



CLACKMANNANSHIRE COUNCIL

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

PLANNING COMMITTEE

Thursday 19th March 2009

Committee start time: 9.30 am

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

All meetings of the Council, its Committees and Sub-Committees are open to the press and public except where the press and public are excluded because of the nature of the business. However, unless there has been prior agreement, neither can make comment on any issue during the meeting or attempt to take part in the discussion.

For further information contact Chief Executive's Service, Clackmannanshire Council, Greenfield, Alloa FK10 2AD
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Website: www.clacksweb.org.uk

Date	Time
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PLANNING COMMITTEE

The Planning Committee is responsible for taking decisions on planning applications and enforcement, dealing with regulatory issues arising in the fields of Building Control, Trading Standards, Environmental Health and non liquor licensing, all in line with Council policy.

11 March 2009

A MEETING of the PLANNING COMMITTEE will be held within the Council Chamber, Greenfield, Alloa, on THURSDAY 19th MARCH 2009 at 9.30 am.

PETER J BROADFOOT
Head of Administration and Legal Services

From February 2005, the Council has introduced a scheme governing oral submissions on planning applications. In line with standing orders, the Convener may re-arrange the order of this agenda to allow oral submissions to be heard as the first items of business. The final decision on who will make oral submissions will rest with the Convener of the Committee.

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|----|---|----|
| 1. | Apologies and substitutions | -- |
| 2. | Declaration of Interests
Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer. | -- |
| 3. | Confirm minute of Regulatory Committee Meeting held on 22nd January 2009 (Copy herewith) | 01 |
| 4. | Planning Application: Erection of 37 Flats and 48 Houses and Associated Roads and Infrastructure, Development Site at Former Tullis Factory, Alloa Road, Tullibody (Ref: 08/00295/FULL) - Report by Grant Baxter, Principal Planner (copy herewith) | 05 |
| 5. | Planning Application: Siting of Two Containers for Storage and Changing Facilities for River Devon Canoe Slalom Project at Shavelhaugh Loan, Alva (Ref: 09/00003/FULL) - report by Keith Johnstone, Principal Planner (copy herewith) | 21 |

COMMITTEE MEMBERSHIP – PLANNING COMMITTEE

Councillors

Wards

Councillor Alastair Campbell (Convener)	5	Clackmannanshire East	CON
Councillor Tina Murphy (Vice Convener)	1	Clackmannanshire West	SNP
Councillor Kenneth Earle	4	Clackmannanshire South	LAB
Councillor Mark English	4	Clackmannanshire South	SNP
Councillor George Matchett	1	Clackmannanshire West	LAB
Councillor Walter McAdam	2	Clackmannanshire North	SNP
Councillor Bobby McGill	2	Clackmannanshire North	LAB
Councillor Harry McLaren	5	Clackmannanshire East	LAB
Provost Derek Stewart	3	Clackmannanshire Central	LAB
Councillor Gary Womersley	3	Clackmannanshire Central	SNP

**MINUTE OF MEETING of the PLANNING
COMMITTEE held within the Council
Chamber, Greenfield, Alloa, on
THURSDAY 22ND JANUARY 2009**

PRESENT

Councillor Alastair Campbell (Convener)
Councillor Tina Murphy (Vice Convener)
Councillor Kenneth Earle
Councillor Mark English
Councillor Bobby McGill
Councillor George Matchett
Councillor Walter McAdam
Provost Derek Stewart
Councillor Gary Womersley

IN ATTENDANCE

Stephen Bell, Head of Development
Services
Keith Johnstone, Principal Planner
David Thomson, Legal Services Manager
(Clerk to the Committee)

PLA(09)98 APOLOGIES AND SUBSTITUTIONS

APOLOGIES for absence were received from Councillor Harry McLaren. No substitute attended on his behalf.

PLA(09)99 DECLARATIONS OF INTEREST

Councillor Earle declared an interest in respect of Agenda Item 5 (Planning Reference 08/00356/FULL) having made a representation as a neighbour. He informed the Committee that having considered the information in the report, he was withdrawing his objection.

**PLA(09)100 MINUTE OF REGULATORY COMMITTEE MEETING HELD
ON 11TH DECEMBER 2008**

There was submitted a minute of the Regulatory Committee meeting held on 11th December 2008, a copy of which had been circulated previously to each Member.

The minute of the Regulatory Committee meeting held on 11th December 2008 was agreed as a correct record and signed by the Convener.

PLA(09)101 PLANNING APPLICATION

Construction of replacement roof over garage to form an extended upper floor accommodation at 6 Armour Place, Tillicoultry (Ref. 08/00374/FULL)

There was submitted a report by Ian Duguid, Development Quality Team Leader, a copy of which had been circulated previously to each Member.

Councillor Campbell moved the recommendations as set out in the report subject to the specified condition. Seconded by Councillor McAdam.

The Committee agreed unanimously to APPROVE the application subject to the condition set out in the report.

Action: Stephen Bell, Head of Development Services

PLA(09)102 PLANNING APPLICATION

Alterations and side extension of former workshop premises to accommodate an MOT Test Centre at Bridge Motors, Broad Street, Alloa (Ref. 08/00356/FULL)

There was submitted a report by Keith Johnstone, Principal Planner, a copy of which had been circulated previously to each Member.

The Principal Planner pointed out a typographical error in the report at paragraph 3.1. The applicant has indicated a willingness to relocate the door onto the *west* elevation and not the east as stated in the report.

Councillor Earle declared an interest in this item. He remained within the Chamber, with the consent of the Committee, but took no part in the debate or decision.

Councillor Campbell moved the recommendations set out in the report subject to conditions 1 to 6. Seconded by Councillor Matchett.

The Committee agreed to APPROVE the application, subject to the terms and conditions set out in the report.

Action: Stephen Bell, Head of Development Services

PLA(09) 103 STREET NAMING REPORTS

There were submitted reports by Mark Grant, Administrator, Building Standards, copies of which had been circulated previously to each Member.

(a) Street Naming Report for former Ash Grove Site, Alloa

Moved by Councillor Campbell. Seconded by Councillor McGill

The Committee agreed that the two new streets on the site of the demolished flats on the former Ash Grove site in Alloa be know as "Ash Grove" and "Tummel Court".

(b) Street Naming Report for former College Annexe, Sauchie

Moved by Councillor Campbell. Seconded by Councillor Womersley.

On a division, the Committee agreed by 5 votes to 4 that the development at the former college annexe site at Mar Place, Sauchie, be know as "Baillie Court".

(c) Street Naming Report for land at former 23 and 24 Benview Terrace, Fishcross

Moved by Provost Stewart. Seconded by Councillor Womersley.

The Committee agreed that the development on the footprint of the demolished houses at 23 and 24 Benview Terrace be known as "Benview Gardens", subject to the name being acceptable to The Royal Mail Address Development Centre.

Action: Stephen Bell, Head of Development Services

The meeting concluded at 10.10 am.

Report to Planning Committee of 19th March, 2009

Subject: Planning Application: Erection of 37 Flats and 48 Houses and Associated Roads and Infrastructure, Development Site at Former Tullis Factory, Alloa Road, Tullibody (Ref: 08/00295/FULL)

Applicant: Barratt East Scotland, Telford House, New Mid Cultins, Edinburgh

Agent: Wilson and Wilson, Arnot Grange, Maggie Woods Loan, Falkirk

Prepared by: Grant Baxter, Principal Planner

Electoral Ward: Clackmannanshire West

1.0 Purpose

- 1.1. The report provides an assessment and recommendation of the planning application to redevelop the former Tullis Tannery site in Tullibody for residential development. The report concludes that the proposals represent a high quality redevelopment of this vacant and derelict land and are in accordance with Development Plan policies. The application is therefore recommended for approval subject to conditions and reasons set out in Section 2.0 of this report.

2.0 Recommendations

- 2.1. The planning application is recommended for approval subject to the following conditions and reasons:-
1. Before any works commence on site, a construction and traffic management plan shall have been submitted to and approved in writing by the Council. It shall include:-
 - a) All road and pedestrian safety measures on the B9096, including carriageway work, signing, traffic control measures and supervision.
 - b) Internal site servicing and construction vehicle/site personnel parking.
 - c) Measures to control noise and dust from the development site, including temporary boundary treatment.
 - d) Timescales for implementation before the start of any site works.
 2. Before any works commence on site the developer will provide the Council with revised layout details that consider the following elements:

- a) The scope to provide in-curtilage parking serving plots 1-22, 29-42 and 60-66.
- b) Reconfiguration of the square in front of plots 19-22 to reduce the number of parking spaces within the space, maximise landscaping/amenity space and incorporating a public art installation.
- c) Design of the frontage onto Alloa Road that incorporates feature boundary walls/railing, footway widening, landscaped front garden space and entrance features at the main site access.
- d) The provision of a single pedestrian access from the site into Delph Pond Park.
- e) Amendments to the parking/building positioning along the eastern site boundary to maximise retention of existing trees and provide scope for new/replacement boundary tree planting.

Once such amendments have been agreed with the Council, a revised site layout shall be submitted to and approved in writing by the Council, and thereafter the development will proceed in accordance with such approved details.

3. Before any works commence on site, and taking account of the provisions of Condition 2, a revised site layout shall have been submitted to and approved in writing by the Council, taking account of the following requirements:
 - a) Details of mini-roundabout design and associated traffic management measures on the B9096.
 - b) A detailed specification of road, footway, shared surface and parking space finishing materials to be used throughout the whole site.
 - c) The provision of an adoptable footpath link through the site from Delph Road to Alloa Road.
 - d) Exact details of the Delph Road frontage, including a 2m wide frontage footway.
 - e) Revised design of internal junctions and surface transition areas.
 - f) Deletion of through access for the 8 spaces to the rear of plots 19-22.

Thereafter, the development shall proceed in accordance with such approved details, and in the case of point a), such measures shall be completed before occupation of the first house or flat within the development.
4. Before any works commence on site, a detailed scheme of landscaping shall have been submitted to and approved in writing by the Council. It shall include:-
 - a) Existing trees to be retained.
 - b) The type, number and location of proposed trees and shrubs.
 - c) A detailed specification, including sectional drawings of the Alloa Road frontage and the landscaped square in front of plots 19-22.
 - d) New and replacement tree planting along the site's eastern boundary with Delph Pond Park.

d) Timescale for implementation and details of arrangements for future maintenance.

Thereafter, all landscaping/planting shall be completed in accordance with such approved details.

5. Before any work starts on site, in association with the proposed residential development, a landscape bond shall have been deposited with the Council in relation to all communal areas of landscaping or planting outwith private gardens.
6. Before any works commence on site, exact details and specifications of all forms of boundary treatment and enclosure shall have been submitted to and approved in writing by the Council. Such details shall include the following:
 - a) Feature boundary wall and railings along the Alloa Road frontage, and the site access, of a design and finish that reflects that on the attached stamped approved photograph of boundary walls/railings on Delph Road.
 - b) Screen fencing to garden boundaries on the western site boundary.
 - c) A specification for high quality fencing/walls around garden boundaries facing onto parking courtyards.
 - d) Open mesh fencing along the site's eastern boundary with Delph Pond Park.
 - e) All other boundary treatments and enclosure within the site.Thereafter, all boundary treatment in the development shall accord with such approved details.
7. Before any works commence on site, a Drainage Impact Assessment shall have been submitted to and approved in writing by the Council. This shall include a scheme for the collection and disposal of surface water. The scheme shall be designed in accordance with "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland". The scheme thereafter shall be completed in accordance with such approved details.
8. Before occupation of the first house within the proposed development, a financial contribution of £60,000 towards the enhancement of existing play areas in Tullibody and enhancement of the Delph Pond Park shall have been made to the Council.
9. Before any works commence on site, samples of external finishing materials for flats and houses shall have been submitted to and approved in writing by the Council, and shall include:
 - a) External brick and render finishes.
 - b) External roof cladding.
 - c) External timber cladding.
 - d) External railings/balustrades.
 - e) Dormer faces and haffits.
 - f) Window and door colour/material.

Thereafter, all external finishes in the development shall accord with such approved details.

10. Before any works commence on site, a detailed tree survey, indicating all trees to be removed, retained, and any proposed arboricultural works to be undertaken shall have been submitted to and approved in writing by the Council. Once approved, all tree works shall be carried out in accordance with such approved details.
11. Before any other work starts on site, protective fencing shall have been erected around all trees to be retained as part of this development, in accordance with BS 5837 (2005). The fencing shall be inspected by a representative of the Council and shall remain in place for the duration of construction work.
12. Any trees, shrubs or other plants which die or are removed within five years of planting shall be replaced in the first available planting season to the same standard and specification.
13. Construction work within the site, and the operation of vehicles and machinery shall only take place between the hours of 0800-1800 hours Monday to Friday, 0800-1300 hours Saturday and at no time on Sundays or Bank Holidays.

For the following reasons:

1. In the interests of residential amenity.
2. In the interests of residential amenity and local environmental quality.
3. In the interests of road safety and local environmental quality.
4. In the interests of residential amenity and local environmental quality.
5. In order to ensure satisfactory completion of landscaping and planting.
6. In the interests of visual amenity and local environmental quality.
7. In the interests of visual amenity and local environmental quality.
8. In order to ensure enhancement of local open space and play provision in lieu of the provision of on-site facilities.
9. In the interests of visual amenity and local environmental quality.
10. In the interests of visual amenity and local environmental quality.
11. In the interests of visual amenity and local environmental quality.
12. In the interests of visual amenity and local environmental quality.
13. In the interests of residential amenity.

- 2.2 The planning application site is owned by the Council, however there is no need for any decision to approve the application in accordance with the recommendations to be referred to Scottish Ministers on the basis that the proposals comply with the Development Plan and there is no substantial body of objection to the application.

3.0 Background to the Proposals

- 3.1. The planning application relates to the former Tullis Tannery Site located on land between Alloa Road, Delph Road and Delph Pond in the centre of Tullibody. The 1.5ha site is generally flat, is of an irregular shape and is currently unused land.
- 3.2. The former tannery was a large, four storey, red brick building constructed in 1880 and dominated by a top heavy brick water tower. The tannery operated using water drained from the Delph Pond. Tanning ceased in 1962 and the building became a plastics factory for a short time. The building became Category B listed in 1977 and the site was acquired by the Council after it became vacant. After unsuccessful efforts to have the building re-used for commercial purposes, Listed Building Consent was granted for its demolition in February 2000, following which the site was completely cleared and de-contaminated by the Council. A new access road was constructed from Alloa Road.
- 3.3. Planning permission was granted for residential development on the land in February 1992, however this permission was never implemented.
- 3.4. The site is identified in the Clackmannanshire Local Plan, adopted in 2004 as Housing Policy Site H51 for speculative new build development, subject to relevant development guidelines which are alluded to later in this report.
- 3.5. A development brief was prepared by the Council for the site, which set out key design principles. This makes reference to a condition on the Listed Building Consent for demolition of the tannery which states that "any replacement building or buildings for the site should be of a high quality design, subject to the scrutiny of both The Royal Fine Arts Commission and Scottish Ministers". In addition, reference is made in the brief to vehicular access and high quality frontage onto Alloa Road, careful treatment of the boundary with Delph Pond, developer contribution towards play area improvements within the Delph Pond park and the provision of public art within the site.
- 3.6. The current planning application was submitted by Barratt East Scotland on 29th September, 2008 and proposed 53 flats and 37 houses, 90 units on the site, served off a single access point at the western edge of the site frontage onto Alloa Road, where the existing vehicular access exists. The development layout shows a mix of two storey detached, semi-detached and terraced houses and two/three storey flatted blocks.
- 3.7. Since this original submission, the proposals have been revised to incorporate the key following changes:-
 - A reduction in the overall development from 90 to 85 units (37 flats and 48 houses).
 - Relocation of vehicular access towards the middle of the Alloa Road frontage, directly opposite the junction serving Banchory Place.

- Houses fronting Delph Road re-positioned to follow the building line of the adjoining houses on heel of kerb, with car parking to rear served off the new Alloa Road access.
- Re-design of internal parking courtyards and formation of a principal landscaped focal point within the development.
- Elevational design changes to flats/houses including a feature block within the north-east corner of the site and the introduction of red and cream brick finishing materials.

4.0 Consultations

- 4.1. Tullibody, Cambus and Glenochil Community Council - The overall design of the houses and layout are pleasing and in character with the surroundings. There is concern regarding access and egress traffic from Alloa Road given the proximity to the pedestrian crossing. Concern regarding number of parking spaces and increased traffic/parking on Delph Road, and a need for upgrading of Delph Road and concern about construction traffic off Delph Road. There was previous Council assurance that no development would take access off Delph Road. Concerns regarding impact on local utilities/infrastructure from construction operations. Will the developer contribute to upgrading of the Delph Pond area? *Comment: As noted above, the site access has been relocated from that originally proposed. This access position is preferred by Roads and Transportation in terms of traffic circulation and is also located further from the pedestrian crossing than the original proposal. The development proposes 13 houses fronting onto Delph Road, but with parking provision to the rear, not accessed off Delph Road. The only access to the site from Delph Road would be for pedestrians. Whilst in this case the development would not justify any upgrading of Delph Road, there is scope to require the developer to enhance the existing car park at its eastern end. The site would be served by 122 parking spaces which, given its accessibility on foot to local services and public transport, is considered to be an adequate level of provision. A Construction Management Plan will be required if planning permission is granted that will control site traffic. Damage to utilities/infrastructure by developers is not a material planning consideration. A financial contribution will be required from the developer towards upgrading off Delph Pond park.*
- 4.2. Architecture and Design Scotland made the following comments on the originally submitted proposals. There is a lack of place making and failure to achieve housing design and layouts that meet the expectations of Scottish Executive guidance on design. A Design Statement has not been submitted setting out the details of the proposals in their wider setting. The layout is not of a suitably high quality with housing served off long cul-de-sacs, lacking connectivity. A more flexible innovative approach, achieving higher design quality that is more pedestrian friendly, should be sought. Housing design is generally of a standard form and the proposals should be reconsidered given the great potential of the site. *Comment: Architecture and Design Scotland have replaced the Royal Fine Arts Commission and provide Local Authorities with advice and support in dealing with the design of major projects.*

Their input has been sought in response to the condition on the Listed Building Consent for demolition of the former tannery building and their comments relate to the original design/layout. Since submission of these comments, officers have worked with the developer to address the shortcomings identified above through design changes to buildings to create a high quality frontage to Alloa Road and creating more shared spaces in the site. As a result, the site layout and housing design have been revised in order to reflect current and new advice on residential street design and better relate to the site history and its wider context. The concerns of Architecture and Design Scotland have therefore largely been addressed.

- 4.3. Land Services - Tree protection measures required, detailed landscaping and design specification required. No play area is proposed and therefore the developer should make a contribution towards the enhancement of existing play areas within Tullibody and enhancement of Delph Pond Park at a recommended level of £50,000-£60,000 contribution. Comment: *Development guidelines relating to the site in the Clackmannanshire Local Plan specify the requirement for a developer contribution to play provision. A planning condition can deal with this matter.*
- 4.4. Environmental Health - No objections; there should be a restriction on the hours of construction and measures taken to suppress dust during construction. No objections in respect of development of contaminated land given previous investigations and remediation work have been undertaken. The developer should liaise with Environmental Health during the construction phase in respect of any residual contaminants that may be present.
- 4.5. Police Architectural Liaison Office - No comments received.
- 4.6. Scottish Water - No objections. Scottish Water will require to assess impact of the development on existing infrastructure. The developer will require to submit a Development Impact Assessment form. A separate drainage system will require to deal with surface water that incorporates SUDs.
- 4.7. Roads and Transportation - Have commented on the original layout and recent revised proposals. They currently have no objections, however, some outstanding issues in respect of the internal layout and the requirement for a traffic calming scheme on Alloa Road remain to be addressed. Suitably worded planning conditions can deal with these matters following the grant of planning approval.

5.0 Representations

- 5.1. A total of 42 neighbouring proprietors were notified of the original application and also of the amended plans submitted by the applicant. In response, three letters of objection were received from the following parties:-
 - 1. Scottish Power Energy Networks, Riccarton Mains Road, Currie, Edinburgh
 - 2. M Brown, 26 Banchory Place, Tullibody
 - 3. Mr E Magnus Murray and Miss R A Mackie, 3 Delph Road, Tullibody

5.2 The grounds of objection can be summarised as follows:-

- Scottish Power object on the basis that operational secondary sub-stations are located in the vicinity of the site together with high and low voltage cabling. Any costs associated with changes to Scottish Power infrastructure will require to be met at the developer's cost. Comment: *This is a holding objection which raises a non-material planning matter that would require to be resolved between the developer and Scottish Power.*
- Concern regarding loss of view across Alloa Road towards the site as a result of town houses. Comment: *Issues of loss of view are not material planning considerations. Notwithstanding this, the proposed housing/flats onto Alloa Road would be some 40 metres from the houses on the opposite side of the road. These buildings are proposed to be two and two and a half storey. As such, there is unlikely to be any significant amenity impact from the proposed development affecting residents opposite.*
- Query regarding type of fencing in front of houses onto Alloa Road. Comment: *The proposals indicate landscaping and a new footpath in front of the development, however planning conditions will require submission of full details of boundary treatment. A low feature boundary wall and railing are also considered to be forms of boundary treatment that would enhance the Alloa Road frontage of the site.*
- Concern regarding potential impact of the development on wildlife in the Delph Pond area. Comment: *The development site is physically separate from Delph Pond by virtue of the adjoining open space. Through the submission of a Construction Management Plan the developer will require to demonstrate how any impact of construction works will be mitigated. The proposed development is likely to enhance the setting of Delph Pond as it will redevelop a vacant and derelict site adjoining the park with high quality residential development. A developer contribution will also be used to further enhance the park.*
- There is a preference for development of the site for a community centre and new housing should not be supported without improving infrastructure. Comment: *The site has been allocated in the Clackmannanshire Local Plan for residential development since 2004 and planning permission has previously been granted for residential development. The proposals therefore comply with the Development Plan in terms of the land use type. The Local Plan Development Guidelines and associated planning brief set out the infrastructural requirements necessary to support the proposed development, including contributions to enhancement of the adjoining park, traffic calming on Alloa Road and public art.*
- Concern regarding position of on-street parking on Delph Road. Comment: *The original planning submission proposed 13 houses with frontage driveways off Delph Road.*

The revised proposals show such houses sitting on the heel kerb of Delph Road in a similar manner to adjoining houses. Parking for such houses will be within the development site and served off Alloa Road therefore no parking facilities associated with the development will be served off Delph Road. Notwithstanding this a planning condition is proposed that requires further enhancement of the parking facilities at the eastern end of Delph Road to assist with offsetting any potential parking demand on the road that the development may generate.

- Concern regarding condition of Delph Road in terms of footway surface, lighting and potential of additional traffic to worsen the situation. Comment: *As noted above, there would be no additional parking spaces serving development that would access off Delph Road however the existing car parking facilities on Delph Road can be enhanced as a result of the proposed development.*

6.0 Planning Considerations

- 6.1. The application must be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2. The key Development Plan consideration in this case is that the site is allocated as Policy H51; a speculative new building housing site within the Clackmannanshire Local Plan adopted 2004.
- 6.3. Other key Local Plan policies that the development requires to be assessed against are those that deal with enhancing environmental quality, brownfield development, the layout and form of new housing developments, open space and amenity standards and roads development guidelines.
- 6.4. In considering these policy provisions, the key issues can be summarised as follows:-
 - Principle of the proposed development.
 - Compliance with Local Plan development guidelines and brief.
 - Enhancement of environmental quality.
 - Open space and amenity.
 - Roads and Transportation.

6.5 Principle of the Proposed Development

The site is identified as Policy H51 for speculative new building development of 35 units (high density) in the Clackmannanshire Local Plan 2004. The site amounts to 1.5ha not 1.35ha as specified in the Local Plan. Whilst the proposals involve a higher density of development than envisaged by the Local Plan, the current scheme represents a scale and density of development that is appropriate for this brownfield site close to the centre of Tullibody and which are in keeping with surrounding developments.

6.6 Compliance with Local Plan Development Guidelines and Brief

The Local Plan Development Guidelines and Brief set out key elements that any development of the site will require to comply with. The first of these requires access from Alloa Road. The proposed development reflects this, with the access via a mini roundabout onto Alloa Road opposite the access serving Banchory Place. This would require closure of the existing access into the site at its western edge in a location which is close to the main Stirling Road/Main Street/Menstrrie Road junction and also new pedestrian crossing and for these reasons would be less desirable than the currently proposed access. The development will enable traffic management measures to be introduced on this section of Alloa Road.

- 6.7 The guidelines require high quality development to reflect the former listed building with potential for 3½ and 4 storey elements to the road frontage. This stipulation reflects the requirements of the condition on the Listed Building approval for demolition of the tannery.
- 6.8 Prior to submission of the application, significant local concern was raised regarding the potential impact of 3½ or 4 storey development on the site and its surroundings and a strong preference was expressed for development that reflects the height of adjacent houses and flats. These concerns have been reflected in the applicant's submission which only proposes 2 and 2½ storey houses and flats. Both the height and massing of these buildings will be in keeping with adjoining houses. Through discussions with Development Services, design, elevational treatment and proposed finishing material have been amended in order to enhance the visual impact of the development so that it will create a higher quality built frontage to Alloa Road and subtly reflect some of the characteristics of the former Listed Building but in buildings that do not approach the same scale and massing of the tannery building itself.
- 6.9 The guidelines call for peripheral landscaping and the setting back of the development from the Alloa Road frontage. Both of these elements are expressed in the currently proposed layout however further details will be required on the final specifications of landscaping, planting and boundary treatment, in particular to the Alloa Road and Delph Pond park frontages.
- 6.10 The requirement for a public art feature to reflect the former tannery use is one that can be incorporated into a planning condition and a suitable location, within the development has been identified as the appropriate location for a public art installation. This location would be set back from the Alloa Road frontage but visible when passing the site on this main road.
- 6.11 Since the Local Plan was produced, the site has been remediated and therefore the development guidelines in respect of decontamination have already been fulfilled.
- 6.12 The Local Plan calls for a commuted payment required for the adjacent play park and the comments from Land Services specify the level of this contribution. Again a planning condition can be imposed that ensures this obligation is fulfilled.

6.13 Enhancement of Environmental Quality

The site is currently an unattractive area of vacant derelict land close to the centre of Tullibody and on the main Alloa Road frontage. It currently detracts from the visual amenity of the town and the amenity of adjoining residents. In addition, the site detracts visually from the adjoining attractive open space in the form of Delph Pond park. Therefore, any redevelopment of it requires to be of a high quality design.

6.14 The proposals as submitted and subsequently amended achieve high quality of architectural design and integrate well with the built form and landscape character of the surroundings. In addition, the form, scale and layout of the buildings is compatible with the surrounding developments. Whilst the development will have no physical impact on the Delph Pond park, it will provide an enhanced setting to it and also through developer contribution, appropriate enhancements to the amenity of this important open space.

6.15 In redeveloping this vacant site, the proposals will also reconnect Alloa Road with Delph Road through the provision of safe pedestrian routes and by passive surveillance of Delph Pond park the development will provide enhanced security within this area, particularly for pedestrians passing through on the footpaths.

6.16 A detailed landscaping plan will be required prior to any development commencing on site, and through the approval of such a plan, there is a further opportunity to enhance the landscape setting of the site through appropriate landscaping and boundary treatment.

6.17 Open Space and Amenity

The development provides both private amenity space for housing and communal open spaces serving flatted blocks within the site. The key communal space will be a central landscaped square within the site which, through careful design will provide a high quality focal point within the development and also high quality passive amenity space for residents. As already referred to above, no formal provision of open space or play equipment is proposed within the site, as it has been deemed more appropriate that such investment should be targeted to improve existing facilities in the adjoining park.

6.18 Roads and Transportation

Elements of the revisions to the site layout and access arrangements have been aimed at incorporating the principles of PAN 76 New Residential Developments and the new draft Government Policy "Designing Streets". This guidance and advice generally advocates development layouts that are not dominated by the needs of the motor car but instead are safe environments for all road users including pedestrians and cyclists where a lower priority is given to vehicle movement. The result is a development layout that better meets the needs of pedestrians and cyclists, and provides for a number of shared spaces where vehicles speeds will be naturally calmed through road geometry and the use of appropriate surfacing/landscaping.

In addition, pedestrian access from Alloa Road through to Delph Road is provided within the layout and cul-de-sacs previously proposed have been replaced with parking courtyards that allow access and egress from more than one point within the site.

- 6.19 A number of detailed Roads issues require still to be addressed through planning conditions such as the details of a traffic calming scheme along the site's frontage with Alloa Road, incorporating a new mini roundabout. Such details shall also specify surfacing materials and how the use of landscaping and boundary treatment together will enhance the internal environment and create safe and pleasant spaces within the development.

6.20 Summary

In summary, the proposed development would implement Local Plan policies through the redevelopment of vacant brownfield land for housing to deliver a high quality redevelopment of the site, and also enhancement of the surrounding areas. The design and layout has been amended and enhanced since the original submission and is now in a form that can be recommended for approval subject to relevant conditions dealing with detailed matters. There are no material considerations, in terms of representations or comments from consultees, that would indicate that the application should otherwise be refused and as such, planning permission should be granted subject to the conditions and reasons set out in Section 2.0 of this report.

7.0 Sustainability Implications

- 7.1. The proposals will result in the successful redevelopment of a vacant and derelict brownfield site close to the centre of Tullibody and will also contribute to the environmental enhancement of the surrounding area.

8.0 Resource Implications

8.1. *Financial Details*

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

8.3. *Staffing*

9.0 Declarations

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

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

The area has a positive image and attracts people and businesses ☒
Our communities are more cohesive and inclusive ☐

- People are better skilled, trained and ready for learning and employment ☐
- Our communities are safer ☐
- Vulnerable people and families are supported ☐
- Substance misuse and its effects are reduced ☐
- Health is improving and health inequalities are reducing ☐
- The environment is protected and enhanced for all ☒
- The Council is effective, efficient and recognised for excellence ☐

(2) Council Policies (Please detail)

None


10.0 Equalities Impact

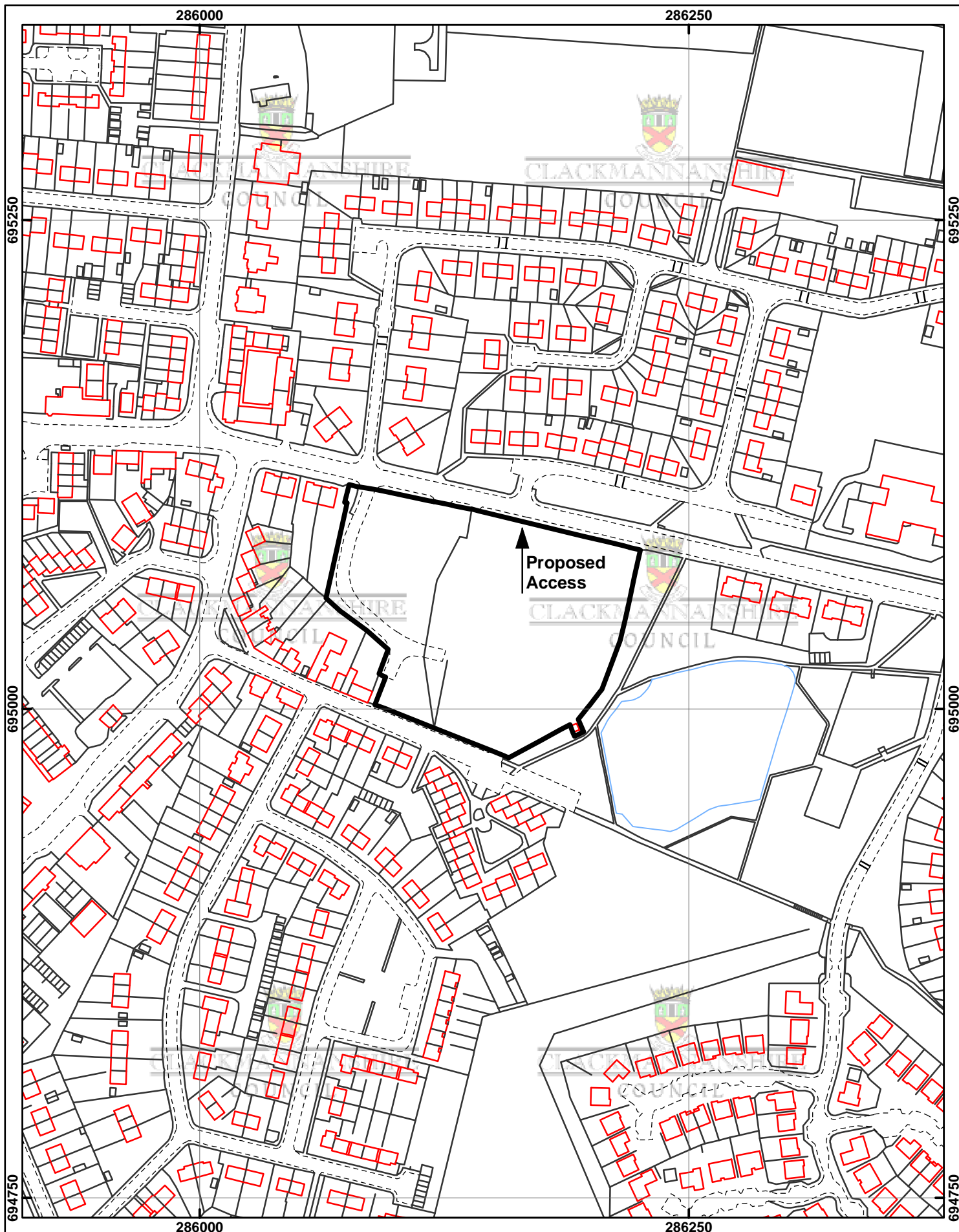
10.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?


Yes ☒ No ☐

11.0 Legality

11.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers Yes ☒

APPROVAL/SIGNATURE	DATE:
<p>Head of Service:</p> 	<p>9th March 2009</p>






Date:
27-Feb-2009

08/00295/FULL - Site To Rear Of Tullis Factory, Alloa Road, Tullibody
Erection of 53 No. Flats and 37 No. Houses
and Associated Roads and Infrastructure

Ward: Clackmannanshire East

0 20 40 60 80 100 Metres



CLACKMANNANSHIRE
COUNCIL
 Development & Environmental Services
 Kinross
 Greenside Street
 Alloa
 FK10 1EB

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OS Grid Ref: NS8995

Scale: 1:2,500

Tel: 01259 450 000 Fax: 01259 727 452
 development_services@clacks.gov.uk

REPORT TO PLANNING COMMITTEE

To: Head of Administration and Legal Services, Greenfield, Alloa FK10 2AD

Report author: Grant Baxter

Service: Development and Environmental

Report title: Planning Application: Erection of 37 Flats and 48 Houses and Associated Roads and Infrastructure, Land at Delph Road and Development Site at Former Tullis Factory, Alloa Road, Tullibody (Ref: 08/00295/FULL)

Date of meeting: 19th March, 2009

It is recommended that the attached report be:

- 1. Given unrestricted circulation** ☒
- 2. Taken in private by virtue of paragraph ___ of schedule 7A of the Local Government (Scotland) Act 1973** ☐

List any appendices attached to this report (if there are no appendices, please state 'none')

None

List the background papers used in compiling this report . If you have completed a sustainability checklist please add this to your list (if there are no background papers please state 'none')

- 1. Clackmannanshire Local Plan Adopted 2004**
- 2. Consultee responses**
- 3. Letters of representation**
- 4. PAN 76**

Nb. All documents listed must be kept available by the author for public inspection for four years from the date of the meeting at which the report is considered.

Report to Planning Committee of 19th March, 2009

Subject: Planning Application: Siting of Two Containers for Storage and Changing Facilities for River Devon Canoe Slalom Project at Shavelhaugh Loan, Alva (Ref: 09/00003/FULL)

Applicant: John Brown, 24 St Johns Gardens, Stoneywood, Denny

Prepared by: Keith Johnstone, Principal Planner

Electoral Ward: Clackmannanshire North

1.0 Purpose

- 1.1. The report considers an application to site two containers on the edge of a field at Shavelhaugh Loan, Alva. The containers would be used to provide storage and changing facilities for a canoe club who have a training facility on the River Devon adjacent to the field. Although the site is located within the Green Belt and countryside, we are persuaded that the principle of the development would be acceptable and would accord with the Development Plan given the locational and operational justification for the accommodation and the effectiveness of the measures to satisfactorily mitigate the visual and landscape impacts through landscaping, external finish and approving the development on a temporary basis only. The location of the containers has been amended to address concerns raised by consultees and objectors relating to flood risk. In the absence of any material considerations to refuse, and the potential benefits that could be achieved by providing wider access to this sport facility, the application should be approved.

2.0 Recommendations

- 2.1. It is recommended that the application is **APPROVED** subject to the following conditions:-
1. This permission expires on 19th March, 2012. Within one month from this date the containers shall be removed from the site and the land shall be restored to its former condition.
 2. Prior to the commencement of any development on the site, a detailed site plan and landscaping scheme shall be submitted to and approved in writing by the Council, as planning authority. The scheme shall include:-
 - (a) A specification of the works to create a base for the containers and the methods to anchor the containers on the approved site.

- (b) A plan showing all existing trees and hedgerows within or adjacent to the site.
 - (c) Details of the type, number, size and location of trees, shrubs or hedging plants to be planted on or adjacent to the site. The details shall be designed to help screen the containers from views from the C110 public road and the surrounding area and shall comprise native species unless otherwise agreed by the Council.
 - (d) Details of the arrangements for implementation, plant establishment and future maintenance.
3. Before any development commences on site, a specification containing measures designed to mitigate the visual impact of the containers shall have been submitted to and approved in writing by the Council, as planning authority. This shall incorporate measures to disguise the external finish and appearance of the containers, details of the external colour and the timescale for completion. Thereafter, the containers shall be sited in accordance with the approved specification.
 4. Before any development commences on site, protective fencing shall be erected around all trees or hedges which are to be retained on or adjacent to the site as part of the development. The fencing shall be erected in accordance with BS5837, inspected by a representative of the Council, and shall remain in place for the duration of work associated with the siting of the containers on the site.

Reasons

1. To retain sufficient control over this form of temporary development in order to safeguard the character and amenity of the surrounding countryside and the Clackmannanshire Green Belt and to ensure the site is returned to an acceptable condition.
2. To consider these details yet to be submitted and in the interests of the visual amenity and character of the area.
3. In the interests of visual amenity and to safeguard the character and appearance of the Green Belt and countryside area.
4. In the interests of visual amenity.

3.0 Background to the Proposals

- 3.1. Planning permission is sought to site two steel containers on a field on the east side of Shavelhaugh Loan, some 600m south of Alva (see Location Plan). The field, including the site, is owned by the CR CATS Canoe Club. The Club train on the River Devon adjacent to the field and they have installed a slalom course on the river. The Club have operated from the field for over 20 years.

- 3.2. The containers would measure approximately 7.5m in length by 2.5m in width by 2.5m in height. The Club propose to paint them a suitable colour e.g. green. The containers would be sited on a hardcore base. They would be used to provide secure storage for canoes and equipment and to provide a changing facility. The Club has stated that the storage and changing facilities would be necessary to allow them to introduce and encourage young people to the sport. They intend to expand a programme of offering courses to primary school children including the Hillfoots area following the success of a recent pilot project. However, this would require the availability of storage and changing facilities for the visiting groups in order to provide this service.
- 3.3. The containers would be sited at the entrance to the Club's field adjacent to an area used by members for car parking. The site would be approximately 25 metres to the east of Shavelhaugh Loan. There is a hedgerow between the field and the public road and there are stable buildings in the field approximately 40 metres to the north of the site. There is an existing private track which provides vehicular access onto Shavelhaugh Loan approximately 75m to the north of the site. The Club do not expect the development to significantly increase the frequency of traffic movements at the access.
- 3.4. The Club has amended the location for the containers since the submission of the application. It was originally proposed to site the containers adjacent to the River Devon (see Location Plan) on the south side of the field, next to existing trees and shrubs to help provide screening. However, the Club have agreed to move the containers in response to the concerns associated with flood risk highlighted by consultees (See Section 4.1 below).
- 3.5. The site is located within the countryside and Green Belt as defined by the Clackmannanshire Local Plan.

4.0 Consultations

- 4.1. Roads and Transportation has no road safety objection to the proposal. They highlighted that the original location for the containers would have been affected by "out of bank" flood water which would create a risk of the containers being transported by flood water and damaging the road bridge and/or blocking the flow of the river which could affect flood risk upstream. *Comment: In response to these concerns, the applicant has amended the location for the containers to move them away from the River Devon to address the risk of the containers being transported off the site by flood water. The proposed site would be approximately 135 metres from the river compared with the original distance of 15 metres. Ventilation holes would still be cut in the containers which would mean that the container would fill up with water at the same rate as the surrounding land which should prevent the risk of floating. The proposed location would lie outwith the area identified as being at high risk of flooding on the Indicative River and Coastal Flood Map published by SEPA and it is considered that the proposed location would sufficiently address the issues highlighted by Roads and Transportation given the distance from the River, the relative ground levels and the measures to reduce the risk of the containers floating.*

- 4.2. Sustainability advise that the containers should be sited further back from the River Devon to be outside the area identified as being at high risk of flooding in the Indicative River and Coastal Flood Map. Comment: *The proposal now complies with this advice.*
- 4.3. The Council's Sports Development Team support the application. They note that the Club is successful and well run and they support the proposal to develop the sport at grass roots level.

5.0 Representations

- 5.1. A total of four neighbours were notified by the applicant of the application, one of which had to be notified after the location of the containers had been amended. The application was also advertised in the local press as being "potentially contrary to the Development Plan".
- 5.2. As a result of this publicity, two objections have been received from the following parties:-
- (a) Alva Community Council
 - (b) Mrs L Howson, 1 Howetown, Fishcross
- 5.3. The main issues raised can be summarised as follows:-
- (a) The containers may float during flood events on the River Devon and could restrict the flow of water under the road bridge increasing the risk of flooding to the houses at Howetown. Comment: *The proposed revised location would satisfactorily address the risk and therefore alleviate this concern.*
 - (b) The proposal is against the environmental plan for the area. Comment: *The planning policy position is discussed in Section 6.0 below. It is concluded that the proposal would not be contrary to the Development Plan.*
 - (c) Concern over the visual impact due to their size and external finish. Comment: *The proposed size of the structures would be proportionate to their proposed use to store canoes and equipment and provide changing facilities for visiting groups. Although the containers would not comprise a traditional looking building normally appropriate for a countryside development, approval would only be granted on a temporary basis given the nature and design of the development. Conditions would also require measures to mitigate the visual impact in addition to the applicant's proposal to paint the containers, possibly involving timber cladding on the outside of the containers and the provision of landscaping. The building design has to be balanced with the other factors in favour of the proposal.*
 - (d) *The risk of contamination from lack of adequate drainage given the plan shows a soakaway drain. Comment: There will be no toilet or washing facilities within the containers. The reference to a soakaway in the application relates to a water supply pipe at the site.*

6.0 Planning Considerations

6.1. The key issues relevant to the determination of the application can be summarised as follows:-

- (a) Whether the proposal would be in accordance with the Development Plan, having regard to the particular weight of the policies relating to development in the countryside, Green Belt and flood risk.
- (b) Whether there are any other material considerations that would justify withholding or granting permission including the issues raised by consultees, the objectors and the applicant.

6.2 In terms of point (a) above, there are a number of Development Plan policies which are relevant to the proposed development and these are considered below:-

6.2.1 Development in the Green Belt

Policies ENV4 (Green Belts) of the Clackmannanshire and Stirling Structure Plan and EN19 (Green Belt) of the Clackmannanshire Local Plan indicate that there is a general strong presumption against development within the Green Belt unless exceptional circumstances apply. Policy EN19 defines these circumstances and states that proposals need to satisfy the following three criteria to be permitted:-

(a) A countryside location is essential. Comment: *The proposal is related to the canoe club facilities which is an outdoor recreational use requiring a countryside location. Furthermore, there would be sufficient practical and operational justification for the storage and changing facilities to be located close to the training facility. Therefore, the proposal satisfies this criteria.*

(b) No other suitable alternative sites exist outwith the Green Belt. Comment: *The Club have operated at this location for over 20 years, have developed their facility and now own the field. Given the operational requirement for the containers, there would be no alternative site outwith the Green Belt suitable for the Canoe Club. This criteria is met.*

(c) The development would provide an opportunity to significantly enhance the Green Belt. Comment: *The applicant has advised that they would be willing to carry out measures to mitigate the visual impact of the containers and enhance the immediate locality. This would include landscaping adjacent to the containers primarily to create additional screening and measures to improve the visual appearance of the containers. The new planting would supplement the existing tree and hedgerow plants adjacent to the site which would also provide screening. The additional landscaping would enhance the character and environment while helping to mitigate the visual impact and would be proportionate to the scale and nature of the development. The combination of these measures would keep the visual impact to a minimum and on balance, the proposal would accord with Policies ENV4 and EN19.*

6.2.2 Development in the Countryside

Structure Plan Policy ENV3 (Development in the Countryside) and Local Plan Policy EN18 (Development in the Countryside) support developments which are dependant on a countryside location where the development would safeguard the countryside character and appearance of the area; would not adversely affect nearby uses; would have satisfactory access; would not involve new buildings if suitable buildings already exist. As discussed above, it is considered that this location is justified given the relationship to the established outdoor recreation use and the absence of any existing buildings on the land. The access arrangements will also be acceptable. It is recognised that steel containers would not constitute a traditional building type normally suitable for a countryside area however there are a number of mitigatory factors which would provide sufficient weight to conclude that the proposal would accord with the Development Plan policies. These factors can be summarised as follows:-

- (a) The effects of the combination of measures to mitigate visual and landscape impact referred to in Para 6.2.1(c) above which the applicant could carry out. The amended site would also be closer to existing buildings on adjacent land to the north thereby minimising the landscape impact.
- (b) The permission, if granted, would be on a temporary basis which would allow the Council to review the impact of the containers before deciding whether to renew the temporary permission. The development would be easily reversible.
- (c) The Club's need for secure storage accommodation which could be provided by the containers.
- (d) The constraints imposed by the risk of flooding at this location in terms of the merits of providing a more permanent traditional form of building.
- (e) The financial constraints on the Club to provide a higher quality building suitable for this location. The containers have in fact been donated to the Club.

6.2.3 Flood Risk

Local Plan Policy EN4 requires all applications to be assessed for flood risk. This issue was highlighted by consultees and the objectors. In response, the applicant has agreed to move the containers away from the edge of the river. It is considered that the proposed revised location would accord with Policy EN4 and address these concerns as discussed in Paragraph 4.1 above.

6.2.4 Sport and Recreation

Structure Plan Policy SR1 (Sport, Recreation and Strategic Open Space) states that new sport provision will be supported, targeting facilities where unmet demand is identified. The Club's objective is to expand the sport by providing access and training opportunities to school children including in the Clackmannanshire area. The proposed accommodation would help achieve this objective and the proposal would comply with this policy.

- 6.3 It is concluded that the proposal would, on balance, satisfy the exceptional circumstances that would justify development at this location and would accord with the Development Plan subject to the proposed conditions relating to temporary permission, landscaping and external finish and colour.
- 6.4 In terms of any other material considerations referred to in Paragraph 6.1(b) above, we have concluded that these would not justify outweighing the Development Plan support for the proposal. The main considerations have been summarised below:-
- (a) The concerns raised by Alva Community Council and a nearby resident have been highlighted and the reasons why they can be satisfactorily addressed discussed in Paragraph 5.3 above. The amended location would address the flood risk concerns while the combination of conditions would address the concerns about visual and environmental impact.
- (b) The amended location for the containers would satisfactorily address the concerns relating to flooding raised by consultees.
- (c) The proposal would be consistent with the national planning policy guidance contained in SPP 21 Green Belts which was published in 2006 after the adoption of the Local Plan. The SPP states that recreational uses compatible with a natural setting would be appropriate in a Green Belt while their effective management could include providing opportunities for outdoor recreation subject to proposals protecting and enhancing the character and setting of towns. The proposal would accord with these principles.
- (d) The proposal would facilitate the Club's objective to widen access to the sport and specifically to school children. This could enhance quality of life and health and well-being.
- 6.5 The combination of the strong locational justification for the development, the operational requirements of the applicant, the established use by the Canoe Club of the river at this location and the effect of the potential measures to minimise the visual and landscape impact, would create the exceptional circumstances required by Development Plan guidance to justify approval in this instance. It is not considered there would be sufficient material considerations to withhold permission.

7.0 Sustainability Implications

- 7.1. None
- 7.2. Resource Implications
- 7.3. *Financial Details*
- 7.4. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. ☒
- 7.5. *Staffing*

8.0 Declarations

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

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

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

(2) Council Policies (Please detail)

None


9.0 Equalities Impact

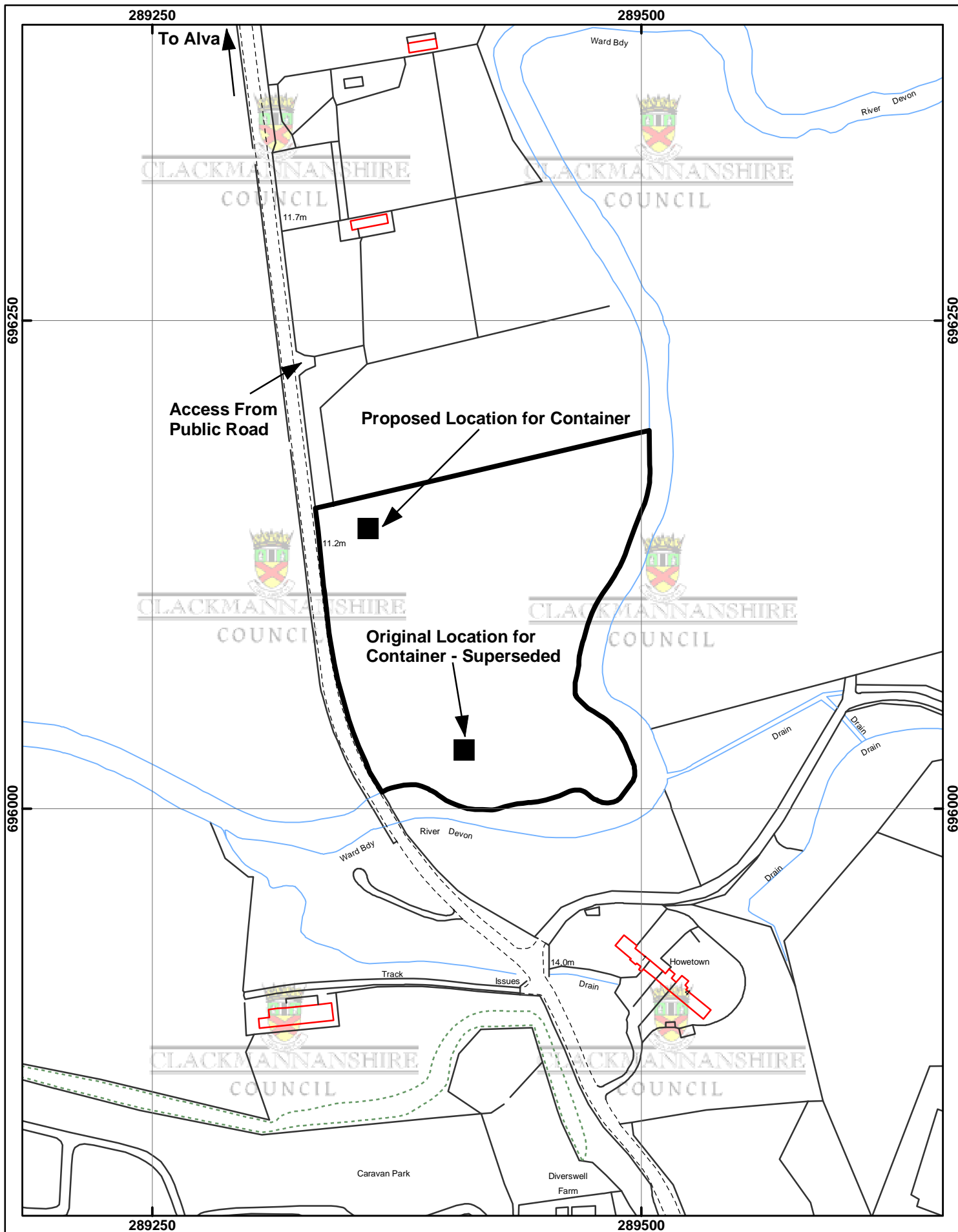
- 9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☒ No ☐

10.0 Legality

- 10.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers Yes ☒

APPROVAL/SIGNATURE	DATE:
Head of Service: 	9th March 2009



N

Date:
27-Feb-2009

09/0003/FULL - Site At Shavelhaugh Loan, Alva
Erection of Two Containers for Storage Purposes and
Changing Facilities for River Devon Canoe Slalom Project

Ward: Clackmannanshire West

OS Grid Ref: NS8996

Scale: 1:2,500

CLACKMANNANSHIRE COUNCIL
 Development & Environmental Services
 Kinlairs
 Greenside Street
 Alva
 FK10 1EB

0 20 40 60 80 100 Metres

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Tel: 01259 450 000 Fax: 01259 727 452
 development_services@clacks.gov.uk

Report To Planning Committee

To: Head of Administration and Legal Services, Greenfield, Alloa FK10 2AD

Report author: Keith Johnstone, Principal Planner

Service: Development

Report title: Planning Application: Siting of Two Containers for Storage and Changing Facilities for River Devon Canoe Slalom Project at Shavelhaugh Loan, Alva (Ref: 09/00003/FULL)

Date of meeting: 19th March 2009

It is recommended that the attached report be:

1. **Given unrestricted circulation** ☒
2. **Taken in private by virtue of paragraph ___ of schedule 7A of the Local Government (Scotland) Act 1973** ☐

List any appendices attached to this report (if there are no appendices, please state 'none')

1. **None**
- 2.
- 3.
- 4.

List the background papers used in compiling this report . If you have completed a sustainability checklist please add this to your list (if there are no background papers please state 'none')

1. **Clackmannanshire and Stirling Structure Plan and Clackmannanshire Local Plan**
2. **Consultee replies**
3. **Letters of representation from Alva Community Council and Mrs L Howson**
4. **SPP21 - Green Belts**

Nb. All documents listed must be kept available by the author for public inspection for four years from the date of the meeting at which the report is considered.