

## PROPOSED DESIGN

The proposal will make a more efficient use of the site which benefits from its accessible and sustainable location. The development would help to strengthen the local economy while respecting the character and amenity of the residential area. The proposals put forward for the application site are consistent with relevant planning and design guidance, comply with the adopted Local Development Plan policy and accords with the Scottish Government's vision for sustainable economic growth.

### Landscape

The site benefits from varied boundary landscaping, defining the site and screening the interior from the road and neighbouring properties. To the South mature trees shield the site from the road. It is intended to enhance the landscaping by planting new trees to further screen from adjacent properties where necessary. Retaining mature healthy planting as much as possible to maintain character is a feature of the development. Hard and soft landscaping is designed to provide amenity space for residents and visitors alike, with a provision for guest and staff car parking on site. Detailed landscape design with new trees and planting, particularly to the south-east boundary helps with screening to Dollar Road and offers the opportunity to create new habitat, improving the local biodiversity.

### Coherent Design

A simple palette of quality materials, detailing and openings promote a sense of unity across the scheme. The coherent design also helps the development sit comfortably in the surrounding area with attention paid to massing and ridge heights from all principal adjacent buildings.

### Density

We aim to keep the density of the building at one storey in keeping with the local surroundings whilst achieving circa 6.5% plot ratio of built form to open or landscaped space.



Proposed site plan

## PROPOSED DESIGN

### Design Principles

The site has been carefully analysed and options for new development fully considered. The below diagrams describe some of the key principles for the layout and design of the site.

- Proposed new planting.
- Walkways and green area kept open for public use.
- The main entrance located in a prominent position in the centre of the site, visible upon access from the main road (2.4 x 70 m visibility splay).
- Building height of 1 storey fits well with adjacent properties of 1 and 2 storey massing.
- Trees removed to allow sunlight and building construction
- Site boundary.



- Car parking located close to main road
- Majority of bed spaces overlook private gardens and access directly to the grounds.
- Natural barrier generated by site topography divides site in two areas.
- Building stepped to reduce the visual impact from Dollar Road.
- We maintain at least 6m from the proposed building to the site boundary.
- Site access from Dollar Road.
- Stone wall on South-East boundary relocated to improve visibility and maintain boundary treatment to streetscape.



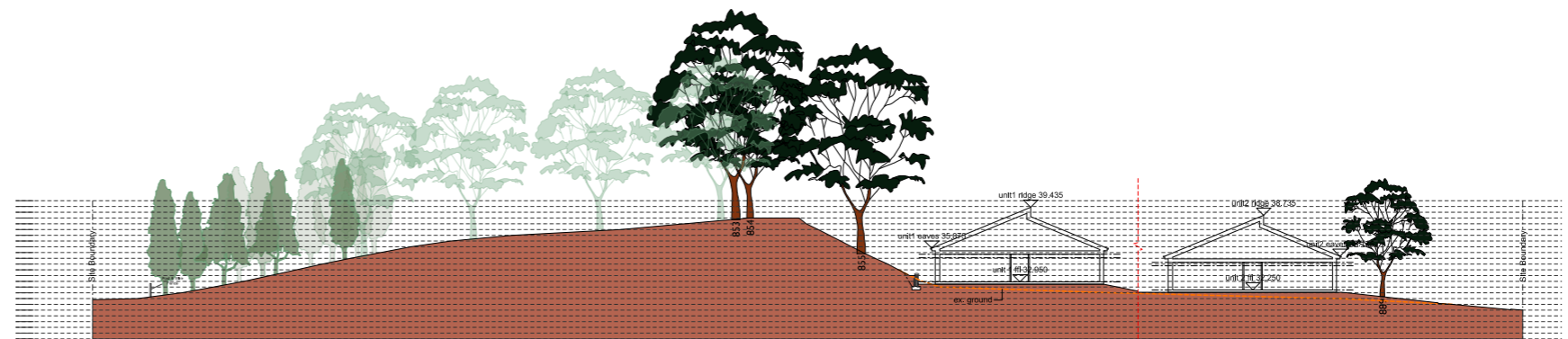
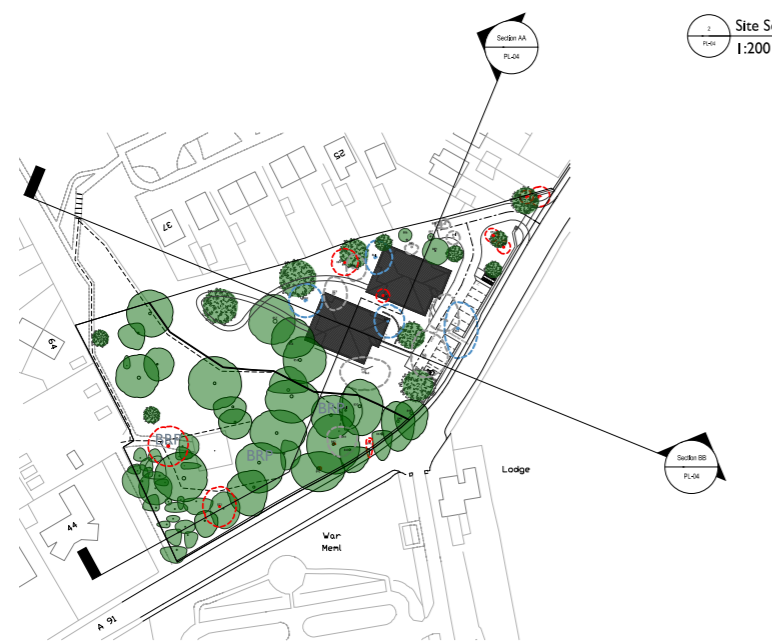
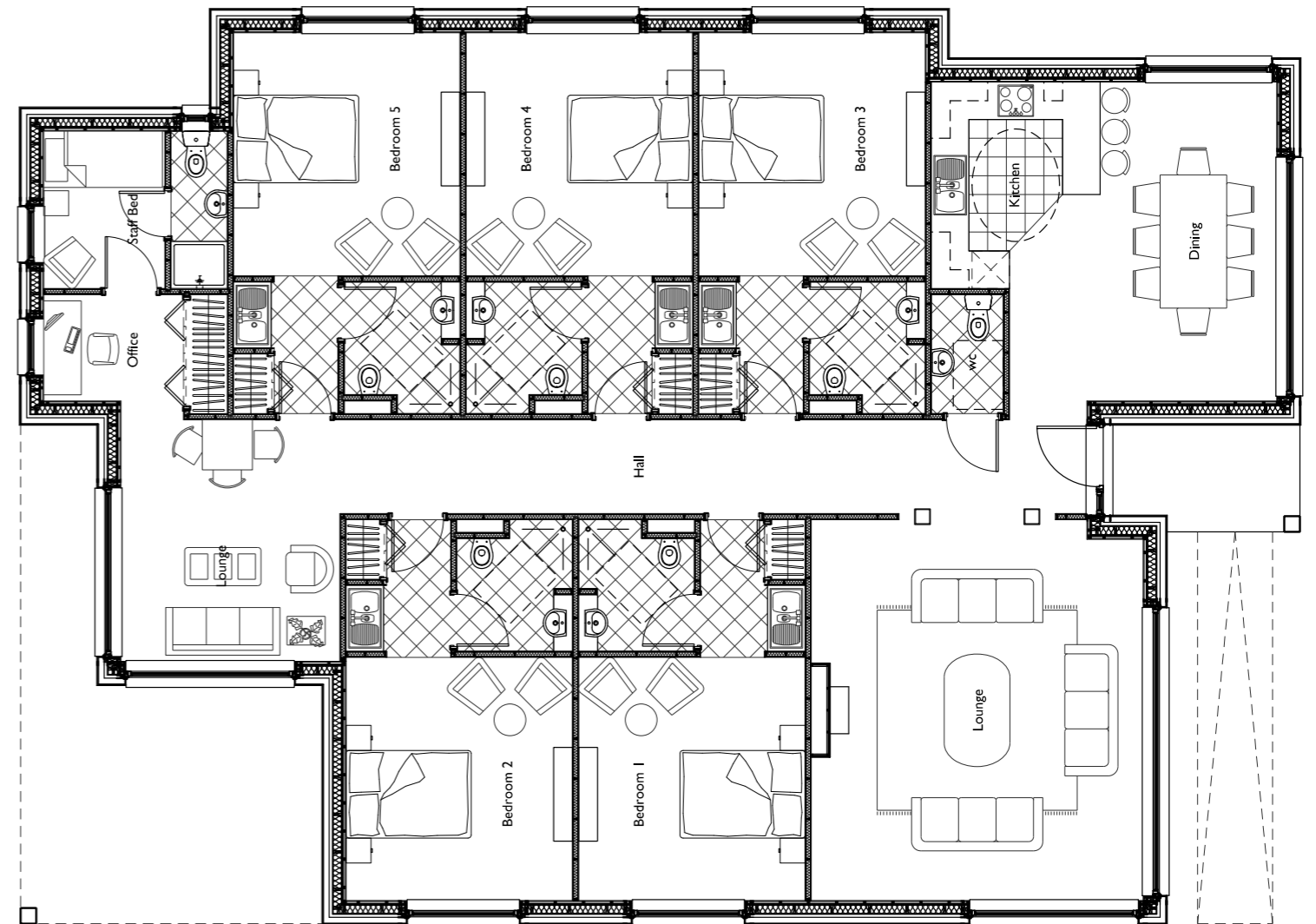
## PROPOSED DESIGN

### Building Strategy

A key objective is to achieve a high quality sustainable development within an improved landscaped setting. The development can easily be integrated into a residential environment without affecting neighbouring amenity, character or appearance through any adverse impacts. Current proposed plans are for two units, each composed of 5 bedrooms with associated support and social space.

The proposed layout comprises a common area with hall, living room, dining room and kitchen, 5 bedrooms with ensuite facilities, and a lounge and staff area. We consider the design to be appropriate in size offering ample open space and landscaped gardens.

The one storey height of the building is in keeping with the surrounding area, respecting the scale and character of the neighbouring properties.



Site Section A-A'

Line of crank in section

# DOLLAR ROAD, TILlicOULTRY RESIDENTIAL CARE FACILITY

## PROPOSED DESIGN

### Coherent Design

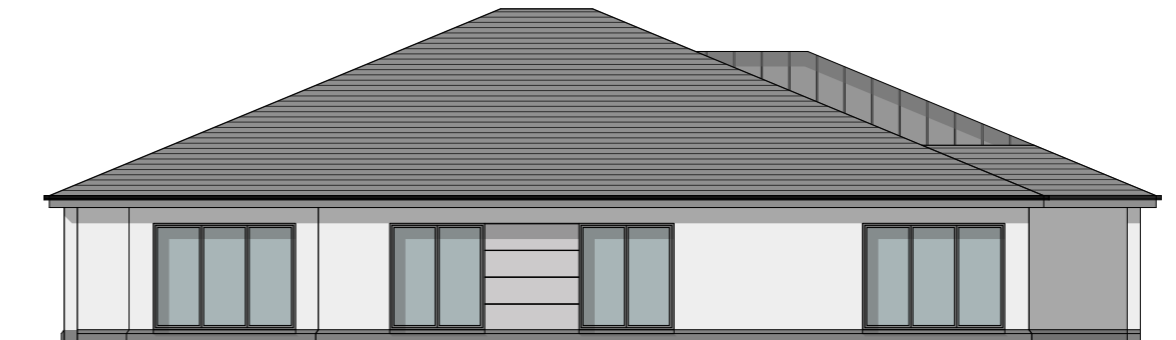
A simple palette of quality materials, detailing, and openings promote a sense of unity across the scheme. The coherent design also helps the development to sit comfortably in the surrounding area. Building lines are adopted from the context, with attention paid to massing and ridge heights from many principal adjacent buildings.

### Materials Palette

The proposed residential care facility will comprise of slate and concrete tiled roof, and scraped render facades to remain in keeping with the style of the local vicinity.



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION

## ACCESS STATEMENT

### Movement around the site

Access to the site is barrier free, there are no barriers preventing movement across the site. There are also no steps located at the entrance to the proposed ground floor.

The internal floor plan layout explores an innovative approach to design for the residents requiring care. Configurations of internal and external circulation and communal gathering spaces indoor and out offer security, safety and comfort through a considered design approach.

### Space Analysis

The physical capabilities of the site allow for both external and internal amenity/communal spaces for residents use. Principle communal spaces are arranged to have views of gardens from all bedrooms.

The development follows current planning guidelines and provides appropriate on site facilities that acknowledge context and the characteristics of the space when compared to the type and number of users, all in an appropriate environment.

### DG/ENV2: Open Space and Public Realm Provision

The proposed development offers generous open spaces coupled with landscaped areas to compliment the useable amenity space for use by all residents.

The variety of open spaces are capable of fulfilling a range of recreational purposes, with a range of materials and features displaying innovative design solutions.

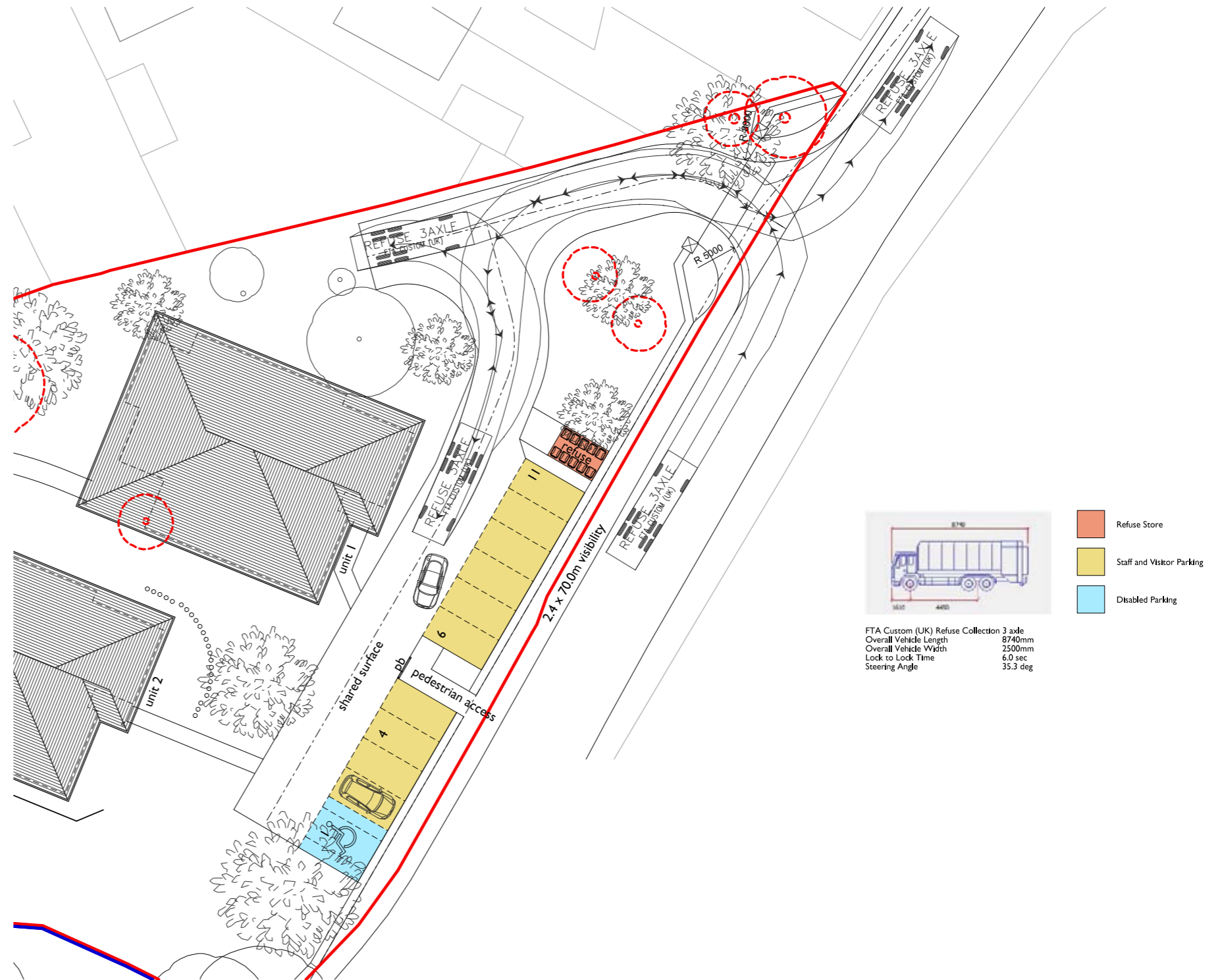


### Car Parking

The proposed site layout includes 10no. resident car parking bays and 1no. disabled car parking bay. The diagram opposite illustrates the parking provision on site and the location of the disabled visitor parking bays and service/delivery areas.

### Refuse and Service Access

It is anticipated that the development would attract the usual servicing requirements such as refuse collection, and emergency access. The development's design and layout allows for enhanced movement through the proposed access from Dollar Road. Refuse storage and collection for the facility will be located to the north east of the site to ensure the refuse distances are local authority compliant.



## SUSTAINABILITY

### Orientation

The design takes advantage of the south facing aspect by using large expanses of glazing to maximise solar gain. In turn, this enhances the natural lighting provision, particularly within communal day spaces.

### Layout

The floor plan layout is based on passive house principles, where habitable rooms are predominantly orientated towards south, east and west, with service/ancillary facilities to the north.

### Carbon Footprint

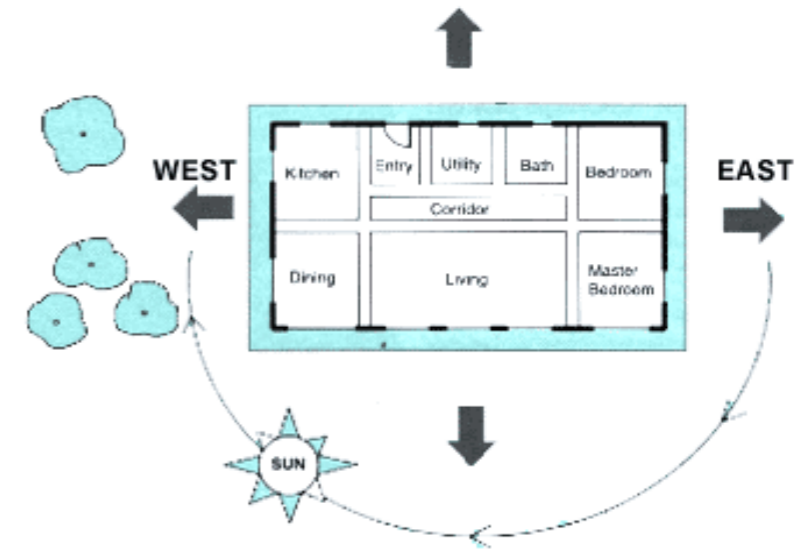
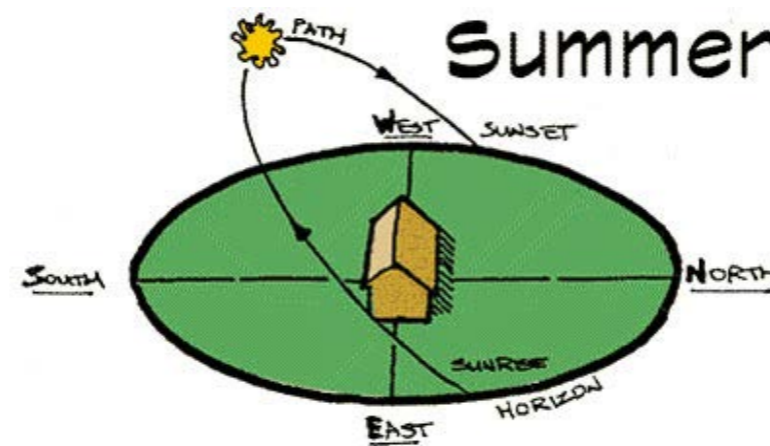
Minimising energy use by using a combination of energy efficient measures including insulation, air tightness, and heat recovery along with the incorporation of low or zero carbon equipment will promote a reduced carbon footprint and adhere to protocol set out in the design guidance.

### Construction

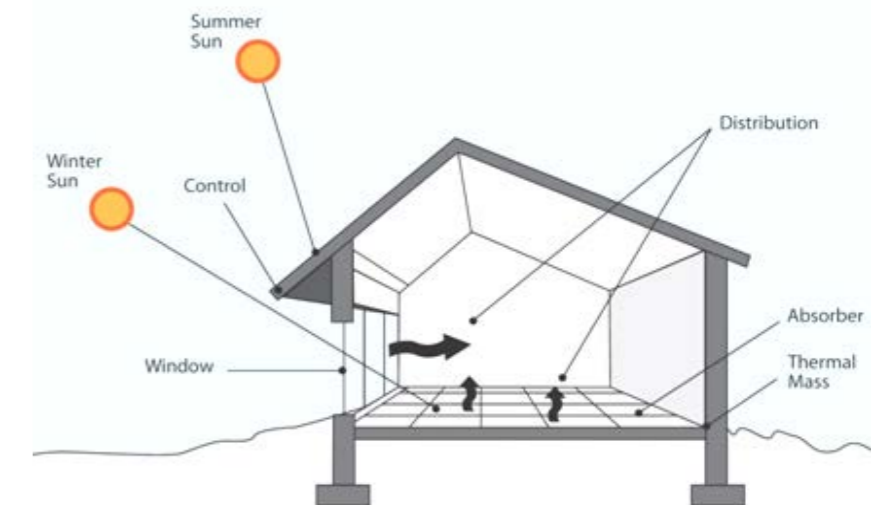
The construction method utilises modern air tightness construction detailing, enhanced by the use of heat recovery units and modern day noise separation techniques, all to increase wellbeing.

### Recycling

The development provides adequate internal and external recycling spaces for solid waste.



Building Energy Performance		Scotland
Calculated asset rating using IES v1/E+ v6.1.1 (Apache/Git)	Building type: Further education universities	Current rating: Excellent
Carbon Neutral		Excellent
A (0 to 15)		A
B (16 to 30)		
C (31 to 45)		
D (46 to 60)		
E (61 to 80)		
F (81 to 100)		
G (100+)		Very Poor
Carbon Dioxide Emissions		9
The number refers to the calculated carbon dioxide emissions in terms of kg per m <sup>2</sup> of floor area per year.		
Approximate current energy use per m <sup>2</sup> of floor area:		135 kWh/m <sup>2</sup>
Main heating fuel: Natural Gas	Building Services: Heating with Nat. Gas, Electricity, Grid supplied.	
Renewable energy source:		
Carbon Dioxide is a greenhouse gas which contributes to climate change. Less Carbon Dioxide emissions from buildings helps the environment.		
Benchmarks		
A building of this type built to building regulations standards current at the date of issue of this certificate would have a rating:		23 B
If the accompanying recommendations for the cost effective improvement of energy performance are applied, this building would have a rating:		7 A+
Recommendations for the cost effective improvement (lower cost measures) of the energy performance		



# DOLLAR ROAD, TILLICOUNTRY RESIDENTIAL CARE FACILITY



Our approach to sustainability focuses on a way of doing things better and maximising opportunities to create a sustainable development in the widest sense. The development has been formulated and conceived on the following principles:

- Accessible location
- High construction standards, increased insulation levels to reduce energy demand making the best of the available land
- Maximising the use of sustainably sourced timber products from managed forests
- Recycling strategy
- Ecologically biased landscape design which is aimed at providing a suitable environment to encourage indigenous species
- Provision of amenity space

## Accessible Location

The proposed development is well located in order to take advantage of the range of services and facilities within Tillicoultry. Local amenities including a post office, convenience store, GP surgery and pharmacy are within a mile of the site. Future occupiers and residents particularly those with limited mobility will benefit from the close proximity of these facilities.

## Energy Strategy

The proposal will take a low carbon approach to energy in order to reduce carbon emission directly attributed to its development and operation. The projects developing energy strategy is based on an energy hierarchy that sets the broad principles for reducing carbon emissions from the site's buildings, these are:

- Local low carbon
- Photovoltaics
- Minimise energy demand
- Positive user behaviour.
- Incorporating energy efficiency into the building fabric
- Recycling strategy

## Local Low Carbon

This scheme will achieve a level of energy efficiency performance equivalent to the former Code for Sustainable Homes Level 4 and the emphasis on the building fabric will make for a highly effective 'base' to which other renewables can be added at a later stage. In addition to this the proposal will look to reuse existing materials within the construction of the building or landscaping.

## Photovoltaics

Photovoltaics will be incorporated into the scheme as part of the energy strategy for the development. Specification and location to be confirmed with chosen energy supplier.

## Minimising Energy Demand

The buildings will be designed and built as inherently energy efficient employing effective construction techniques to maximise insulation and air tightness. Measures to maximise solar gain will be implemented but at the same time, overheating of buildings is avoided through passive measures, therefore minimising the need for mechanical cooling, as air conditioning can lead to high levels of energy consumption.

## Positive User Behaviour

Measures will also be implemented to positively influence the energy consumption patterns of the site's residents. Staff will be provided with the material to make informed decisions and operate the facility in the most efficient way.

## Building Standards

The proposed scheme will meet the requirements of the current building standards by incorporating energy improvements into the fabric of the proposed buildings.

## Recycling Strategy

Where possible, the development will aim to recycle waste and provide adequate provision for the storage and collection of refuse and recycling.

## Water Strategy

Reducing the demand for all water Lower water-use sanitary ware and appliances will be specified. There are now a wide range of products that balance a positive user experience with the needs to reduce water consumption so there should be no loss of amenity where such products are used.

## Vegetation

The majority of the existing site is woodlands. New vegetation shall therefore increase the biodiversity on the site.

## Economic benefit

The development will create construction labour jobs. The proposal will deliver growth in good quality living provision for the town, where there is a proven need for this type of residential provision and a current and an anticipated shortage of such accommodation.

## SUDS Statement

The site will be designed in accordance with the requirements of Sewers for Scotland 2 and associated SUDS Guidance including information provided in the Clackmannanshire's Developers Guidance Note on Flooding and Drainage, which states that the post development run off should not exceed that of pre-development.



DOLLAR ROAD, TILlicOUNTRY  
RESIDENTIAL CARE FACILITY



CONTACT DETAILS

**Applicant**

Clayton Care Ltd  
90 Giles Street  
Edinburgh  
EH6 6BZ

Tel 0131 629 0030

Web [www.claytoncare.com](http://www.claytoncare.com)



**Agent**

Yeoman McAllister Architects  
Waterside Studios  
Coltbridge Avenue  
Edinburgh  
EH12 6AH

Tel 0131 346 1145

Fax 0131 346 1189

Web [www.ym-architects.com](http://www.ym-architects.com)  
email [info@ym-architects.com](mailto:info@ym-architects.com)

## Memo

To: Development Quality                      From: Roads and Transportation  
Extension 2593  
:  
E-Mail: roads@clacks.gov.uk  
Our Ref: 20/00036/Full  
Your Ref:  
Date: 7<sup>th</sup> February 2020

**Subject: PLANNING APPLICATION NUMBER – 20/00036/Full**  
**APPLICANT:** Mr Michael Clayton  
**DEVELOPMENT:** Erection Of 2 No Houses With Detached Garages,  
Formation Of Access And Associated Parking,  
Replacement Boundary Wall And Landscaping,  
And The Removal Of Protected Trees  
**LOCATION:** Land To The North Of Cemetery Lodge, Dollar Road, Tillicoultry,  
Clackmannanshire

I refer to the above mentioned planning consultation and would respond as follows:

### **ROADS AND TRANSPORTATION** **Responding Officer: Stuart Cullen**

I note this application is to erect two houses on a site recently approved for a residential care home use. I also note the access facilities linking the site to the A91, that were to serve the residential care home, are to be largely replicated to serve the two houses. I would comment that the cost of these facilities will be significant as will the cost to relocate the boundary wall to create a suitable public footway to the west. As such I am unsure whether these proposals are viable.

A concern is that the design of the access arrangements, which includes in internal road from which plot driveways are proposed, will be such that visitors unknown to the householders may be unsure whether it is appropriate to use the access from the A91. This uncertainty could easily lead to vehicles slowing or stopping on the A91 fronting the site. Any scenario which encourages regular slowing or stopping on this section of the A91 would not be accepted in principle. This section of the A91 in Tillicoultry has a different character to other sections further west within the village in that it has a much higher “movement function” than a “place function” and as such it is rare for vehicles to stop or slow here. I would oppose any new access arrangement here which encouraged slowing or stopping and as mentioned I feel there is the potential for this to be the case should any permission be granted.

Although the above comments are offered I am happy to discuss other access options to serve development proposals here.

I trust this information is of use to you.

On behalf of

**ROADS & TRANSPORTATION**





10<sup>th</sup> February 2020

Clackmannanshire Council  
Kilncraigs Alloa  
Clackmannanshire  
FK10 1EB

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Local Planner

**FK13 Tillicoultry Dollar Rd North Of Cemetery**  
**PLANNING APPLICATION NUMBER: 20/00036/FULL**  
**OUR REFERENCE: 788394**  
**PROPOSAL: Erection Of 2 No Houses With Detached Garages, Formation Of**  
**Access And Associated Parking, Replacement Boundary Wall And**  
**Landscaping, And The Removal Of Protected Trees**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

#### **Water**

- There is currently sufficient capacity in the TURRET Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

#### **Foul**

- This proposed development will be serviced by TILLICOULTRY Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link  
[www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application](http://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application)

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.**

## **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will **not** accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd**

**Tel: 0333 123 1223**

**Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)**

**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

## Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best

management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Pamela Strachan**  
Planning Consultations Administrator

Memo

To: DEVELOPMENT QUALITY

From: ENVIRONMENTAL HEALTH

Extension:

E-Mail: ehealth@clacks.gov.uk

Our Ref:

Your Ref:

Date: 27<sup>th</sup> February 2020

**Subject: PLANNING APPLICATION NUMBER:- 20/00036/FULL  
APPLICANT:- MR MICHAEL CLAYTON  
DEVELOPMENT:- ERECTION OF 2 NO HOUSES WITH DETACHED GARAGES, FORMATION OF ACCESS AND ASSOCIATED PARKING, REPLACEMENT BOUNDARY WALL AND LANDSCAPING, AND THE REMOVAL OF PROTECTED TREES  
LOCATION:- LAND TO THE NORTH OF CEMETERY LODGE, DOLLAR ROAD, TILICOUNTRY**

I refer to the above mentioned planning consultation and would respond as follows.

**ENVIRONMENTAL HEALTH**

**RESPONDING OFFICER: Suzanne McIntyre**

I recommend the following conditions be attached should the application be approved to protect neighbouring residents from potential nuisance caused by noise, dust, etc during the development phase and the occupants of the proposed development from road traffic noise from the A91 once the development is completed:-

1. No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
2. The applicant must be required to submit a scheme of works, acceptable to the head of Planning and head of Environmental Health, to minimise the effect of dust created by operations on the site on the local area.



3. Operations from which noise is audible at the site boundary shall only be carried out between 0700 and 1800 hours Monday to Friday and 0700 and 1200 hours on Saturdays, and shall not be carried out at any time on Sundays, Bank and other public holidays without the prior agreement in writing of the Planning Service.
4. A scheme of works designed to mitigate the effects of noise from the proposed development on sensitive premises of noise must be provided {including raw data and calculations}.
5. Commercial vehicles {including heavy plant} shall only be started up, manoeuvred, operated, loaded or unloaded between 0700 and 1800 hours Monday to Friday and 0700 and 1200 hours on Saturdays, and shall not operate at any time on Sundays, Bank and other public holidays without the prior agreement in writing of the Planning Service.
6. Deliveries by commercial vehicles shall only be made to or from the site between 0700 and 1800 hours Monday to Friday and 0700 and 1200 hours on Saturdays, and shall not operate at any time on Sundays, Bank and other public holidays without the prior agreement in writing of the Planning Service.
7. The use of audible warning systems(e.g. reversing alarms) must be controlled to prevent noise nuisance from tonal noise. It is recommended alternative driver warning systems be considered for use on this site to prevent noise nuisance to neighbouring residential occupants.
8. A Noise Impact Assessment must be made with regard to road traffic noise to protect future occupants of the development . The Standard and Methodology to be followed for the Assessment is:

Calculation of Road Traffic Noise 1998 and the Design Manual for Roads and Bridges 1994. The External Target Levels are:

Day time: LAeq [16 hours] = 50-55 dB [to achieve internal noise levels of 40-45 dB

Night time: LAeq [16 hours] = 40-45 dB [to achieve internal noise levels of 30 - 35 dB

Details of calculation methodology and methods of mitigation measures are to be provided including more detailed information on any mitigation measures to be provided along the A91 to protect occupants of the development.

9. The developer should provided details on how these conditions will be met in a written Construction Method Statement or similar document

The applicant is reminded that excessive noise levels at the nearest noise sensitive point could result in action being taken by the Clackmannanshire Council in terms of the Control of Pollution Act 1974 or Environmental Protection Act 1990.

**CONTAMINATED LAND**  
**RESPONDING OFFICER:**

The Contaminated Land Team have reviewed planning application 20/00036/FULL and can advise that it requires a full Contaminated Land condition to be added to the application due to the site being situated on potentially contaminated land:

No development shall take place until:

a) a desk study detailing the history of the site, hazardous materials, substances used together with details of a site investigation strategy based on the information revealed in the desk study has been submitted to and approved in writing by the Local Planning Authority;

b) any intrusive site investigation approved as part of the site investigation strategy in a) above, has been carried out comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater to the satisfaction of the local planning authority. Such work to be carried out by suitably qualified and accredited geoenvironmental consultants in accordance with the current U.K. requirements for sampling and testing.

c) written reports of:

i) the findings of the above site investigation and

ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the Local Planning Authority.

The building hereby permitted shall not be occupied until:

a) any remediation works approved as part of the remediation strategy have been carried out in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with part 1 (b, c) above of this condition and an adequate remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and fully implemented thereafter;

b) a verification report, produced on completion of the remediation work, has been submitted to and approved in writing by the Local Planning Authority. Such report shall include:

i) details of the remediation works carried out and

ii) results of verification sampling, testing and monitoring and

iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal in order to demonstrate compliance with the approved remediation strategy.

If during the development work, areas of contamination are encountered, then the applicant shall immediately notify the Local Planning Authority. The nature and extent of any contamination found shall be fully assessed by way of a site investigation and an adequate site investigation report and remediation strategy shall be submitted to and approved by Local Planning Authority in writing. Any remediation work agreed shall be fully implemented and a remediation verification report submitted to and approved in writing by the Local Planning Authority.

I trust this information is of use to you.

## **ENVIRONMENTAL HEALTH**



**Re: Fw: 20/00036/FULL - Erection Of 2 No Houses at Land To The North  
Of Cemetery Lodge , Dollar Road , Tillicoultry for Clayton Care**   
**Suzanne McIntyre** to: Local Review Body

12/08/2020 15:36

Good Afternoon

It is unlikely any input will be required from this Service with regard to this application .

Regards  
Suzanne

Suzanne McIntyre  
Senior Environmental Health Officer  
Environmental Health  
Development & Environment Services  
Clackmannanshire Council  
Kilncraigs  
Alloa  
FK10 1EB

Tel: 01259 450000



# Comments for Planning Application 20/00036/FULL

## Application Summary

Application Number: 20/00036/FULL

Address: Land To The North Of Cemetery Lodge Dollar Road Tillicoultry Clackmannanshire

Proposal: Erection Of 2 No Houses With Detached Garages, Formation Of Access And Associated Parking, Replacement Boundary Wall And Landscaping, And The Removal Of Protected Trees

Case Officer: Keith Johnstone

## Customer Details

Name: Mrs Kay Anderson

Address: 35 Sandy Knowe, Tillicoultry, Clackmannanshire FK13 6RG

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:35 Sandy Knowe

Tillicoultry

FK13 6RG Application Ref No 20/00036/FULL

Thank you for notifying me of proposed erection of 2 houses in Tillicoultry. I would like to know who the owners of the land known as the Bunny Hill are. Is the applicant Michael Clayton the owner, and if so when did he become the owner?

I would like to object to the planning application on the following grounds:

- the quality and design of the layout. The site looks cramped
- trees. It is not clear to me what is happening to the trees. How many are to be removed and how many are replacing them?
- access for service and emergency vehicles.
- road safety. The corner of Dollar Road beside the cemetery entrance is on a bend and traffic leaving Tillicoultry would have no sight of the entrance to the houses. Traffic leaving the site to go to Tillicoultry would be at huge risk from traffic going west on the Dollar Road. The visibility splay in my opinion, may be technically correct, but the council should give serious consideration to enlarging this to the bend area beside the cemetery gate. Autumn leaves and winter snow render the pavement almost inaccessible, especially with small children, buggies and mobility scooters. This path is used daily by a mobility scooter user.
- concerns about the water management still stand. I see the Water Board also have concerns. This area is very damp and suitable drainage should be built in so the surrounding land does not suffer.

Kay Anderson (owner)



History: This message has been forwarded.

Hello,

I am having difficulty with your system in trying to complete an objection to the above.

Please treat this communication as my OBJECTION to the above Planning Application (20/00036/FULL):

1. As before, the proposed entrance into the development is a safety hazard regardless of your planning criteria sight lines. This is both for east and west bound traffic. The A91 is a very busy road with lots of heavy traffic as well as commuters and local traffic, increasing year on year. The approach eastwards is particularly a problem and hazardous as traffic accelerating to get up the Cemetery Brae are blind to what is round the sharp blind bend. There would be real dangers in trying to stop in time if there was a tailback approaching the brow of that brae on the eastern side of the bend because of traffic turning into the development, especially so during the construction. Similarly, traffic going westwards face the same problem at the bend opposite Harviestoun Grove.
2. If you allow it to proceed, how will traffic be managed during construction? A diversion up Harviestoun Grove is, in itself, unsuitable – the road is narrow with a couple of bad bends on the Harviestoun Road at the top, many parked cars as it is all residential, road surface already in a poor state, Primary School safety considerations especially.
3. Access to the pavement on the A91 is needed by people with pushchairs and by disabled drivers using motorised scooters – there are at least two disabled people currently who would be affected.
4. It is perhaps opportune to mention climate change in view of what has happened this unprecedented wet February – building on that land and removing many trees will not help the drainage problems and, indeed, exacerbate the situation. Loss of habitat for flora and fauna too.

I am local to the Harviestoun housing estate and travel this road frequently throughout the day, every day, so I know how busy the traffic is on the A91 and specifically, the behaviour of drivers on it.

I would be grateful if you would add the content of this email as an objection to the Planning Application. I would like to be kept up to date with the decisions made.

Thank you.

Sincerely

Helena Paterson

1 Daiglen

TILLICOULTRY

FK13 6QX

Sent from [Mail](#) for Windows 10

1 Daiglen  
Tillicoultry

Clacks.

FK13 6QX

14 August 2020

Mr L. Robertson  
Solicitor  
Clerk to the Local Review Body  
Legal and Governance  
Clackmannanshire Council

Dear Mr Robertson,

**Notice of Review; Dollar Road, Tillicoultry  
(Planning Application ref. No. 20/00036/FULL)**

Thank you for your letter dated 7 August 2020 and enclosed documents relating to the Notice of Review.

I have to say that I am dismayed at the continual proposals coming from the Applicant, Mr Clayton, and that if I had not shown the interest in the process on the last two occasions, I may have missed it but for you kindly now copying me in. In the first instance, it was only because someone had posted on FaceBook about the planning application that I was aware of the Application. Therefore, I do think a lot more people would be vociferous about it if they knew and, if they also knew how to go about making a submission. Not everyone has internet or buys the local newspaper.

I do not live directly next to the site but I stay in a cul-de-sac off Harviestoun Grove so I drive in the Dollar Road throughout the day. I have always worried about how dangerous the road is and I signal in plenty of time going east, just at the cemetery, to show traffic behind me that I will be turning soon, in case there is an emergency around the corner necessitating an urgent stop, as has been the case. However, a lot of the traffic, increasingly, is not just local as the A91 is a main artery and therefore, drivers may be less aware of the dangers and I see lot of drivers still exceeding the speed limit, especially drivers coming from the east.

So, as the basis of my objection on each occasion, this brings me to:

**Road Safety**

## A91

The A91 is the main trunk road through the Hillfoots and there is no access to the site other than on to this busy road, an accident blackspot. I would support Rick Finc Associates suggestion that the LRP visit the Dollar Road site (para 1.15 page 4) but would also stress that any site visit should take place during commuting hours to illustrate how busy this stretch of road is – especially, how difficult it is to see beyond the cemetery to the west and the garden centre to the east of the site.

The Rick Finc Assoc. submission states that Council Roads and Transport have no objection to this planning application (para 6.20 page 22).

However, I am aware that a neighbour, on the previous objection, received a letter from Clacks Council dated 1<sup>st</sup> April 2020 (ref 20/00036/FULL) which states;

***‘The Roads and Transport Section do not appear to support the application. The access would not be safe due to vehicle speeds on this section of road, the effects of the bends and gradients on visibility, the proximity to the junction with Harviestoun Grove and Dollar Road, drivers not expecting vehicles to be slowing or stopping to turn into the site and the standard of visibility for drivers egressing the site is not safe’***

This conclusion was reached by Roads and Transport after the initial planning consent was granted for the Care Home development in 2019. It does support the objections raised by many neighbours and also other locals who travel this road, to the multiple applications from Clayton Care. Revisions were made to improve site access in earlier applications but cannot overcome the fact that this is a dangerous stretch of road. I would ask that the Review considers the grounds for objections raised in 2018 and 2019. Road Safety has been a primary concern regarding the proposed development of this site since Day 1 and is even more pertinent now with ever increasing traffic.

### Harviestoun Grove

If construction was allowed there would be great disruption to traffic using the A91 and I would think that this would be over a prolonged period, probably taking months. I would imagine it would, therefore, be necessary to have diversions in place. Would this be via Harviestoun Grove for all traffic using the A91? If so, this would be intolerable for residents of the Harviestoun Fir Park housing estates. At the moment with local traffic it is bad enough using that route as a rat run to access the North of the town. Both Harviestoun Grove and the Fir Park area have congested parking problems making negotiation difficult. The Primary School is at Fir Park and this would be dangerous during peak times when children are going to and from school and also affecting air quality around the school. The road from Fir Park going west is also in poor repair in bits and extra traffic would worsen its condition. My house in Daiglen, is adjacent to Harviestoun Grove and I know how busy and noisy it can be.

### Environmental and Archaeological



The site is rich in biodiversity both in flora and fauna and a community asset, being a public right of way. There are issues with removing trees which are protected, upsetting the animal habitat and interfering with an archaeological site. It is a natural play area for the children of all the surrounding housing estates, as enjoyed by me in my childhood and currently for dog walking. To build and take out flora would contravene many of the current protections for all of them. It would take a long time to repair the damage it would cause and would require onward monitoring to ensure implementation.

### **Conclusion**

As highlighted in the previous, rejected application there are a number of grounds for objection to development on this site. Primarily, road safety supported by recent Council Roads and Transport evaluation and the other grounds for objection remain valid. There does not appear to be any significant updates to the proposal to overturn the previous planning rejection.

It is important that all the previous considerations which led to rejection of the previous planning applications are fully considered at this junction – they are very pertinent.

I would be grateful for careful consideration of these grounds by the Review panel.

Yours sincerely

Mrs Helena Paterson

1 Daiglen

FK13 6QX

# Comments for Planning Application 20/00036/FULL

## Application Summary

Application Number: 20/00036/FULL

Address: Land To The North Of Cemetery Lodge Dollar Road Tillicoultry Clackmannanshire

Proposal: Erection Of 2 No Houses With Detached Garages, Formation Of Access And Associated Parking, Replacement Boundary Wall And Landscaping, And The Removal Of Protected Trees

Case Officer: Keith Johnstone

## Customer Details

Name: Dr Steven Hall

Address: 8 Sandy Knowe, Tillicoultry, Clackmannanshire FK13 6RG

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Comments for Planning Application 20/00036/FULL

Application Summary

Address: Land to the North of Cemetery Lodge, Dollar Road, Tillicoultry

Proposal: Erection of two new dwelling houses with detached garages and associated parking and landscaping.

I wish to lodge my objection to above proposal.

In the last two years there have been four planning applications from Clayton Care to develop this site. The first three applications related to the erection of a residential care home facility (18/0008/FULL, 18/00253/FULL and 19/00133/FULL). Planning approval was granted for the latter as the Council recognised that "the development offered supported living for care facilities for adults with learning disabilities". At the time, concerns were expressed that this could be used as a 'trojan horse' to facilitate subsequent change of use for dwelling houses. Within four months of awarding planning consent such a proposal has been submitted for the site.

The planning approval letter dated 14 October 2019 issued by the Council states "The applicant has also discussed the proposal with representatives from the Social Care Partnership in relation to the operational requirements and local need that exists". Whatever happened to the need for a residential care facility?

Do we need two premium dwelling houses on the site when land has been designated for housing at Hareburn Road, Tillicoultry and major developments of premium housing are under construction in Alva, Alloa and Clackmannan?

A number of grounds for my previous objections for development on the site remain valid.

## Road Safety

There is no potential access to the site from the west, north or east and the southern border is the A91, an accident black spot.

The proposed site on the Tillicoultry to Dollar Road (A91) is on a hill falling west to east. To the west, is a blind summit on a bend and to the east is the main entrance to the Harviestoun residential estate. The road then bends to the south-east around the garden centre/golf range.

Visibility in both directions is restricted and it is my understanding that previous planning applications for residential property have been rejected because of these concerns.

Vehicles will have to slow down to access the site and could represent a safety risk both to the driver and other road users. This has been highlighted by Roads and Transportation (Report dated 7 February 2020) who also query the viability of the modifications to the boundary wall and access point to the Dollar Road. To quote from the report "Any scenario which encourages regular slowing or stopping on this section of the A91 would not be acceptable in principle".

## Drainage and Water

The proposed development includes the removal of mature trees and vegetation which are important to removal of surface water. Construction of dwellings and driveways may inhibit drainage on the site and pose a risk of waterlogging in the adjacent residential properties.

Scottish Water (Report 10 February 2020) will not accept any surface water connections into their combined sewer system and cannot confirm that there is foul water capability at the Tillicoultry waste water treatment works. As the utility cannot confirm that the proposal will be services how can the Council consider granting planning permission at this time?

## Environmental

The proposed site is an area of mature woodland which has been a local amenity for many years. The fact that it has little footfall and is overgrown is indicative that it is a wildlife haven and as such a community asset. The Woodland Management Plan (September 2019) sets out ambitious plans for the area, however, I personally have doubts that they will be implemented. The site has been owned by Clayton Care for period and to quote from their Woodland Management Plan:

"there is little evidence of any proactive management having been carried out over many years" (Page 6 of the report).

There are bats roosting on the Bunny Hill and the preliminary survey conducted by Brindley Associates in August 2019 confirmed that there are suitable habitats - "holes, cracks and crevices" in trees. However, I am concerned about the proposal to fell and remove mature trees and do not believe bats will roost in any saplings planted to replace them. There is a risk of loss of habitat for a protected species.

The Council will be aware that 'protecting and enhancing green spaces' was identified as a priority in the Tillicoultry, Coalsnaughton & Devonside Community Action Plan 2017 - 2022 (Theme 6: A Sustainable Community). Furthermore, the site was specifically identified as a Safeguarded Open Space in the Clackmannanshire Council Local Development Plan. Developing the site is contrary to this established position.

The Clackmannanshire Biodiversity Action Plan 2012-2017 sets out a key objective to create a

'habitat network' through increasing connectivity in fragmented landscapes by creating corridors, buffers and stepping stones to aid the movement of different organisms. This development threatens an important island of biodiversity.

#### Archaeological

The site was formally known as Cunninghar, Tillicoultry and is the site of a Stone Circle (NS 9524 9709). This area of Tillicoultry was an important focus for burial and ritual activity in the late Neolithic and Bronze Age, approximately 2500-1500 BC. Several significant archaeological finds have been made on the site and artefacts are now in the collection of the National Museums of Scotland in Edinburgh (Accession no EA 154).

Any potential heritage interest should be addressed through a programme of Archaeological Works including a scheme of investigation. This would enable any archaeological features of interest which were identified to be recorded and recovered. I can find no reference to such important work in the planning application.

#### Consultation

The proposals to develop this site have prompted a large and diverse number of objections from the community principally relating to road safety on the Dollar Road. I accept that the Council identified a local need for residential care facilities but suggest that the priority should be for affordable social housing in Tillicoultry rather than premium dwellings and profit.

I thank Clackmannanshire Council for the opportunity to comments on this latest application from Clayton Care.

Steven Hall 20 March 2020

8 Sandy Knowe  
Tillicoultry  
Clacks.  
FK13 6RG  
12 August 2020

Mr L. Robertson  
Solicitor  
Clerk to the Local Review Body  
Legal and Governance  
Clackmannanshire Council

Dear Mr Robertson,

**Notice of Review; Dollar Road, Tillicoultry  
(Planning Application ref. No. 20/00036/FULL)**

Thank you for your letter dated 7 August 2020 and enclosed documents relating to the Notice of Review.

As a long-term resident of Sandy Knowe, I appreciate the opportunity to restate my objections to this proposed development.

**Site Planning Application History**

In the last two years there have been four planning applications from Clayton Care to develop this site. The first three applications related to the erection of a residential Care Home facility (Ref No. 18/0008/FULL, 18/00253/FULL and 19/00133/FULL). Planning approval was granted for the latter application as the Council recognised that *'the development offered supported living for care facilities for adults with learning disabilities'*.

The planning approval letter dated 14 October 2019 issued by the Council states *'The applicant has also discussed the proposal with representatives from the Social care partnership in relation to the operational requirements and local need that exists'*.

It is not disputed that there is a community need for such social care facilities but at the time objectors expressed concern that the planning application, if approved, would be used as a *'Trojan Horse'* to support a later planning submission for residential development. Within four months this provide to be the case.

The planning history is an important factor for the Local Review Process to consider as, to quote paragraph 6.3 (page 20) of the Rick Finc Associates submission,

*'The planning history is a significant material consideration which should be given considerable weight in this Review'*

The submission also states that *'Clayton Care is unable to deliver the facility for a variety of business and operational reasons'*. The need for social care facilities has not disappeared and the basis for planning approval ought not be appropriated for what is now a purely commercial development.

### **Third Party Neighbours**

The submission to the LRP indicates that 19 residents were notified and only 5 objections received, 4 from Sandy Knowe. It is disingenuous to suggest that *'neighbours do not object or are indifferent to the housing proposal'*. I have spoken to neighbours and they were in the belief that the Care Home development was proceeding and unaware of the subsequent proposal for high quality residential property. Personally, I did not receive formal notification despite having submitted objections to previous planning applications from Clayton Care.

I would respectfully ask the Review to check how many objections (and grounds) were submitted for previous planning application by Clayton Care. I am unable to access this data from the Council planning portal, but I can confirm that it was over 20 objections.

### **Road Safety**

The A91 is the main trunk road through the Hillfoots and there is no access to the site other than on to this busy road, an accident blackspot. I would support Rick Finc Associates suggestion that the LRP visit the Dollar Road site (para 1.15 page 4). I would also ask that any site visit take place during commuting hours to illustrate how busy this stretch of road is and how difficult it is to see beyond the cemetery to the west and the garden centre to the east of the site.

The Rick Finc Assoc. submission states that Council Roads and Transport have no objection to this planning application (para 6.20 page 22).

However, I would draw the Review's attention to the Clacks Council letter issued to me on 1<sup>st</sup> April 2020 (ref 20/00036/FULL) which states;

***'The Roads and Transport Section do not appear to support the application. The access would not be safe due to vehicle speeds on this section of road, the effects of the bends and gradients on visibility, the proximity to the junction with Harvieston Grove and Dollar Road, drivers not expecting vehicles to be slowing or stopping to turn into the site and the standard of visibility for drivers egressing the site is not safe'***

This conclusion was reached by Roads and Transport after the initial planning consent was granted for the Care Home development in 2019 and supports the objections raised by many neighbours to the multiple applications from Clayton Care. Revisions were made to improve site access in earlier applications but cannot overcome the fact that this is a dangerous stretch of road. Again, I would encourage

the Review to consider the grounds for objections raised in 2018 and 2019. Road Safety has been a primary concern regarding the proposed development of this site since Day 1.

### **Environmental and Archaeological**

The grounds for refusal of planning consent remain valid. This proposal will remove 22 mature trees, some which have TPOs, potentially damage a bat roost and would require further archaeological site investigations. The site was formally known as **Cunninghar** and is the site of a Stone Circle (NS 9524 9709).

The submission makes reference to a Woodland Management Plan and measures for mitigation. However, I have been a resident of Sandy Knowe for over thirty years and have no evidence of active environmental management of the site by the owner. Any Woodland Management Plan will take many years to replace the damage to a mature woodland area and would require safeguards to ensure that it is fully implemented and monitored over many years. Can the Review provide such guarantees?

The site is an island of biodiversity and a community asset and I would hope that the Review supports the Council's aim to Safeguard Open Spaces and Policy EA7 of the Clackmannanshire Local Development Plan.

### **Conclusion**

As highlighted in the previous, rejected application there are a number of grounds for objection to development on this site. Primarily, road safety supported by recent Council Roads and Transport evaluation and the other grounds for objection remain valid. I can see no significant updates to the proposal to overturn the planning rejection.

Furthermore, the Covid-19 pandemic may have placed exceptional restrictions on the operation of the Planning Committee, but this does not change the highlighted issues and this application should not be allowed to bypass scrutiny because resubmission received less publicity. I would encourage the Review to conduct a 're-hearing' of the full planning application history when reaching their decision.

Thank you for your consideration.

**Dr Steven Hall**

**Resident FK13 6RG**

# Comments for Planning Application 20/00036/FULL

## Application Summary

Application Number: 20/00036/FULL

Address: Land To The North Of Cemetery Lodge Dollar Road Tillicoultry Clackmannanshire

Proposal: Erection Of 2 No Houses With Detached Garages, Formation Of Access And Associated Parking, Replacement Boundary Wall And Landscaping, And The Removal Of Protected Trees

Case Officer: Keith Johnstone

## Customer Details

Name: Mr Christopher Noble

Address: 23 Sandy Knowe, Tillicoultry, Clackmannanshire FK13 6RG

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object again to this planning application

Residential amenity;

The property planned would impact on the privacy of my property. It is elevated ground above my garden and my house and would mean that if the proposed trees were removed there would be a line of sight onto my property. The rainwater falling on the hard landscape will cause extra water to drain onto my property. The new proposed development will cause extra noise and disruption especially during construction. There would need to be traffic management on the A91. This in turn will mean users avoid this by use of Harviestoun and Fir Hill. These are narrow estate roads passing by the Primary School and Nursery.

Impact on the natural environment:

The plans propose removing protected trees. What is the point in protecting them if this plan is allowed to go forward. The site is used by many wild animals, including bats toads and lizards. Allowing the development will destroy the wildlife habitat.

Water management:

The site slopes towards mine and other properties. During heavy rainfall or especially a thaw of



snow when the ground is frozen my garden becomes waterlogged. If the proposal goes ahead with all of the hard landscaping the water will run down the slope onto my property. Scottish Water have said they will not allow a connection for the development to remove rainwater from the hard landscape and I assume from the roofs and gutters. Where is this rain water to go? It can only go down hill into the residents properties. It is not fair to allow residents properties to have to cope with all of the extra water that at present falls on open ground and is taken up by the trees.

#### Road Safety:

It seems clear that the Roads and Transport department do not support this application. The road is rural in nature and vehicles travelling East crest the hill and speed up, the entrance will not be obvious and car drivers will not expect vehicles to brake turn or exit. The line of site for vehicles exiting the properties is not safe and would need to be proved safe before any development begins. If this is not undertaken I would expect an accident to occur.

C Noble



I wish to object again to this planning application

#### Residential amenity;

The property planned would impact on the privacy of my property. It is elevated ground above my garden and my house and would mean that if the proposed trees were removed there would be a greater line of sight onto my property. Including bedroom and bathroom windows. As shown on the plans there would be no space to plant any trees or other screening as the drive way is right beside the boundary of my property.

The new proposed development will cause extra noise and disruption especially during construction. There would need to be traffic management on the A91. This in turn will mean users avoid this by use of Harviestoun and Fir Hill. These are narrow estate roads passing by the Primary School and Nursery.

#### Impact on the natural environment:

The plans propose removing protected trees. What is the point in protecting them if this plan is allowed to go forward. The site is used by many wild animals, including bats toads and lizards. Allowing the development will destroy the wildlife habitat.

#### Water management:

The site slopes towards mine and other properties. During heavy rainfall or especially a thaw of snow when the ground is frozen my garden becomes waterlogged. In places to a depth of 6 inches. If the proposal goes ahead with all of the hard landscaping the water will run down the slope onto my property. Scottish Water have said they will not allow a connection for the development to remove rainwater from the hard landscape and I assume from the roofs and gutters. Where is this rain water to go. It can only go downhill into the resident's properties. It is not fair to allow residents properties to have to cope with all of the extra water that at present falls on open ground and is taken up by the trees. I understand that we are not in a flood risk area. But it is not the risk of flooding that concerns me. It is the impact of the rain falling on roofs and hard landscaping that is not carried off site by drainage.

#### Impact on the natural environment:

The plans propose removing protected trees. What is the point in protecting them if this plan is allowed to go forward? The site is used by many wild animals, including bats toads and lizards. Allowing the development will destroy the wildlife habitat.

#### Road Safety:

It seems clear that the Roads and Transport department do not support this application. The road is rural in nature and vehicles travelling East crest the hill and speed up, the entrance will not be obvious and car drivers will not expect vehicles to brake turn or exit. The line of sight for vehicles exiting the properties is not safe and would need to be proved safe before any development begins. If this is not undertaken, I would expect an accident to occur.

Other points:

The applicant claims that because fewer persons have objected to the building of dwellings then the residents are less opposed. From my conversations with neighbours this is not the case. Two previous objectors have moved away. Also, when objections were raised to the care home development many locals felt these were not listened to and what is the point in objecting again. They have worn some down and some still believe that the initial application was a trojan horse for these dwellings.

Christopher Noble

23 Sandy Knowe

Tillicoultry

# Comments for Planning Application 20/00036/FULL

## Application Summary

Application Number: 20/00036/FULL

Address: Land To The North Of Cemetery Lodge Dollar Road Tillicoultry Clackmannanshire

Proposal: Erection Of 2 No Houses With Detached Garages, Formation Of Access And Associated Parking, Replacement Boundary Wall And Landscaping, And The Removal Of Protected Trees

Case Officer: Keith Johnstone

## Customer Details

Name: Mr Scott Sinclair

Address: 27 Sandy Knowe, Tillicoultry, Clackmannanshire FK13 6RG

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to object to the planning application that has been lodged although I do believe any objections will be swept under the carpet as they were when the original application was lodged for a care facility. I received correspondence from Councillor Balsillie after the original application assuring myself and the neighbours that the original application for a care home was not a cover to get planning on the ground to then build residential houses, yet here we are. This is the third application on this section of ground in two years. Two attempts to get permission for a care facility and now the truth has come out - residential housing to make a quick profit.

The proposed entrance into the development is still a concern. The traffic approaching from Tillicoultry towards Dollar will be travelling over the brow of a hill and travelling downhill at speed with restricted forward visibility. I appreciate that there has been an improvement on what was previously planned however, there is still concern for safety due to the volume of traffic on that road. The visibility splay demonstrated on the plan may technically be correct for the defined traffic speed however, it should be recognised that this is a sensitive location in respect of traffic speed; proximity to other access points; on a hill and close to a bend. Given the number of accidents that have occurred on this section of the A91 over the years the access point has to be looked at and considered very carefully.

It has been noted on the plan that the stone wall has to be removed to allow for better visibility however, this is contradicted by the fact that a new stone wall will be erected in its place to provide suitable screening of the care home facility which will surely then cause the same visibility restrictions as the existing stone wall?

There have been provisions made on the new plan about how service vehicles will access the site and make their turns. There have been no provisions made however for the noise implications to the residents of Sandy Knowe of these service vehicles arriving and delivering at the facility.

The neighbouring properties currently have a very private living space that will be infringed with the construction of this care facility. It states on the plan that restricted views will be maintained for the residents of Sandy Knowe however, most of the trees that would block a view into the site are earmarked for removal. Visual impact of the project has been considered in respect to Dollar Road but not for the residents of the neighbouring street. Should the development move forward, would the applicant be willing to plant mature trees along the boundary to block any view of the new buildings and grounds?

The construction of the proposed development will be a heavy undertaking due to the volume of work required. How will the construction traffic be managed on this busy section of road? Not only is this a busy road with residents, but this road is a main entrance route to Sterling Furniture and Sterling Mills shopping village which is a very busy attraction in the county. A concern that I am sure the whole community would have would be if heavier traffic was to start diverting past the local primary school and nursery to avoid any construction works on Dollar Road.

The woodland area that has been marked for the development has been highlighted as Safeguarded Open Space on the Local Development Plan. It is stated on the application that there is no proposed change to public access or public right of way however, the area currently allows free public use and access to which many dog walkers and bird watchers frequent the area often to enjoy. There are trees in this woodland that have been marked for removal on the plan which currently have protected status. I would question the principle of tree protection if this can be swept aside to allow a development of 2 houses to proceed.

The woodland is also a site of historical interest as it is the site of a stone circle which dates back as far as 2500BC. In February 2003 the Archaeology Officer of Stirling Council (Ms Lorna Main) produced an archaeological report on the site and concluded that: -

"Whilst the use of the area as a sandpit has destroyed much of the archaeology in the area there is still potential for undiscovered remains to survive in the undeveloped area north of the main road". The site of the proposed build may be of archaeological importance and should not be destroyed.

The woodland is also home to many different wildlife and vegetation. There are regular sightings in the woodland of deer; squirrels; foxes; pheasants and hedgehogs to name a few. Most significantly, the area is home to Bats. All species of Bats in Scotland are classed as European Protected Species therefore, it would be an offence to deliberately or recklessly destroy a breeding site or bat resting place in accordance with the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

The applicant has referred in their document that there is an under provision of care facilities in the county of Clackmannanshire. There are currently three care homes in Clackmannanshire within a five-mile radius of the proposed development with a capacity of 59 rooms between them of which, none run at their full capacity. Can the applicant please explain how this can equate to an under provision in the area? HAS THIS NOW PROVED TO BE CORRECT HENCE A CHANGE IN THE APPLICATION?

With all the points considered above, I would ask that the council review the application and move to deny the planning permission.