
Report to : Planning Committee

Date of Meeting: 24 January 2018

Subject: Planning Application Ref: 18/00108/FULL - Erection Of 95 No. Houses With Associated Infrastructure And Landscaping at Land To South of East Stirling Street, Alva, Clackmannanshire

Report by: Grant Baxter, Principal Planner

1.0 Purpose

- 1.1. This report follows on from the decision of the Planning Committee at its meeting on 8th November 2018, in respect of the above noted planning application.
- 1.2. The decision of the Committee in respect of the application was as set out below:

Decision:

Having considered the representations and having had the opportunity to put questions to all parties, the Committee agreed:

1. That it proposes to grant planning permission for the proposed development subject to the conditions based on the matters set out in Appendix 1 of the report, and a Section 69 Legal Agreement in respect of payment of £200,000 towards the provision of affordable housing in Clackmannanshire, and;
2. To note that the application will be sent to Scottish Ministers and may be called in by Scottish Ministers for final determination in accordance with the provisions of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, taking account of an outstanding objection by the Scottish Environment Protection Agency (SEPA).

The Convenor advised that he would ask Council Officers to consider:

- Using the £200,000 developer contribution to provide affordable housing within the Alva area – potentially on either the Brook Street, Alva (former Alva Glen Hotel) site or the Glentanna Mill site as set out in the Strategic Housing Investment Plan (SHIP) 2019-2024;

- Mitigation measures to address any road traffic safety issues in and around the development site; and
- Providing clarification on the role of the community and the Community Council in deciding how the developer contribution to public art is spent.

1.3. Following the Committee's decision the following actions have been taken:

- 1.3.1. The Committee's decision was notified to the Scottish Ministers, as required, due to SEPA's flood risk objection, in accordance with the relevant legislation. On 13th December 2018, the Scottish Government confirmed that Scottish Ministers did not intend to intervene in the application in the application and authorised the Council to deal with it as it thinks fit.
- 1.3.2. A package of road traffic safety measures, in addition to those already proposed, was drafted by the Council's Roads Service and incorporated by the applicant into a revised plan for the development.
- 1.3.3. A set of planning conditions and arrangements for payment of the agreed developer contribution of £200,000 (affordable housing) and £23,750 (public art) has been prepared by officers and incorporated into this report.

2.0 Recommendations

- 2.1. In light of these actions, the Committee is now invited to ratify its decision of 8th November 2018, to grant planning permission for the development subject to the conditions and reasons set out below and the payment of the required developer contributions by means of a written agreement.

Conditions

1. Before any works commence on site, a revised site layout plan and site sectional drawings shall have been submitted to and approved in writing by the Council as Planning Authority, setting out the following details:
 - a. The eastern boundary swale as specified in the Flood Risk Assessment prepared by Fairhurst, dated September 2018.
 - b. Final details of treatment of the culverted section of the Spring Burn as it passes through the site.
 - c. Finished ground and house floor levels throughout the site.
 - d. A continuous 3m wide adoptable footway connection between East Stirling Street and Academy Avenue.

Once approved, the development shall be carried out in accordance with these details, unless otherwise approved in writing by the Council.

2. Before any works commence on site detailed plans and technical specifications of all off-site traffic management, pedestrian, cycle and public transport improvement measures as shown on the stamped approved drawing ref: 1239941/1401, including those on the A91 frontage of the site and between the site and Academy Avenue and Greenhead, shall have been submitted to and approved and approved in writing by the Council as Planning Authority, setting out the following details:

Once approved, the development shall be carried out in accordance with these details, unless otherwise approved in writing by the Council.

3. Before any works commence on site, a detailed landscaping plans and schedule of planting, shall have been submitted to and approved in writing, by the Council, including:

- a) A new row of native heavy standard trees along the eastern site boundary
- b) New and replacement native trees planting across site on at least a 2 for 1 ratio, including new trees along A91 frontage and interspersed in communal spaces within the site.
- c) A programme for implementation and schedule and specification of all hard and soft landscaping and arrangements for future maintenance of each.
- d) Clear delineation of private gardens and communal areas.

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

4. Before any works commence on site, a detailed specification of the approved SUDs scheme shall have been submitted to and approved in writing, by the Council, including:

- a. Layout, design, planting and boundary treatment.
- b. Details of future maintenance arrangements.

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

5. Before any works commence on site, final details of proposed intrusive site investigation and remedial works shall have been submitted to and approved in writing by the Council as Planning Authority including:

- a) The submission of a scheme of intrusive site investigations to the Council for approval;
- b) Undertaking of the approved scheme of intrusive site investigations;
- c) Submission of a report of findings arising from the intrusive site investigations;
- d) Submission of a scheme of remedial works for approval of the Council;

Once approved, the following actions shall be taken in accordance with the approved details:

- e) Completion of those remedial works.
- f) Submission of drawings or a validation report upon completion of all remediation works.

6. Before any works commence on site, samples and/or details of all external building finishing materials and hard surfaces shall have been submitted to and approved in writing by the Council as Planning Authority. The details shall include the following:

- a) External wall and roof cladding materials for all houses.
- b) Details of micro-renewable technologies to be used within the development.
- c) All road, path, and driveway surface finishes in public and private areas.

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

7. Before any works commence on site, the following details shall have been submitted to and approved in writing by the Council as Planning Authority:

- a. A minimum of 25% (19 spaces) on-street visitor parking, evenly distributed throughout the site.
 - b. A 3m wide tarmac surfaced and lit adoptable multi-user path running between the A91 and Academy Avenue.
 - c. Visibility splays of 2.4m x 60m in both directions at the junctions of the site access roads with the A91 road, within which there shall be no obstruction over 1m in height above the adjacent carriageway level.
 - d. Visibility splays of 2.4m x 60m for the junction of Alva Industrial Estate Road and the A91 road, as far as it affects the site, within which there shall be no obstruction over 1m in height above the adjacent carriageway level. .
 - e. All road access arrangements to comply with the National Roads Development Guide, 2015.
 - f. A construction traffic management plan including details of liaison with Alva Academy before and during construction works.
8. The development shall be carried out and completed in accordance with the recommendations of the following reports:
- a. Flood Risk Assessment prepared by Fairhurst, dated September 2018
 - b. Energy Statement by Bracewell Stirling Consulting, dated October 2018.
 - c. Noise Impact Assessment by CSP Acoustics dated 4th May 2018
 - d. Preliminary Ecological Appraisal by Echoes Ecology Ltd dated 21 February 2018.
 - e. Arboricultural Impact Assessment/Method Statement by Urban-Arb Arboricultural Consultants dated 19 February 2018.
 - f. Remediation Statement (Rev 1) by Fairhurst, dated 22 November 2018.

Unless otherwise approved in writing by the Council.

Reasons

1. In the interests of residential amenity and local environmental quality.
2. In the interests of road and pedestrian safety.
3. In the interests of residential amenity and local environmental quality.
4. In the interests of residential amenity and local environmental quality.
5. In the interests of residential amenity and local environmental quality.

6. In the interests of residential amenity and local environmental quality.
7. In the interests of residential amenity and road and pedestrian safety.
8. In the interests of residential amenity and local environmental quality.

ARRANGEMENTS FOR PAYMENT OF DEVELOPER CONTRIBUTIONS

- **Payment of £200,000 towards the provision of affordable housing in Clackmannanshire**
- **Payment of £23, 750 towards the provision of public art**

Section 69 Legal Agreement or other suitable undertaking

1. Within 10 working days of the payment by the applicant to the Council of a commuted sum of £200,000 in lieu of the provision of affordable housing on the site and £23,750 for public art, the Council will issue Planning Permission subject to the above noted conditions and reasons.
2. The commuted sum of £200,000 shall be used by the Council solely in connection with a project or projects set out in the Council's Strategic Housing Investment Programme (SHIP), within 10 years of its receipt by the Council.
3. At the end of the 10 years period from receipt of the commuted sum, any remaining balance of the sum not used by the Council under the terms of Point 2, above, shall be returned to the applicant.
4. The commuted sum of £23,750 shall be used by the Council solely in connection with the provision of public art within Alva within 10 years of its receipt by the Council.
5. At the end of the 10 years period from receipt of the commuted sum for public art, any remaining balance of the sum not used by the Council under the terms of Point 4, above, shall be returned to the applicant.

3.0 Considerations

- 3.1. The proposals have been deemed to comply with the provisions of the adopted Local Development Plan. They will deliver the suitable redevelopment of a long-standing vacant and derelict site in a prominent location on the main road at the eastern edge of Alva, providing significant visual enhancement to this location.
- 3.2. A strategy has been prepared to address flood risk that affects small parts of the site and provide betterment to industrial development downstream. Whilst SEPA objected in principle to the use of land raising in the functional floodplain as part of the development proposal, the Scottish Ministers in assessing the case conclusion stated:
 - 3.2.1. "The Scottish Government Flood Risk Management Team has advised that whilst the proposals are for land raising of a small part of the site which sits within the functional floodplain it is also noted that the case for allowing the development is set out in the Planning Officer's Report. Flood risk and the

requirements of SPP have been considered by Clackmannanshire Council and a strategy to address flood risk that affects part of the site has been prepared with the aim of ensuring no houses in the development are at risk from flooding. The application does not raise issues of genuine national importance that would justify it being called in by Scottish Ministers. “

- 3.3. As such the Scottish Government confirmed that Scottish Ministers did not intend to intervene in the application in the application and authorised the Council to deal with it as it thinks fit.

4.0 Sustainability Implications

- 4.1. The proposals will redevelop a vacant and derelict brownfield site to provide a housing development in accordance with the adopted development plan.

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

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes (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** (Please double click on the check box)

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

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

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)


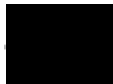
Yes (please list the documents below) No

Report to Planning Committee of 8th November 2018

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Allan Finlayson	Team Leader, Planning & Building Standards	
Julie Hamilton	Development Services Manager	

289000



697000

697000

A91 East Stirling Street

Alva Academy

Legend

 Application site boundary

289000



18/00108/FULL – Land To South, East Stirling Street, Alva
Erection Of 95 Houses With Associated Infrastructure And Landscaping

 **Clackmannanshire Council**
www.clacks.gov.uk

Comhairle Siorrachd Chlach Mhanann

Ward: Clackmannanshire North
0 20 40 60 80 100 metres

OS Grid Ref: NN 88894 96894

Scale: 1:2,500

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