
Report to Planning Committee

Date of Meeting: 25th November 2010

Subject: Application for Planning Permission in Principle
10/00232/PPP - Development of Land for a Hotel,
Restaurant and Car Park at Football Ground and Car Park
at Hilton Road, Alloa - Report of Handling

Applicant: Wasp Property Ltd, Clackmannan Road, Alloa

Agent: Machin Associates, 30 Ludgate, Alloa

Report by: Keith Johnstone, Principal Planner

Electoral Ward: Clackmannanshire South

1.0 Purpose

- 1.1. This is a report of handling of the above application for planning permission in principle. The report assesses the proposed development in the context of the Clackmannanshire Development Plan and other material considerations including responses from consultees and one representation. The recommendation to Committee is based on this assessment.
- 1.2. The Council has an interest in the application due to the terms of the sale of part of the existing car park by the Council, which is within the application site. This is the reason for the application being reported to Committee for a decision.

2.0 Recommendations

- 2.1. The application is recommended for **APPROVAL** subject to the following conditions;
 1. Before any development begins, written approval from the Council, as Planning Authority, must be obtained for the matters specified in this permission.
 2. The application for approval of matters specified in this permission shall be made in writing to the Council within three years form the date of this permission

3. The development hereby approved shall begin within two years from the date of approval by the Council of the last of the matters specified in this permission.
4. Any subsequent application for the approval of matters specified in this permission shall comprise and be accompanied by :
 - a) A site layout plan of a minimum scale 1:500 showing the position of any buildings, roads, servicing arrangements, footpaths, vehicle and cycle parking areas, walls, fences and landscaping. The design and layout shall be prepared in accordance with the guidance contained in Designing Places (Scottish Government) and the advice contained in the letter from Network Rail dated 4th October 2010.
 - b) Plans and elevations of any building showing the dimensions and type and colour of external materials.
 - c) Details of existing and finished ground levels and finished floor levels in relation to a fixed datum, preferably Ordnance Survey.
 - d) Details of surface water drainage arrangements which shall be designed in accordance with the advice contained in The SUDS Manual (C697) and the advice from Network Rail contained in their letter dated 4th October 2010.
 - e) A Construction Method Plan that contains the arrangements to minimise the environmental and road safety impacts on the surrounding area during construction activity on the site and from construction vehicle movements on the adjoining public road network.
 - f) A detailed specification of any sources of noise or odour or lighting which may affect the surrounding area. This shall include details of the location and design of these sources and the proposed measures to mitigate any impact to minimise the risk of nuisance to neighbouring land or houses.

Thereafter, the development shall be carried out in accordance with such approved details.

5. Further to Condition 4 above, the proposed location and means of access to the restaurant and hotel development shall generally be on the east side of Hilton Road as annotated on the approved Site Plan, subject to the approval of the matters specified in the conditions.
6. Before any works start on site, and further to the requirements of Condition 4 above, a Transport Assessment, prepared by a suitably qualified person, and incorporating the requirements in points (a) to (d) below, shall have been submitted to and approved in writing by the Council, as planning authority:
 - a) A Car Parking Plan which shall include details of the proposed design, layout and number of parking spaces within the site. The Plan shall demonstrate that the level of parking provision to serve the football ground will not be less than the number of parking spaces currently available within the existing carpark on the east side of Hilton Road and indicate the location and layout of any displaced

provision. Parking to serve the restaurant and hotel shall be provided to meet the relevant parking maxima ratios contained in the Council's Development Roads Guidelines and Specification.

- b) A Car Parking Management Plan which contains the arrangements and measures to manage the parking demand for the football ground and commercial development hereby approved, including during the peaks in parking demand, to prevent parking problems on the surrounding road network from demand displaced from the site.
- c) The measures to be provided within the site or on the adjacent public road network to ensure the safe and efficient movement of those travelling to and from the site by all modes of transport. This shall be prepared by a suitably qualified person.
- d) A Travel Plan which sets out measures designed to deliver sustainable travel patterns for those travelling to and from the site and the arrangements to implement and monitor the recommendations of the approved Travel Plan. The Travel Plan shall be prepared in accordance with the Council's document "Good Practice Advice for Developing Travel Plans".

Thereafter, the development shall be implemented in accordance with the approved details, unless otherwise agreed by the Council, as planning authority.

- 7. Further to condition 6 above, no development approved by this permission on the existing car park on the east side of Hilton Road shall commence until the approved parking provision within the site has been completed in accordance with the approved details.
- 8. Before any works start on site, a landscaping plan for the site shall have been submitted to and approved in writing by the Council. The plan shall include:
 - a) A Tree survey indicating trees to be removed, retained and any arboricultural work in connection with the development. The survey shall also assess the relationship of the trees to be retained with any proposed construction work including any proposed changes in levels, excavations and buildings.
 - b) The type, number and location of proposed trees, shrubs and hedging.
 - c) The height and finish of all new walls, fences or other means of enclosure
 - d) The timescale for implementation
 - e) The arrangements for future maintenance including the landscaping area to the south of the existing car park.

The landscaping plan shall include;

- a) The retention of the existing tree belts along the eastern and northern boundaries of the site.
- b) Measures to provide screening along the northern boundary of the site outwith the tree belt.
- c) Measures to create an attractive frontage to Clackmannan Road, including the potential to maintain the existing landscaping to the south of the existing car park.

Once approved, the landscaping details shall be completed in accordance with such approved details unless otherwise approved in writing by the Council.

9. Construction work and the use of associated vehicles, plant and machinery shall only take place between 0800-1800 hours Monday to Friday, 0800-1300 hours on Saturday and at no times on Sunday or local Bank Holidays, unless otherwise agreed in writing by the Council, as planning authority.
10. No trees within or adjacent to the site shall be lopped, felled or removed without the prior written approval of the Council as planning authority.
11. Before any work starts on site, protective fencing shall be erected around all trees which are to be retained as part of the development. The fencing shall be erected in accordance with BS5837 (2005), shall be inspected by a representative of the Council, and shall remain in place for the duration of construction work on site.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
3. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended
4. In order to ensure submission of adequate details of the proposed development.
5. In order to ensure the development achieves a suitable standard of visual amenity, townscape character and road safety, having regard to the location and juxtaposition with Clackmannan Road and the football ground.
6. In order to consider these details yet to be submitted in the interests of road and pedestrian safety, to ensure the safe and efficient functioning of the surrounding public road network and to encourage the use of sustainable modes of transport.
7. To minimise the risk of displaced parking demand on the surrounding public road network, in the interests of road safety and residential amenity.
8. In the interests of visual amenity.
9. To safeguard residential amenity.
10. In the interests of visual amenity and to avoid any unnecessary loss of trees.
11. In the interests of visual amenity and to avoid any unnecessary loss of trees.

2.2. Reasons for Decision

1. The principle of developing the site for restaurant, hotel and parking would accord with the objectives of Development Plan Policies T1 (Tourism) and JOB12 (Tourism) to enhance the area's role and image as a tourist area.

2. It is concluded that the principle of the proposed uses on the site could be approved while safeguarding the potential parking and transportation impacts, including the objectives of Local Plan Policy T2 (Clackmannan Road Car Park), through the terms of the conditions relating to the matters specified in the permission in principle. Furthermore the level of accessibility of the site and the proposed measures specified in the conditions to encourage trips using sustainable modes of transport demonstrate that the proposal would comply with Development Plan Policies T2, TR1 and INF2.
3. Subject to the proposed conditions, the proposed development could be designed and operated in a manner that would not result in any unacceptable adverse impacts on visual and residential amenity or the townscape quality of the surrounding area. The proposal would accord with Local Plan Policies EN11 and EN15.
4. Overall, the principle of the proposed uses on the site would accord with the objectives and policies of the Clackmannanshire Development Plan.
5. There are no other material considerations that would justify withholding permission in principle.

2.3. Section 75 Obligations

2.3.1 None.

3.0 Background to the Proposals

- 3.1. The site comprises two areas of land to the east and west sides of Hilton Road on the north side of Clackmannan Road (see location plan). The land to the east is in use as a car park which serves the football ground, and is accessed from Hilton Road. The land to the west is vacant land which abuts Recreation Park. It previously contained a landscaped ash embankment which formed part of the previous terracing on the east side of the football ground.
- 3.2. The existing car park is enclosed by landscaping with tree belts on the east and north sides and tree and hedge planting on the south and west sides. The landscaping area to the south is owned by the Council and is not within the application site. This landscaped area and the landscaping within the site on the west boundary are covered by a Tree Preservation Order. The site on the west side of Hilton Road is enclosed by the football ground to the south and west and by the railway line to the north.
- 3.3. Following the re-opening of the Stirling-Alloa-Kinross railway, Hilton Road is no longer a through road to the A908. However, the section next to the site remains a public road maintained by the Council. The road also provides vehicular access to Network Rail land on the south side of the railway line.
- 3.4. The application is seeking permission in principle for the following:
 - the erection of a hotel and restaurant development. Although the application only seeks to establish the principle of the proposed uses, this is likely to comprise two buildings with associated service and

parking accessed from Hilton Road. The applicant has indicated that the application is speculative.

- the formation of a car park on the remainder of the site. This would be accessed from Hilton Road. The applicant has provided information that indicates that the area of carparking would be comparable in size with the area available for parking on the existing car park on the west side of Hilton Road.

4.0 Consultations

4.1 Roads and Transportation advise that while they do not object to the principle of the development, the potential impacts from traffic generated by the development should be considered through the preparation of a Transport Assessment. This analysis would inform the detailed design of the development and any changes to the surrounding transport infrastructure. A Travel Plan would also be required. *Comment: A condition has been attached to require a Transport Assessment, including a Travel Plan and car parking plan (Condition 6). It is considered that the condition would ensure that the transportation impacts, including parking demand and management and from the movements by all modes of transport would be addressed in a safe and effective manner.*

4.2 Environmental Health has advised that they have no objections in principle. Information would be required with the detailed plans to demonstrate that any potential noise, odour or lighting impacts could be satisfactorily mitigated to safeguard the amenity of the nearest residential properties. *Comment: The submission of details can be regulated using planning conditions - see condition 4(f).*

4.3 Land Services have no objections in principle. They also highlight; the existence of a Tree Preservation Order on part of the site; the Council maintain the landscaped strip between the site and Clackmannan Road; and that a detailed tree survey and landscape plan should be carried out to inform the impact of any development on the trees to be retained. *Comment: These issues could be regulated using planning conditions (see conditions 8 - 11). The trees within the site covered by the Tree Preservation Order have been replaced recently with new trees. Although the landscaped area on the Clackmannan Road frontage has not been included within the application site, any proposal will have to ensure that the development created a high quality frontage to the main road and this would be included in the planning conditions.*

4.4 SEPA has not objected to the application.

4.5 Scottish Water has advised that it has no objection to the application. The applicant would have to complete a Development Impact Assessment to assess the impact of the new demand on their existing infrastructure.

4.6 Network Rail has no objection to the application and has forwarded advisory notes applicable to development proposals to the railway. *Comment. The applicant has been made aware of advice relating to development adjacent to the railway.*

4.7 Alloa Central Community Council has advised that it has no objection to the application and consider that it should result in an improvement to the area and to parking conditions while football matches are being played.

5.0 Representations

5.1 Four neighbouring properties were notified of the application and a Neighbour Notification advertisement was placed in the local press on 15th September 2010. One representation has been received in response to the publicity from

- Mr and Mrs Fern, Colmcille, Hilton Road, Alloa

5.2 Their concerns can be summarised as follows:

- a. Loss of privacy due to the height of any buildings. *Comment: This will be examined at the detailed stage.*
- b. Potential noise pollution. *Comment: The proposed conditions would ensure the potential noise impact from the development could be satisfactorily mitigated.*
- c. Adequate tree screening should be provided between the site and their property. *Comment: The conditions require landscaping along the northern boundary of the site. The details would be examined at the detailed stage.*

6.0 Planning Considerations

6.1 The application requires to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

6.2 The site is located within the settlement boundary of Alloa as defined on the Proposals Map of the adopted Clackmannanshire Local Plan. The part of the site on the east side of Hilton Road is covered by Local Plan Policy T2 (Clackmannan Road Car Park). The associated Development Guidelines for this policy state "Retention of car park for football ground". The part of the site to the west of Hilton Road is annotated as "Structural Planting" on the Proposals Map which reflects the existence of the landscaped bund at this location when the Plan was adopted in 2004.

6.3 The key issues in relation to this application are considered to be:

- the principle of the proposed commercial development
- the potential transportation impacts
- design and amenity
- environmental impact

6.4 The principle of the proposed uses have to be assessed against the provisions of the Development Plan. The part of the site on the east side of Hilton Road is covered by Local Plan Policy T2 which allocates the use as car parking for the

football club. However, the site also includes vacant land on the west side of this road which formed part of the football ground until the terracing was removed. It would be feasible, having regard to the comparative sizes of the two areas of ground to effectively retain the same parking capacity within the site if the existing car park was developed for a restaurant and hotel creating a car park on the land to the west side of Hilton Road. The objective of Policy T2 to safeguard off street parking to serve the football ground can therefore be achieved by attaching conditions which require a comparable number of spaces to be provided on the site before the existing car park is developed and for these to be managed to achieve this objective.

- 6.5 Development Plan Policies T1 (Tourism) and JOB12 (Tourism) provide support for developments which contribute to the area's role as a tourist area and which increases visitor spending, length of stay or the spread of visitors. The proposed development would contribute to these objectives and provide a type of facility currently not located in the area. The site would be within the settlement boundary and the location is considered to be suitable having regard to: the nature of this type of facility; the relative good accessibility of the site to public transport routes, the town centre and railway station; the potential linkages between the development and visitors to the football ground; and the mixed use characteristics of Clackmannan Road. Local Plan Policy JOB4 (Bad Neighbour Locational Criteria) also refers to proposals for restaurant development. The Policy states that development will be permitted where it can be shown that their location would not be detrimental to the amenity of occupiers of adjacent properties. As discussed in paragraph 6.9 below, the proposal is considered to accord with this Policy.
- 6.6 Transportation Issues. In terms of the merits of the principle of the proposed development, the location would accord with the policy guidance in Development Plan Policies TR1 (Integrated Transport) and INF2 (Integration of Transport and Development Proposals) having regard to the degree of accessibility of the site to modes of transport other than the private car. The proposed conditions would require a Transport Assessment which would consider the need and identify measures to ensure the site was adequately integrated with existing transport infrastructure.
- 6.7 As discussed in paragraph 4.1, it is considered that the principle of the development should be agreed subject to the proposed conditions which would ensure any development proposal was designed and implemented in a manner which did not adversely affect existing parking provision for the football ground, safeguarded road safety and encouraged sustainable trips through the implementation of a suitable Travel Plan. On this basis, there would be insufficient grounds to withhold planning permission in principle on the basis of road safety.
- 6.8 Design and Amenity. The site is located next to one of the main routes into and through Alloa and is next to the football ground which attracts visitors to the area. Although the Clackmannan Road frontage next to the site has recently been improved as part of an environmental improvement scheme, the introduction of the proposed development has the potential to further enhance the quality and distinctiveness of the built environment in this area, while maintaining the established landscape structure. The detailed design would have to achieve a high standard of design and the proposed conditions would

require the detailed design to accord with the requirements of Local Plan Policy EN11 (Enhancing Environmental Quality).

6.9 Environmental Impact. The proposed restaurant use and car parking has the potential to result in environmental impacts resulting from noise, activity, odour and light pollution. However, these impacts could be fully considered and addressed at the detailed design stage and this could be regulated using a suitably worded planning condition. It is considered that this approach is reasonable and proportionate given the existing mixed use character and standard of amenity of the area. The development would accord with the requirements of Local Plan Policy EN15 (Planning and Environmental Protection).

6.10 Summary

Taking account of the above considerations and the relevant policies in the Council's Development Plan, it is concluded that the proposals would accord with the objectives and policies of the Development Plan. The representation received and advice from consultees would not indicate or justify that permission should be withheld. The proposed conditions are set out in Section 2.0 of the report and would ensure that the transportation, design and environmental issues identified could be satisfactorily addressed.

7.0 **Declarations**

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

(1) **Our Priorities 2008 - 2011** (Please double click on the check box)

The area has a positive image and attracts people and businesses	<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 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)

Clackmannanshire Development Plan

8.0 **Equalities Impact**

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

9.0 **Legality**

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

10.0 Appendices

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

None.

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

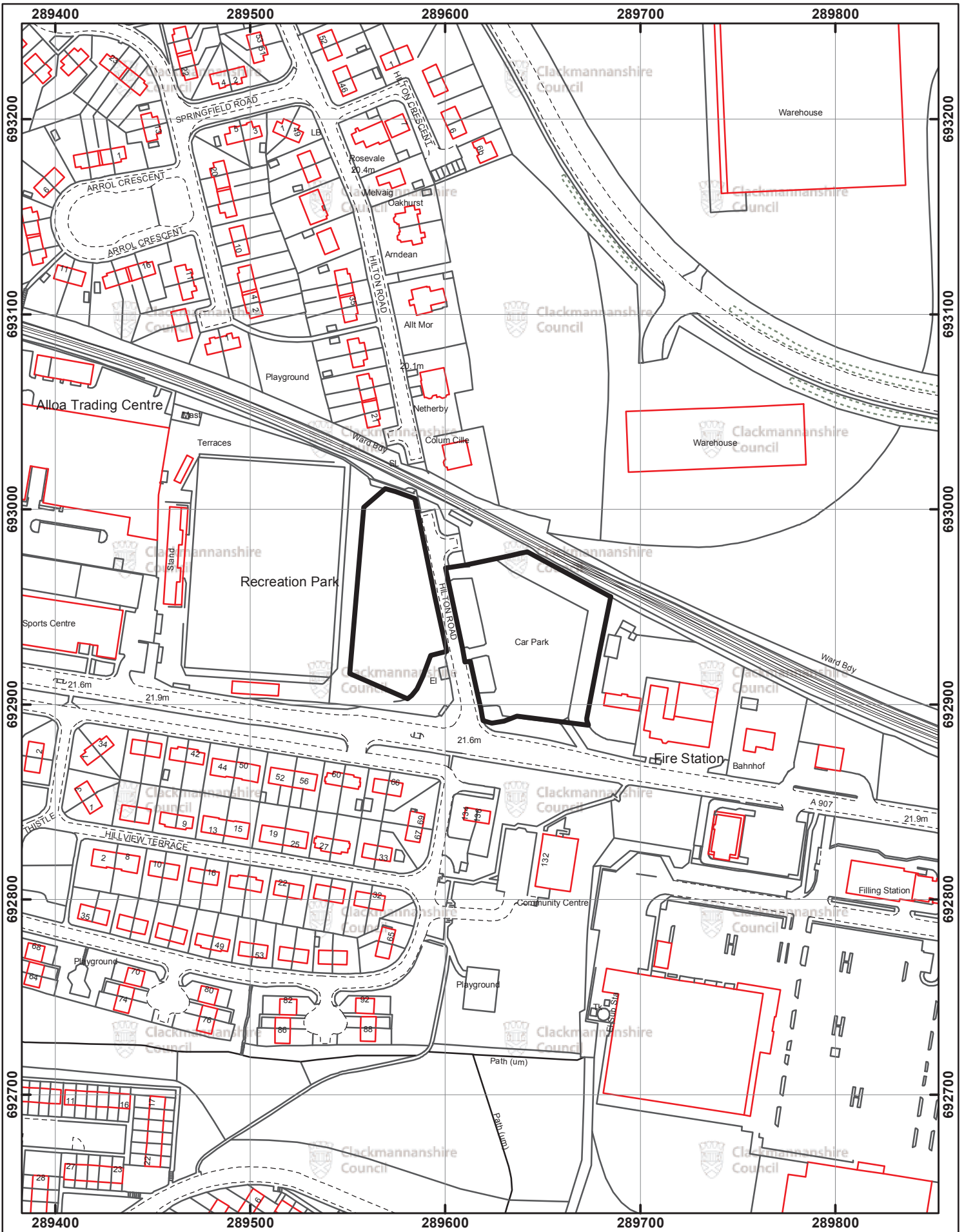
Yes (please list the documents below) No


Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
John Gillespie	Head of Community & Regulatory Services	Signed: J Gillespie





Date:
12-Nov-2010

10/00232/PPP - Hilton Road, Clackmannan Road, Alloa
Development of Land for a Hotel, Restaurant and
Associated Car Park At Football Ground and Car Park


Ward: Clackmannanshire South

0 20 40 60 80 100
Meters

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