this development are considered to be:

Policy 1 Tackling the Climate and Nature Crises

Policy 2 Climate Mitigation and Adaptation

Policy 3 Biodiversity

Policy 7 Historic Assets and Places

Policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings

Policy 12 Zero Waste

Policy 13 Sustainable Travel

Policy 14 Design, Quality and Place

Policy 15 Local Living and 20 Minute Neighbourhoods

Policy 27 City, Town, Local and Commercial Centres

3.24. The key LDP policies in respect of this development are considered to be:

Policy SC10 Education, Community Facilities and Open Spaces

Policy SC11 Transport Networks

EP15 Promoting Town Centre Regeneration

Policy EA3 Protection of Designated Sites and Protected Species

Policy E A7 Hedgerows, Trees and Tree Preservation Orders

Policy EA23 Conservation Areas

Policy EA24 Buildings at Risk and Non-Designated Heritage Assets

Policy EA25 The Development of Brownfield, Unstable and Contaminated Land.

3.25. Background and Principle of Development

- 3.26. The proposal seeks to alter and extend the existing building. It is not a listed building and it is not within a conservation area. However, it is a prominent building in the townscape, being subjected to both passing views (when moving along the A91) and longer distance more prominent views when entering Tillicoultry from the south. The building has both historic character and architectural merit.
- 3.27. The proposal is supported by a project brief which in summary is to “create spaces with increased capacity and flexibility to facilitate a greater community engagement and outreach programme”. The brief also notes that the proposal will “create a welcoming and transparent entrance sequence to the church that signals a ‘new chapter’ and will increase accessibility”.
- 3.28. The use and reuse of this building is supported in principle by Policies 1, 9 and 27 of NPF 4, and by Policies EP15 and EA25 of the LDP. However, it should be noted that the use of the building is not the subject of the application and the building, although vacant, may in fact be used as a church again without the need for any further planning permission. The community benefits offered by the extended church building are supported by Policy SC10 of the LDP and given weight throughout the assessment.
- 3.29. In principle, extending the church is considered to be acceptable in broad principle terms, but a detailed assessment against the Development Plan and other material planning matters is required and is below.
- 3.30. Impact on the Built Environment
- 3.31. The extension proposed to side and rear is modern and large but would be of limited visibility from prominent public vantage points and is considered to make a good use of the available space to the side and rear of the church. The proposed materials for the side and rear extension, namely blonde facing brick with anthracite grey metal cladding and aluminium windows throughout, are considered to be acceptable in the context, as they are appropriately placed to give sufficient respect to the original church, and are tucked in a location that will not dominate the character or appearance of this building.
- 3.32. Although the extension will feature a number of different roof heights and pitches, the rear/side extension is considered to be acceptable in terms of its scale, form, design and materials and it is not considered to detract from the

original church building and is considered to be appropriate for a modern intervention on a traditional building.

- 3.33. The extension to the front follows a similar modern design theme, using a combination of stone, glass, and metal, to create a large new entranceway, seating areas, and office, as well as an accessible ramp and steps. Although the increased accessibility is clearly a positive and the quality of materials proposed is high, the extension is a significant intervention in a very prominent position.
- 3.34. The church building is an established part of the streetscape. It has a distinctive design which appears to have been little-altered. Although it has a simple form, its height and the vertical emphasis give it status, and it possesses a number of Gothic inspired design features which add to its character. It is positioned in a particularly prominent location at the junction between the A91 and A908, opposite Murray Square and providing a backdrop to the Category B Listed Murray Square Clock Tower.
- 3.35. There are a wide variety of building designs and features in the vicinity; the building sits outwith the conservation area, but borders it. The traditional form and design of the current building sit comfortably in the streetscape and it is considered that the proposed front extension would, due to its scale, form, design and materials, dominate and detract from the appearance of the church presenting a stark and jarring contrast to this traditional building.
- 3.36. Although it may be possible to introduce new features on the front elevation of this church, it is considered that this proposed extension would be overly dominant due to its width and height, and also would obscure the traditional features on the front elevation which add to the building's distinctive character and the setting of historic assets, namely the gothic windows and door.
- 3.37. It is accepted that some effort has been made to preserve the large decorative window in the front elevation by incorporating a butterfly roof into the design; however, the proposed roof significantly alters the character and appearance of this building, detracts from its simple form, removes much of the vertical emphasis at the front, and reduces its proportions for windows and doors. The result would not only adversely impact the appearance of the building, but would also adversely affect the character of the wider area.
- 3.38. Overall, although there is policy support offered for the side and rear extensions, the issues raised by the extension to the front are significant. They are considered to conflict with the qualities required for creating successful places as referred to in Policy 14 of NPF 4 and in the Council's Placemaking Supplementary Guidance, particularly as they fail to reinforce the building's existing identity by not paying sufficient respect to local architectural styles or the character of the area.
- 3.39. Discussions have taken place between the Planning Team and representatives of the church to try and achieve a frontage that better reflects the character of the building and the area whilst meeting the churches needs, however this has been unsuccessful and it has been confirmed by the Applicant that they would like a decision based on the current proposal.

- 3.40. As poorly designed buildings can have a long-term detrimental impact on their locality it is considered that, on balance, the proposal is considered to fail to make a positive contribution to the local area. It is considered that the changes would detract from the appearance of this building, harming the character of the area, which is made significantly worse by its prominent position in the streetscape.
- 3.41. It would not be open for the Committee to recommend partial approval and partial refusal i.e. approving the rear and side extensions, but not approving the front extension because mixed decisions are not allowed for under s37 (1) of the Town and Country Planning (Scotland) Act 1997.
- 3.42. Impact on the Historic Environment
- 3.43. Although the church is not listed, it contributes to the character of the area. The building itself is noteworthy due to its age, architectural features, and prominence. On balance, it can be considered to be a non-designated heritage building for the purposes of LDP Policy EA24.
- 3.44. Policy EA24 of the LDP offers support for the reuse of non-designated heritage buildings that are vacant where they ensure that the character of the building and their surroundings are retained or enhanced. Although reuse is supported, as noted in the section above, there are significant concerns raised for the impacts that the extension to the front would have on the character and appearance of this building and its surroundings. For the reasons given, the changes and additions are considered to detract from the character that this building possesses and will adversely impact the character of the wider area.
- 3.45. The lack of a sensitive design approach for the front extension is considered to detract from the character of this building, contrary to Policy 7 of NPF 4 and Policies EA23 and EA24 of the LDP. It is also considered to have a negative impact on the setting of the conservation area and the listed clock opposite.
- 3.46. Impact on the Natural Environment
- 3.47. The church itself is in a sustainable town centre location that supports local living and the 20-minute neighbourhood concept. The reuse and adaptation of this existing building will reduce pressures to rebuild or build elsewhere, and the introduction of the air source heat pumps and thermal improvements offered are considered to offer climate change benefits, which together meet the requirements of Policies 1, 2, 9, 12 and 15 of NPF 4.
- 3.48. The church is surrounded by buildings, roads and walkways, but there are pockets of greenery surrounding it with trees in neighbouring gardens and a small amount of lawn and vegetation at the rear. The extension proposed to the front will replace an area of hardstanding, raising no new concerns for the natural environment, and the extensions to the side and rear will be partly built in place of the existing extension. Although some grass and vegetation will be lost as a result, the changes are not considered to have any significant impact on trees given the separation distances between them and are not considered overall to raise any significant concerns for the natural environment.

- 3.49. Impact on Roads and Travel.
- 3.50. The church is in a sustainable town centre location which is within walking and wheeling distance of many homes in the town. It has good public transport links from nearby towns being opposite the bus stances at Murray Square and is opposite a public car park.
- 3.51. Although the site lacks off-street parking the church is an existing building and use will not change. The extensions proposed would be ancillary and incidental to the existing use which is sustainable and would support local living and the 20 minute neighbourhood concept.
- 3.52. The A91 and A909 are busy roads, but there are not considered to be any significant issues raised for highway safety and no significant pressures on the highway network as a result of this proposal.
- 3.53. As the site is in a location that supports local living, it meets the aims of Policy 15 of NPF 4. With no new road safety impacts foreseen, there are not considered to be any conflicts with Policy SC11 of the LDP, or with Policy 13 of NPF 4.
- 3.54. Impact on Neighbouring Uses and Residents
- 3.55. The extension to the front is not considered to have any significant new impacts on neighbouring uses or residents, given its position and relationship with the buildings either side.
- 3.56. The extension to the side is relatively low height when compared with the main church building, and its relationship with the existing tall boundary wall is not considered to present any significant new overshadowing issues for neighbours or significantly harm their amenity.
- 3.57. The extension wraps around the building at the rear and although there will be some increased overlooking towards the north given that the building is moving closer to neighbouring homes, the impact is considered to be minimal given the distances retained. There are also already existing extensions in place that this proposal will replace, the use will remain the same, and there are intervening hedges and fencing which provide some added screening. With a sufficient distance retained to the rear boundary, the proposal overall is considered to have an acceptable impact on neighbouring uses and residents, and there are not considered to be any conflicts with Policy 14 of NPF 4.
- 3.58. Other Material Considerations
- 3.59. The proposed extensions will potentially deliver added community benefit, by increasing the capacity that the church has to offer to provide activities in the local community.
- 3.60. The development proposes a ramped arrangement that will provide a step-free access into the building, ensuring that it can be more inclusive for people with mobility needs.

### 3.61. Equalities Impacts

- 3.62. In reaching a recommendation on this application, the Planning Authority has to have due regard to its duties under the Equality Act 2010, including the need to eliminate discrimination, advance equality of opportunity, and foster good relations between persons who share a protected characteristic and those who do not.
- 3.63. The proposal includes the provision of a new step-free access arrangement and improved accessibility features which would assist people with mobility impairments, older people, wheelchair users, and others who may experience difficulties accessing the existing building. Therefore, the proposal would provide a positive equality benefit by improving access to the church and the community activities undertaken within it. The increased capacity and flexibility of the building may also assist in broadening participation in community activities and services within the church.
- 3.64. These matters have been given weight throughout the assessment of the application and are recognised as benefits of the proposal. However, the Equality Act 2010 does not require planning permission to be granted where there are otherwise sound planning reasons for refusal. Having considered the equalities benefits alongside all other material planning considerations, including the impact of the front extension on the character and appearance of the building, the surrounding area, nearby heritage assets and the Development Plan, it is concluded that the identified planning harm is not outweighed by the equalities benefits arising from the proposal.
- 3.65. There is also no evidence to suggest that a less harmful and less intrusive design that provides all of the same benefits could not be achieved on this site.
- 3.66. Conclusion
- 3.67. When considering the previous reasons for refusal and the new placement of the door on the east elevation, the second reason for refusal has clearly been overcome. However, the first reason for refusal has not.
- 3.68. Although there has been an attempt to address the issues with regards to symmetry and longitudinal form in respect of the windows on the front extension, it has remained the same size as that refused previously and presents the same juxtaposition in relation to the roof form, continuing to obscure many of the churches original and most prominent features. It is considered that the extension will dominate the frontage of this building and have a harmful impact in regard to the character and appearance of this building, and the setting of historic assets.
- 3.69. Although it is acknowledged that the proposal would deliver welcomed benefits for church users and the wider local community, and that elements of the development considered in isolation would be supportable, when assessed as a whole the significant adverse impact of the front extension on the appearance of the building, the character of the surrounding area, and the setting of nearby historic assets is, on balance, not outweighed by the identified community benefits. Given the prominent location of the building

within the townscape, the resulting visual harm is considered to be of such magnitude that it is not outweighed by the benefits of the proposal.

- 3.70. When balanced the level of harm is not considered to outweigh the benefits and for the reasons given, refusal is recommended.

#### 4.0 Sustainability Implications

- 4.1. The recommendation to refuse planning permission has no sustainability implications

#### 5.0 Resource Implications

##### 5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

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

##### 5.4. Staffing

#### 6.0 Exempt Reports

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

#### 7.0 Declarations

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

##### (1) Our Priorities

- 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**  
Clackmannanshire Council Local Development Plan 2015

## 8.0 Impact Assessments

- 8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty?

No, the Planning Report forms the basis of the committee's decision. A combined Equalities Impact Assessment has been embedded within the report of handling and is considered throughout. A dedicated section references how the application assesses the equalities impacts of this proposal.

## 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 Appendix 1 – Reasons for Refusal

## 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

- 11.2 Adopted Clackmannanshire Local Development Plan (2015)

National Planning Framework 4 (2023)

Supplementary Guidance 3 Placemaking

## 12.0 List of Plans and Other Documents Forming Part of the Planning Application


- 12.1 Existing Site Plan – 23025 - 02  
12.2 Existing Floor Plans – 23025 - 03  
12.3 Existing South Elevation – 23025 - 04

- 12.4 Existing North Elevation – 23025 - 05
- 12.5 Existing East Elevation – 23025 - 06
- 12.6 Existing West Elevation – 23025 - 07
- 12.7 Proposed Site Plan – 23025 - 10
- 12.8 Proposed Floor Plans – 23025 - 11A
- 12.9 Proposed Ground Floor Plan – 23025 - 12A
- 12.10 Proposed South Elevation – 23025 - 13A
- 12.11 Proposed North Elevation – 23025 - 14
- 12.12 Proposed East Elevation – 23025 - 15A
- 12.13 Proposed West Elevation – 23025 - 16
- 12.14 Proposed Section AA – 23025 - 17A
- 12.15 Proposed Section BB – 23025 - 18
- 12.16 Proposed Section CC – 23025 - 19
- 12.17 Location Plan – 23025 - 02
- 12.18 Design Statement – February 2026

**Author(s)**

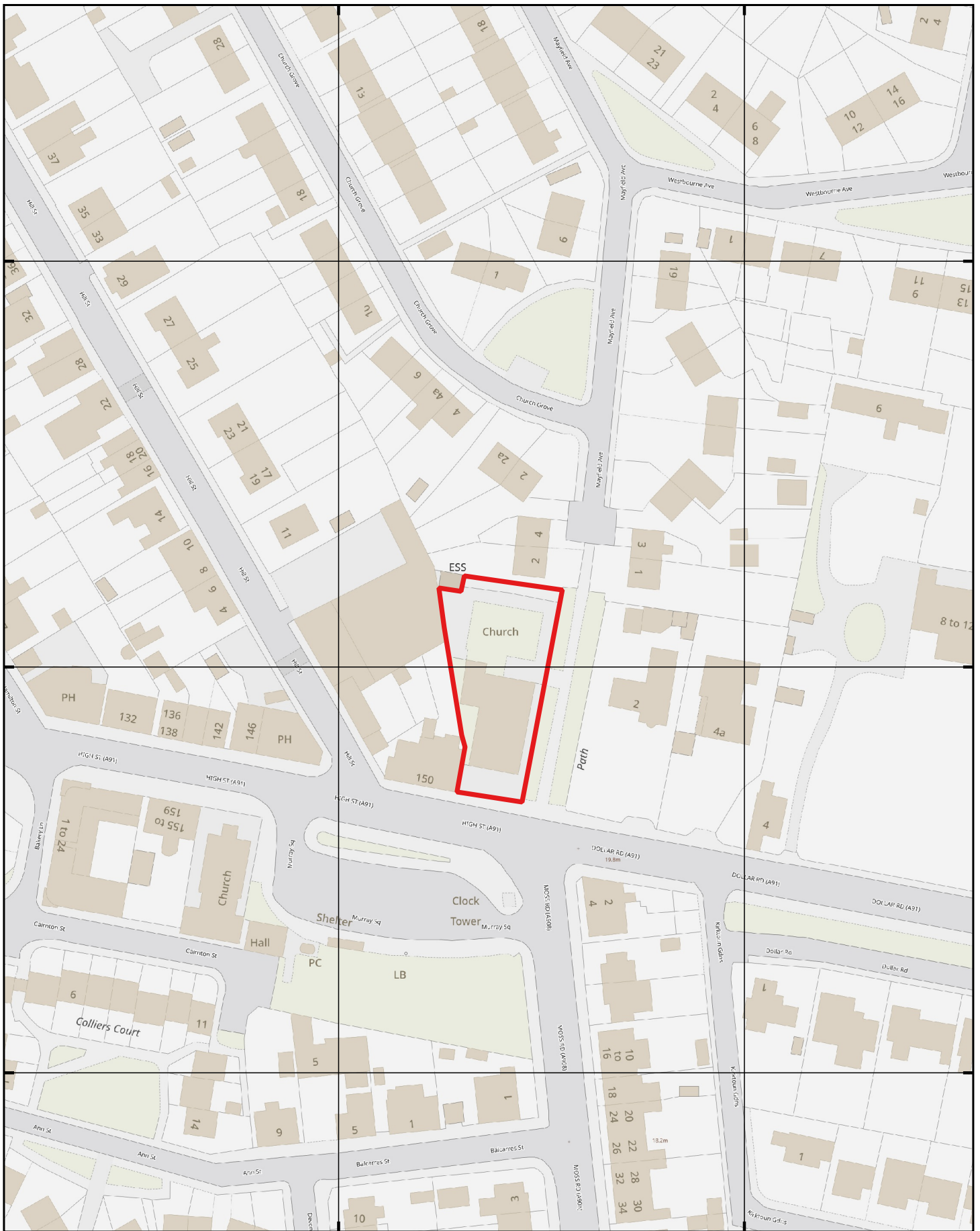
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Mark Dunlop	Principal Planning Officer	2615

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Jacob Muff	Team Leader	

## **Appendix 1 – Reasons for Refusal**

1. The extension to the front of the building, due to its modern design and large size is unacceptable. It does not pay sufficient respect to the buildings historic character and identity, and would over dominate the existing frontage of this church detracting from many of its original features. It would present a harmful addition to the streetscape, having a long-term detrimental impact on its appearance, the setting of the conservation area and the setting of the listed Murray Square Clock Tower, failing to deliver the qualities required for a successful place. This conflicts with the Council's supplementary guidance on Placemaking, and fails to meet the requirements of Policies 7 and 14 of the National Planning Framework 4, and Policies EA23 and EA24 of Clackmannanshire's Local Development Plan 2015



Scale: 1:1250

**26/00038/FULL – Tillicoultry Baptist Church,  
152 High Street, Tillicoultry, FK13 6DT**

Alterations And Extension To Front, Side And Rear Of Church And Hall

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