
Report to Planning Committee

Date of Meeting: 2nd May 2024

Subject: Application for Approval of Reserved Matters (Ref 23/00219/MSC) - Approval Of Matters Specified In Conditions related to 10/00153/PPP For Site Masterplan (Conditions 3 And 5 a)) Including Land For Houses, Open Space, Play Provision, Landscaping, Roads, SUDs And Other Infrastructure And Option Of Land For School, Land At Branshill, Branshill Road, Sauchie

Report by: Keith Johnstone, Principal Planner

1.0 Purpose

- 1.1. The Report provides an assessment of the above application which is a Matters Specified in Conditions (MSC) application for the approval of Masterplan for the site granted planning permission in principle (PPP) on appeal on 16th May 2023 for houses, school and associated works on land west of Branshill Road, Sauchie. The assessment has had regard to the terms of the PPP and associated Section 75, the provisions of the Development Plan and any other material considerations, including advice from consultees and representations received from third parties. It provides a recommendation on the application.

2.0 Recommendations

- 2.1. It is recommended that the application is APPROVED subject to the following conditions:-

1. The Site Masterplan drawings hereby approved shall be read in conjunction with the drawings and documents submitted with and approved as part of this application, unless otherwise agreed in writing by the planning authority.
2. The following details in the Transport Assessment by DBA dated March 2024 have still to be approved;
 - i) The finalised scope and design of the proposed measures to mitigate the impact of the development on the capacity and safety of the surrounding road network.
 - ii) The finalised routes and design of the off site Active Travel Improvement Works, including links between the site and Craigbank

Primary School, National Cycle Route 767 where it meets the A908 and along Branshill Road leading to Parkhead Road.

iii) The details of the design and specification of works to convert and upgrade the existing private road located on the east side of the site which connects Ten Acres and the B908 to an active travel route.

iv) The details within the Travel Plan, including the Residential Travel Pack

Before any construction works start on site, the details to address the above points shall have been submitted to and approved in writing by the planning authority. These shall include; finalised details of the works to alter the capacity of the junctions identified in the TA; details of the works to reduce vehicle speeds and improve pedestrian safety including on the B908 north and south of the roundabout access to the site; the submission for approval of Road Safety Assessments as proposed in the document entitled "Review of Clackmannanshire Council – Roads Consultation Comments by DBA" dated 19th April 2024; the outcome of an assessment on the design and process to deliver the stopping up of the private road described in iii) above and related timescale; a timetable and arrangements for delivery of all of the mitigation measures. Thereafter, the development shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the planning authority.

3. No development shall commence on the site until the following details have been submitted to and approved in writing by the planning authority;
 - a) Details of an infrastructure phasing plan including the provision of drainage and on and off site transportation works
 - b) An assessment of the risk of flooding to houses from surface water (overland flow) during design storm conditions, prepared by a suitable qualified person.
 - c) An assessment of the risk of groundwater flooding within and adjacent to the site, prepared by a suitable qualified person

Thereafter, the development shall be implemented in accordance with the approved details and any required mitigation measures unless otherwise agreed by the planning authority.

4. The Masterplan drawing and associated documents approved by this permission. only approve the framework for areas of open space, play provision, landscaping, blue and green infrastructure including green corridors. Detailed designs and specifications will require to be approved as part of further applications for MSC for each Phase of development.
5. The development authorised by this MSC permission shall not begin until the planning authority has approved in writing a planting

specification for the area of woodland abutting the north boundary of the site, including tree and shrub species, sizes, means of protection and establishment and the arrangements for implementation of the works and the approved details have been implemented, unless otherwise agreed by the planning authority.

Reasons

1. To retain effective control over the development.
2. In the interests of sustainable travel and road and pedestrian safety.
3. Insufficient details have been submitted with the application and to ensure the risks from flooding have been satisfactorily addressed.
4. Further details will be required to be approved as matters specified in conditions before development can commence in the respective phases of the development .To ensure the implementation of the planting works in the interests of visual amenity and to help sustain this area of woodland.
5. To ensure the implementation of the planting works in the interests of visual amenity and to help sustain this area of woodland.

2.2 Display of notice: A notice must be displayed on or near the site while work is being carried out. The planning authority can provide more information about the form of that notice and where to display it. (See section 27C of the Town and Country Planning (Scotland) Act 1997 Act (as amended) and Schedule 7 to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.)

2.3 Reasons for Decision

1. The development is considered to accord with the relevant policies and objectives of the Clackmannanshire Development Plan, comprising NPF4 and the adopted Clackmannanshire LDP. The application comprises a masterplan for a long-standing LDP housing site that requires to be developed in accordance with a masterplan.
2. This is a Matters Specified In Conditions (MSC) application which follows the granting of Planning Permission in Principle (PPP) for development of land for houses, school and associated works on a site allocated for such uses in the adopted LDP (ref 10/00153/PPP). The proposals are considered to sufficiently accord with the requirements of the PPP and associated Section 75 Obligation, which require a masterplan to be submitted and approved as a first stage MSC application.
3. The issues raised by third parties and consultees can be satisfactorily mitigated or are not judged to provide sufficient or reasonable grounds to withhold permission. There will be a requirement for ongoing dialogue between the applicant and the Council's Planning and Roads

teams to agree the details of all off-site transport and travel improvements.

4. The Masterplan as amended is considered to deliver a suitable quality of development in terms of layout and design, placemaking, environmental impacts and standards of amenity and positively contribute to the development of the overall site which has PPP.
5. There are no other material considerations which would outweigh the development plan support for the development and justify withholding the partly retrospective permission.

Approved plans and reports

A list of approved plans and reports will be issued under separate cover.

3.0 Considerations

3.1. Background

3.2. The application relates to a large area of mainly agricultural land allocated for housing in the LDP, and which was granted planning permission in principle (PPP) in May 2023 following the upholding of an appeal to Scottish Ministers against the refusal by the Council. The application for PPP (Ref 10/00153/PPP) was for development of land for houses, school and associated works including open space, roads and landscaping. The site extends to approximately 53.0 Ha in area and is located immediately to the north west of Sauchie. The PPP approved up to 1,000 houses on the whole site.

3.3. The site is enclosed by woodland to the north, west and south and to the east abuts the B908 and sections of Ten Acres and Branshill Road which separate the site from the housing in this area. The site does abut the boundaries of 2 houses located on the west side of Branshill Road and a house located on the south east side of the site. The land is mainly arable farmland, and Core Path No.14 runs east-west roughly bisecting the site which provides a link between Sauchie towards Lornshill Academy, Tullibody Road and Glenochil Village. The existing site topography falls towards the Core Path from both the north and south boundaries with varying gradients some up to 1 in 5. The lowest point is at the east end next to the Core Path which is circa 29.5 m AOD rising up to around 60.0 m towards the south and north boundaries . There are also Core Paths within the woodland to the south of the site and well established informal paths through the woodlands to the north and west of the site. There is a private road which runs along part of the east boundary which connects Ten Acres with the B908, the northern half is owned by the applicant.

3.4 The application is a Matters Specified in Conditions (MSC) application containing details of the Masterplan for the site which is required as part of the conditions of the PPP. The Masterplan sets out the broad components and overall framework for development of up to 1000 houses over the site and shows the proposed land uses and access arrangements which will inform the delivery of the detailed MSC applications for housing, roads and footpaths,

open space, landscaping and drainage within the site as well as the potential site for a school. The site will be developed in Phases and a Phasing Plan has been submitted which identifies 9 distinct phases of residential development with completion of the first Phase by the end of November 2027 and the final Phase by November 2039. The Masterplan can be summarised as follows;

a) two versions have been submitted. One shows the area of land that is safeguarded for a possible primary school as required under the terms of the Section 75 Agreement, concluded as part of the PPP and the other shows the area without the school. The Section 75 Agreement provides the Council with the option to procure land within the safeguarded area to build a new school as an alternative to extending Craigbank Primary School should that be the preferred solution of the Council as Education authority. The Agreement has clauses built in that set a timescale for the Council to decide if the land on site is required for a school or financial contributions are taken for extending the existing school estate (likely at Craigbank Primary School). The agreement is summarised in the table in para 3.11 below. Should the Council determine that a school on site is not its preferred option, the developer would be free to apply for permission to develop the safeguarded land for housing.

b) the plan shows areas for housing development accessed from a spine road which would provide a continuous route linking the B908 in the north east to Branshill Road at the south east corner of the site. The B908 junction would be a new roundabout next to the existing Jewson`s builder merchants premises. The Masterplan shows a network of interconnecting streets and paths serving the housing areas which reflects place making principles. The existing Core Path through the site would be retained and links created to it from development on the site. The plan shows footpath links from the housing areas into the woodlands which surround the site to provide access to the existing network of paths within the woodlands.

c) Over 25% of the site would comprise open space including amenity and play spaces and SUDs. The key components would comprise; a central green corridor running east west next to Core Path 14 containing landscaped areas, SUDs designs to enhance amenity and biodiversity including rain gardens, ponds and swales, footpaths, public art and retention of the open watercourse of the Sauchie Burn; a layout and planting which will create green corridors which would connect the central area with the woodland areas at the south, south west and north boundaries of the site; an amenity space between the B908 and housing to the south west of the roundabout; pocket parks interspersed through the development for both formal and informal play; a trim trail next to the western boundary of the site; the provision of street trees and hedgerows along frontages including creating an avenue along the spine road.

d) the design approach is considered to respond well to the 6 principles identified by the Scottish Government as making successful places; Distinctive, Safe and Pleasant; Easy to Move Around, Welcoming, Adaptable and Resource efficient. The design response includes landscaping and layout to create more distinctive spaces, attractive streetscapes which are permeable, a network of roads and paths which would encourage active travel and reduce vehicle speeds, the creation of active frontages to roads and paths, and sustainable building design and planting.

3.5 A number of other documents or drawings have been submitted with the application to help demonstrate or illustrate how the masterplan would be implemented when detailed designs are submitted as further MSC applications. The first phase of development is the subject of such an application (ref 23/00182/MS) which is for 157 houses and is also on the Agenda for determination after this application for the Masterplan. The documents include;

- Design and Access Statement
- Landscape Strategy and Open Space and SUDs Strategy
- Phasing Plan
- Landscape and Biodiversity Statement
- Arboricultural Constraints and Impact report
- Drainage Strategy Report
- Transport Assessment, Active Travel Connections and Internal Footway Links
- Flood Risk Assessment
- Mining Stabilisation Appraisal
- Landscape and Visual Assessment
- Illustrations of Urban Corridor Designs and Raingardens
- Site Earthworks and Indicative Site Cross Sections

3.6 Planning History

3.7 The site comprises an area of land which has been allocated for residential development for over 13 years. The site was first allocated for housing in the Clackmannanshire Local Plan, adopted in 2004 and this continued in the 1st Alteration to the Local Plan, adopted 2011 and the current Clackmannanshire Local Development Plan (LDP) adopted 2015.

3.8 The applicant was granted planning permission in principle in May 2023 for development of the land for houses, school and associated works following an appeal to Scottish Ministers against the refusal of the application (Ref 10/00153/PPP) by the Council in January 2021. The refusal followed the failure of the Council and the applicant to reach agreement over the measures the Council considered were required to mitigate the impacts of the development on the education estate including the proposal to increase the number of houses from 774 as allocated in the LDP to a minimum of 1000.

3.9 The permission in principle (PPP) was granted by the Reporter subject to conditions and a Section 75 Obligation between the applicant and the Council. The principle of the development has been established by the PPP which reflects the allocation in the LDP. Condition 5 a) of the PPP states that;

“5. The application or applications for the approval of MSC described in condition 3 above shall include:

a) a detailed masterplan which shall include:-

- i) site layout plans at 1:500 scale showing the position of all buildings, public utility and energy infrastructure, roads, footpaths, parking areas, public and private spaces, walls, fences, open space and play areas and landscaping;*
- ii) an infrastructure phasing plan and estimate of housing numbers in each phase of the proposed development;*
- iii) details of all roads, parking and paths within and provided for the whole development which shall be designed and constructed in accordance with the SCOTS National Roads Development Guide; and*
- iv) details of the existing and finished ground levels and finished floor levels in relation to a fixed datum.*

3.10 This MSC application has to be assessed against the compliance of the submitted details and information with the conditions attached to the PPP (the Matters Specified in Conditions) as well as the relevant provisions of the Development Plan and any other material considerations. The Section 75 Obligation also requires the submission of a draft Masterplan for the whole site alongside the first application for MSC for the site. The Section 75 prevents development commencing on site until the Masterplan has been approved by the Council. A MSC application for Phase 1 of the site for 157 houses (ref 23/00182/MS) has also been submitted and a Report is on the Agenda to follow determination of this application for the Masterplan. The terms of the Section 75 Agreement are such that approval of this “masterplan MSC application must come first, ahead of other MSC applications.

3.11 The terms of the Section 75 Obligation are summarised below. The application complies with the requirement that details of the Masterplan have to be submitted alongside the first application for approval of MSC on the site. Development has to be completed in accordance with the Masterplan.

Masterplan	<ul style="list-style-type: none"> • Draft Masterplan to be submitted alongside first application for approval of MSC on the site. • Development shall not commence on the site until the Masterplan has been approved by the Council. Once approved, the development shall be completed in accordance with the Masterplan. • Prior to commencement of development of any Phase, details of the timing and delivery mechanism of any landscaping, open space and play areas, including details of ongoing maintenance and ownership shall be agreed by the Council.
Education	<ul style="list-style-type: none"> • Prior to commencement of development, developer to prepare and submit to the

	<p>Council for approval, a detailed specification to extend Craighbank PS by 5 class bases and associated works.</p> <ul style="list-style-type: none"> • Developer and Council to agree cost of approved specification within 60 days of approval • Contribution to be paid in full prior to occupation of 300th house • Council has option to give notice that it wants to procure delivery of a new school on the site rather than extend Craighbank Primary School, Notice to be given no later than 6 months after the Council has received the contribution • Developer has to safeguard land within the site for a school. Arrangements for sale of the land set out in the S75.
<p>Delivery of Offsite Transport Works</p>	<ul style="list-style-type: none"> • Offsite works required to address impacts of the development on local transport infrastructure. These are to be identified in the TA for the site. • Council and Developer to agree the design, specification and cost of delivering the Off Site Transport Works within 20 working days of approval of the TA • Payment of Offsite Transport Contribution (per house unit) to be paid to the Council by each Phase Developer. The Contribution is calculated as total cost of works divided by the total number of housing units. Payments to be made on each biannual payment date defined in the S75 following occupation of the first house on the Phase.
<p>Public Art</p>	<ul style="list-style-type: none"> • Prior to commencement of development a Public Art Strategy shall be agreed in writing with the Council. This will set out whether art provided; on site; or using a commuted sum via a contribution; or a hybrid of on site delivery and contribution. • If onsite delivery then Strategy to include specification and design of the public art and timescales for installation. Contribution to be calculated at £250 per house unit. • If a commuted sum then payment paid by relevant phase developer as each Phase

3.12 Consultations

3.13 Transportation has not objected to the application but having reviewed the Transport Assessment submitted with the application, has highlighted a number of issues which they consider would require further consideration or information in the interests of road and pedestrian safety and to help mitigate the impact of vehicle trips which would be generated by the development, both in relation to Phase 1 and the PPP site as a whole. These can be summarised as follows;

- a) The proposed access and strategic road layout within the site, including the spine road and connections to key active travel routes, are broadly acceptable. It is preferable that the main active travel routes within the site are on segregated paths having regard to the wider traffic impact of the development as a whole. High quality routes are important to encourage their use and help offset vehicle trips.
- b) The detailed design of public roads and footpaths will be subject to detailed assessment through the Road Construction Consent process.
- c) Although the scope of the amended TA is considered to be generally acceptable, some of the analysis of network impact and proposed mitigation measures, including the provision of active travel infrastructure and works to mitigate impacts at key road junctions and traffic calming measures on the B908, require further clarification before the conclusions of the document can be fully agreed. This also includes the design standards to retain the private road at the east side of the site to an active travel path which would no longer be open to vehicular traffic as a through route. About half of the length of the road is on land owned by a third party and outwith the site boundary. Transportation also has suggest that consideration be given to the potential of a financial contribution from the developer towards the establishment of new, or revised bus services, which could serve the development including possible “demand led transport solutions”.
- d) Further details are required in respect of dealing with any potential flood risk from surface water run off and ground water sources.
- e) Clarification is required about the long term arrangements and responsibilities to maintain SUDs within the site.

Comment – the Transport Assessment (TA) addresses the development of the whole site up to a possible 1000 houses. It is considered appropriate to assess the scope of the TA and package of mitigation measures, including measures to improve junctions on the existing road network and deliver safe and attractive active travel infrastructure outwith the site, connecting to key destinations, as part of the approval of the Masterplan. This is intended to ensure that the development can support and encourage active travel trips as an alternative to making the trips by private car and to help minimise the impact of the development on the road network. The PPP decision granted by the Reporter including the terms of the Section 75 Agreement has defined the

scope of the Offsite Transport Works. The Section 75 includes the requirement for the design, specification and costs of the Off Site Transport Works to be agreed between the Council and the developer. In addition to this, it is proposed to include a planning condition which would prevent the commencement of development on the site until the outstanding matters in the TA highlighted by Transportation have been addressed to the satisfaction of the Council as Planning Authority. The applicant is confident that they can address these matters. As these elements are already regulated by the Section 75, this would not prevent this MSC application being determined subject to such conditions. However, the terms of the PPP and Section 75 do not require the developer to deliver any more bus routes or services but only that provide safe and convenient links from within the site to existing bus stops and that the spine road is designed to be capable of accommodating buses if routes were expanded in the future. As this is an application for MSC it is not possible to make permission conditional on the delivery of additional contributions above and beyond those set out in the terms of the PPP and Section 75 Agreement. The proposed internal layout has been amended to improve the design quality and layout in terms of placemaking principles and making streets attractive to all users and not weighted in favour of the private car. There would be segregated active travel routes along the more heavily trafficked proposed spine road and to connect from the spine road to the main active travel route along Core Path 14 including with suitable crossing points. It is considered that this is an appropriate and proportionate response, balancing the levels of risk to road and pedestrian safety with attractiveness of the routes. The applicant has agreed to submit further assessments relating to surface water and ground water flood risk and this can be regulated by conditions as can be the future maintenance arrangement for SUDs. It is considered that subject to the proposed conditions, the Masterplan would satisfactorily address the advice from Transportation, having regard to the terms of the PPP and the agreed framework to mitigate impacts on the network and support active travel trips and encourage sustainable travel choices. Ongoing dialogue between the Council and developer will inevitably be required to fine tune the details of transport infrastructure, and the proposed recommendation in this case makes allowance for that.

- 3.14 Environmental Health has no objection to the application. They are satisfied that the Air Quality Impact Assessment and Noise Impact Assessment reports relating to the proposed development demonstrate that the potential impacts of the development from emissions affecting air quality and noise would not have a significant adverse impact. Further assessments would be required to support any future application for a new school within the site and these would form part of any subsequent application for MSC. An amended Construction and Environmental Management Plan (CEMP) has to be submitted and approved before any construction works commence on site. Comment – *the advice concludes that the environmental impacts and standards within the site would be satisfactory. If a school is proposed within the overall site then this would be the subject of a separate planning application and a separate AQIA and Noise Assessment could be required to support the application. A revised CEMP will have to be approved before any construction works commence on the first phase of development.*

- 3.15 SEPA was consulted on the application and they have not objected. They are satisfied that the risk for fluvial flooding has been addressed and development could proceed. Comment - *The Flood Risk Assessment submitted by the applicant covers the whole of the site and will be used to inform the detailed MSC applications for phases of development. SEPA has confirmed that it has no objection to the proposed details for Phase 1 (ref 23/00182/MSC) and that the FRA may need to be updated to reflect nay changes to methodology for future Phases of development.*
- 3.16 Scottish Water has no objection. It has advised that they will not accept any surface water connections to the combined sewer system. Comment – *the site has been designed on the basis that surface water will not be connected to the combined sewer and will discharge to the existing watercourse in the site via a SUDs system.*
- 3.17 Scottish Power (SP) has advised that it has no objections in principle and notes that they have high voltage overhead lines and underground cables within the vicinity of the proposals and these may have to be diverted or protected at the applicant`s expense. Comment – *the applicant has been in communication with SP about the potential impact of the development on SP infrastructure as 4 overhead power lines cross parts of the site. The applicant has agreed arrangements to remove the overhead lines, 3 of which will be undergrounded and one will be diverted onto agricultural land to the north of the site. This work has already commenced on site and can be undertaken by SP without the need for planning permission.*
- 3.18 The Council`s Sport Development, Education and Housing Services, Sauchie and Fishcross Community Council and NHS Forth Valley were consulted on the application. No responses have been received at the time of compiling this report.
- 3.19 Representations
- 3.20 61 neighbouring properties were notified of the application and the application was publicised in the Alloa Advertiser for neighbour notification reasons.
- 3.21 Three objections have been received from the follow parties;
- a) Paul Devanny, Tnarg, Branshill Road, Sauchie.
 - b) Sharon Macfarlane, Craigiever, Branshill Rd, Sauchie
 - c) William Ritchie Greenacres, Branshill Road, Sauchie

The objections can be summarised as follows;

- the last planning application for this area which was refused was for 774 houses but this current application is for 1032 houses and a school. Why is this? Comment – *the PPP has been granted following an appeal to Scottish Ministers for up to 1,000 houses. The application is not for 1032 houses but for approval of the Masterplan drawing.*
- again the previous application, the Scottish Government stated that a school was not required, why has the school been included? Comment – *the appeal for the PPP application concluded that a contribution*

towards primary school capacity was required. The terms of the decision provides the Council with the option to procure land on the site to build a new school or to use the contribution to extend Craigbank Primary School.

- the Scottish Government also stated in the previous application that they would not provide the capital to build the school. Will the developer meet the costs of building the school. Comment – the developer has to provide a contribution based on the increase in capacity associated with the approved housing. This would not be the equivalent of the cost of the new school but the contribution could be used towards this cost by the Council.
- building all these new houses will generate a greater number of children and building a primary school will accommodate these children but what about children of High School age. Has Lornshill Academy the capacity for these additional pupils? Comment – this issue was addressed at the PPP stage when the Reporter concluded that a contribution towards secondary education was not necessary.
- I was told by Planning Officer that the area directly behind my property would not be started for up to 10 years (Phase 4 & 5). Is there a guarantee that the plans agreed will not change by the time these phases are started. Comment – the applicant has submitted a Phasing Plan which sets out the planned progress of development over the site. The development is expected to be built in accordance with the framework set out in the Masterplan but the applicant would be able to seek permission to change this if it felt circumstances required it. The Masterplan does not approve the detailed layout and further MSC applications will have to be submitted for approval which will contain the detailed layout and building designs. Phasing will be measured in respect of progress on the ground, rather than set timescale (eg 10yrs until Phases 4&5, as is suggested in the representation), although a development of this scale will take several years to complete.
- The completion date is 2039, will we be expected to live around a building site until this date? Comment – the PPP is for up to 1000 houses and construction work will inevitably take place over several years, as noted. The greatest potential impacts are likely to be over a shorter smaller period when the phase nearest to the house is under construction. Construction works will be regulated by a Construction Environmental Management Plan to mitigate impacts.
- what plans have been made to increase doctors and dentists in the area and increase the capacity of dispensing chemists. The Sauchie Hallpark practice has very little doctors available for current residents in Sauchie and you plan to build 1032 houses. Comment – this is not a material consideration for the determination of this MSC application. The issue was considered as part of the PPP application and the Reporter concluded that no contribution towards health services was necessary. NHS Forth Valley have previously been consulted on the inclusion of this site in the LDP, so will be aware of the planned housing.
- is there Social housing included in the development, if so what Phase? Comment – no social housing is required by the PPP for the site.
- with the School this will increase traffic on the roads, will sufficient parking be provided. Comment – if the Council decides to build a

- school within the site, this will be the subject of a further application and this would consider issues such as adequacy of parking provision.*
- *Branshill Road has a 20 mph limit, with the increased traffic how will this be policed? Comment – this would be a matter for Police Scotland and could not be regulated under the Planning Acts. However, measures to improve road safety on Branshill Road would be delivered as part of the package of works the developer would contribute towards to mitigate the impact of the development on the local road network and to encourage trips by active travel. It would not be anticipated that existing 20mph speed limit areas would be removed.*
 - *there is no walk way along part of Branshill Road and is not suitable for parking with increased traffic and school will parking restrictions be put in place. Comment – this is not a material consideration for the application for the Masterplan. However, improvements are expected on Branshill Road as discussed in the preceding point and measures are expected to be implemented as the site is developed.*
 - *Road network incapable of handling the extra traffic even after the proposed modifications to the network. Comment – the impact on the road network was considered as part of the PPP application and this was granted on appeal. The proposal is also relates to long-standing housing proposal site in the Council's LDP. The Reporter concluded that the development would not be likely to result in significant adverse impacts on the local road network. Mitigation measures comprising off site works have to be undertaken as set out in the Transport Assessment.*
 - *Negative impact on local wildlife. Negative impact on local woodland, already an issue with vandalism and fire raising. Comment – the site is currently largely agricultural land with low biodiversity value. Indicative layout and development is considered to provide a net benefit to biodiversity having regard to the extent and type of planting and habitats that would be created while existing woodlands would be safeguarded. and supporting information and layout and habitats. While not part of the MSC, the developer has agreed to contribute to improvements to existing footpaths and greater use of the woodland for recreational use by residents is just as likely to deter anti social behaviour.*
 - *Overbearing the area. Comment – the PPP has been approved. The site has been allocated in the LDP for several years.*
 - *Water pressure already an issue and getting worse with each development. Comment – Scottish Water has no objections., The site can be satisfactorily serviced.*
 - *Complete loss of privacy, we have no neighbours and are not overlooked by anyone. Comment – the site has PPP for residential development. It has been allocated for housing development in the LDP for several years. The impact of development on the privacy and amenity of neighbouring land will be assessed as part of the consideration of the detailed layout and design in separate MSC applications.*
 - *Loss of lifestyle, we lead a rural way of life which is not compatible with a development of this scale. Comment – the site has PPP for residential development. It has been allocated for housing development in the LDP for several years.*

- School siting until a traffic impact assessment has been carried out and mitigation put in place. School location and noise impact on adjacent settlements. Comment – *if a school is to be built on the site, it would have to be the subject of a further application and issues such as traffic and noise impact would be considered as part of the application process.*
- Lack of proper public transport infrastructure. Comment – *the site is accessible by public transport. The main spine road is designed to be accessible by public transport.*
- Lack of consideration given to wildlife corridors and impact on existing wildlife (Roe deer, badgers, bats, hares, foxes, buzzards etc)
Comment – *the application is supported by an ecological survey. The site currently has little wildlife value. The Masterplan layout has been amended to enhance the biodiversity value within the site and incorporate green and blue infrastructure.*
- Impact on drainage Report from separate required and mitigation put in place. Comment – *a Drainage Impact Assessment and Flood Risk Assessment has been submitted and suitable mitigation would be provided.*
- Lack of information regarding SUDS Comment – *the current application is for approval of a Masterplan. Details will be provided before the SUDs are delivered on the site.*
- Farm track at side of my garage being used for heavy plant vehicles
Comment – *the construction arrangements will be considered before the relevant phase proceeds.*
- I know I cannot object to the view but I paid a lot of money for the view which will now be taken away and will be used to sell the new housing, double standards Comment – *loss of view is not a material planning consideration. The site has been allocated for residential development in the LDP.*

4.0 Planning Assessment

- 4.1 The application must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 The National Planning Framework 4 (NPF4) was adopted on 13th February 2023 and is now part of the statutory Development Plan. Decisions on planning applications have to be made in accordance with the Development Plan unless material considerations indicate otherwise. The NPF4 and the adopted Clackmannanshire Local Development Plan (LDP) 2015 and associated Supplementary Guidance currently comprise the Development Plan. A review of the LDP is underway and will be informed by the policies in the NPF4. Planning applications will be assessed against the relevant Principles, Strategies and Policies in the NPF4 and the LDP. As NPF4 provides the latest national planning policy context for the assessment of planning applications, where it is considered there is incompatibility between the provisions of the adopted Clackmannanshire Local Development Plan 2015 and NPF4, the provisions of NPF4 will prevail.
- 4.3 The site is located within the settlement boundary of Sauchie as defined by the adopted LDP. It comprises land allocated as Housing Proposal Site H16

(Sauchie West) which allocates the land for residential development. During the Planning Appeal for the PPP application (10/00153/PPP) for the site, the Reporter had regard to relevant provisions of NPF4 before determining the Appeal, concluding there was no conflict between the NPF4 and the relevant LDP policies as they affect the assessment of the application.

4.4 The most relevant policy provisions of the Development Plan are considered to comprise;

4.5 NPF4 Policies

- 1 – Tackling the climate and nature crises
- 2 – Climate mitigation and adaptation
- 3 – Biodiversity
- 4 – Natural places
- 6 – Forestry, woodland and trees
- 9 – Brownfield, vacant and derelict land and empty buildings
- 13 – Sustainable transport
- 14 – Design, quality and place
- 15 – Local living and 20 minute neighbourhoods
- 16 – Quality homes
- 18 – Infrastructure first
- 20 – Blue and green infrastructure
- 21 – Play, recreation and sport
- 22 – Flood risk and water management
- 23 – Health and safety

4.6 Clackmannanshire LDP Policies

- SC5 – Layout and design principles
- SC6 – Additional design information
- SC9 – Developer contributions
- SC10 - Education, community facilities and open spaces
- SC12 - Access and Transport Requirements
- SC20 – Water and drainage infrastructure and capacity
- EA2 - Habitat networks and biodiversity
- EA3 – Protection of designated sites and protected species
- EA6 – Woodlands and forestry
- EA7 – Hedgerows, trees and TPOs
- EA9 – Managing flood risk
- EA11- Environmental quality
- EA12 – Water environment
- EA25 - The development of brownfield, unstable and contaminated land

4.7 The development is on a site allocated for residential development within the settlement boundary as defined by the LDP. The development of the site is considered to contribute to local living and compact urban growth. The proposals include significant planting and habitat creation which on balance would have a positive impact on nature recovery and would off set the loss of part of the woodland at the north east corner of the site to accommodate the new access and development. The application is not considered to be contrary to the objectives of NPF4 Policy 1.

- 4.8 Policy 2 seeks to ensure development will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and be designed to be capable of adapting to current and future risks from climate change. On balance, it is considered that the objectives of this Policy would be achieved as far as reasonably practicable having regard to; the proposed design and layout which includes measures to ensure houses are energy efficient and benefit from passive solar gain; and the methodology used in the flood assessment takes account of predicted impacts due to climate change.
- 4.9 Most of the site is agricultural land which is of relatively low biodiversity value. Whilst the existing woodland around the site would not be affected by the development and lies outwith the site boundary, a part of the woodland next to the B908 would have to be removed in order to accommodate the roundabout access which would serve Phase 1 and future development on the remainder of the PPP site. A length of hedgerow would also be removed. Policies 3, 4, 6, 20, EA2, EA3, EA4, EA6 and EA7 seek to protect and enhance natural habitats, species, nature networks, trees and hedgerows and landscape quality.
- 4.10 A number of reports have been submitted to assess the habitat value of the site, comprising a Preliminary Ecological Appraisal Report, Landscape and Biodiversity Statement, Revised Arboricultural Impact Assessment, Arboricultural Constraints Report, Phase 1 Arboricultural Method Statement and a Landscape and Visual Impact Assessment. The proposed layout, site levels and existing and proposed landscaping would ensure the development would not have an adverse impact on the established landscape character of the area. The reports do not identify any significant risks arising from the development on any protected species and would not affect any areas designated for their natural heritage value. Whilst the policy presumption would be to retain the whole of the woodland area, this is not considered practicable or justifiable given the locational and design requirements associated with creating a suitable access from the B908 to serve the wider site and maintain an acceptable standard of road safety on the B908 and nearby junctions. This has been long-established as the optimum junction location to serve the development site. The Arboricultural Assessment has highlighted that the part of the woodland area to be removed is of lower habitat quality although it forms the eastern end of a strip of mixed plantation origin woodland (Long Established woodland). This reflects the likely existence of woodland on the land since the 18th or 19th centuries which contributes to its biodiversity value. At least 13 of the trees to be removed within the woodland are dead or in a poor condition and merit felling according to the tree survey. The ecological assessment notes that the amount of tree loss would not adversely affect its function as a wildlife corridor as this part of the woodland does not connect to any woodland to the east while it would remain connected to the wooded areas to the west. The applicant has agreed that they would undertake tree planting within the woodland where the felling would take place and also in the section to the west which encloses the north boundary of the site. This would help compensate for the loss of trees and enhance and help sustain the woodland area as a whole, part of which has little tree cover where an overhead power line crosses it. This can be replanted as the line is being diverted outwith the tree belt to accommodate the development. The new planting would deliver benefits in relation to biodiversity, amenity and strengthening the visual enclosure that this tree belt

provides in views from the north of the site. The shelterbelt is owned by the adjoining farmer who has agreed to the applicant undertaking planting.

- 4.11 A suspensive condition can be attached to regulate the approval of details of the design and implementation of the planting. Any construction work would have to be undertaken in accordance with British Standard Guidelines for protection of trees during development. The applicant has submitted an Arboricultural Method Statement to demonstrate how the remaining trees would be protected.
- 4.12 The proposed layout would also introduce areas of amenity space which would be planted to enhance biodiversity, street trees and hedgerows would be planted along street frontages and the applicant has amended the SUDs design to enhance their biodiversity and amenity value, including swales and rain gardens. The applicant has advised that at least 25% of the site would comprise open space and planting and much of this is designed to enhance biodiversity. This would equate to at least 13Ha. While there are clear tensions with the need to remove a part of the woodland at the north east corner of the site, having regard to; the terms of the PPP; the locational and design justification for the proposed roundabout access; the conclusions of the technical reports in terms of the absence of any significant adverse ecological impacts; the removal of the trees are not considered to fragment the woodland habitat or adversely affect its integrity as part of a nature network; the mitigation which would be delivered by the quantity and quality of the planting and habitats created by the development to offset the habitat lost; and the development would not encroach or adversely affect the much larger areas of woodland that surround the site, it is concluded that, on balance, the proposal are acceptable and the application is not contrary to Policies 3, 4, 6, 20, EA2, EA3, EA6 and EA7.
- 4.13 Policies 13 and SC12 provide support for developments which; improve or enhance active travel infrastructure including suitable links to local facilities via active travel networks; are compatible with the sustainable travel hierarchy; are accessible by public transport; provide vehicle charging points; incorporate safe crossing points and measures to reduce vehicle speeds; and mitigate any impact on local public access routes. Proposals which generate large numbers of trips should be supported by a Transport Assessment (TA) and Travel Plan. The proposed Masterplan is considered to be compatible with sustainable travel hierarchies and has been amended to improve the quality and attractiveness of the facilities to support active travel trips within the site and to connect with footpath links surrounding the site and to routes to nearby services in Sauchie and Alloa. Some elements of the TA have still to be agreed but as discussed in Paragraph 3.13 above, this can be effectively regulated by conditions and through the terms of the Section 75 which requires agreement to be reached over the specification, costing and phasing of the off site infrastructure works. This is also an MSC application which has been submitted after the principle of development was established by the granting of PPP following an appeal to Scottish Ministers. The Reporter appointed to determine the appeal concluded that; the site is well connected to Core Paths and the active travel network and would be accessible on foot, wheeling, cycling and car; the main spine road has been designed to be capable of accommodating a bus service while the site is accessible to existing public transport provision; Lornshill Academy and Craighbank Primary

School are within walking distance of the site; and the development of up to 1000 houses is not expected to result in a detrimental impact on the operation of the local road network.

- 4.14 Policies 14, SC5 and SC6 seek to ensure developments are designed to high standards and are consistent with the 6 qualities that define successful places set out in NPF4 and Designing Places and Designing Street Guidance. The application has been supported by a number of documents which demonstrate how the layout and site design would be consistent with the 6 qualities. This includes a Design and Access Statement, illustrations of the hierarchies of streets and footpath links, landscape strategy and open space and SUDs strategy. The amended layout is considered to respond positively to the policy requirements having regard to the topography of the site and surrounding land uses. The application is not considered to be contrary Policies 14, SC5 and SC6.
- 4.15 Policy 16 seeks to support the delivery of more quality sustainable homes in the right locations. The Policy supports proposals for new homes on land allocated for housing in the LDP. The site is allocated for housing in the LDP and the proposals on the Masterplan are considered to be consistent with the requirements of the PPP. The PPP was granted following an Appeal to Scottish Ministers which considered impacts on local infrastructure facilities and services and impact on the residential amenity of the area as part of the decision making process. The application is not considered to be contrary to this Policy.
- 4.16 It is considered that the Masterplan in terms of the access and network of roads and paths, and the provisions in the associated Transport Assessment relating to the provision of off site active travel links would allow residents to meet the majority of their daily needs within a reasonable distance including by walking wheeling and cycling. This also reflects the conclusions reached by the Reporter in determining the appeal for the PPP application. The application is not considered to be contrary to Policy 15.
- 4.17 Policies 18 and SC9 seek to ensure development is served by suitable infrastructure and any impacts are adequately mitigated by the developer. The infrastructure impacts have been addressed as part of the application for PPP which was determined at appeal. The Reporter concluded that the impacts of the development on infrastructure would be properly mitigated subject to the requirements of the Section 75 and conditions. A Section 75 was concluded which secures contributions towards off site transport infrastructure works, education capacity and public art. The Section 75 sets out the arrangements for approval of any details and the payment of the contributions on a phased basis as phases of development progress. This will be kept under review to monitor progress. The application is therefore not considered to be contrary to these Policies.
- 4.18 Policies 21 and SC10 support development which will provide well designed and good quality provision for play and recreation for young people and which can be easily and safely accessed. The proposed location and function of the open spaces, including areas of public open space, pocket parks and green links are considered to accord with the requirements of Policies 21 and SC10 and complement the wider network as illustrated on the Masterplan for the site. The pocket parks will be overlooked and contain facilities for formal and

informal play. The layout is considered to respond positively to the character and topography of the site. The development will also be integrated with the existing footpath network within and around the site, including the Core Path through the main site and the Core Path and more informal paths on surrounding land thereby providing access to surrounding woodlands and countryside.

- 4.19 Policies 22 and EA9 seek to ensure development is not at an unacceptable risk of flooding or will not result in an unacceptable increase on flood risk elsewhere. Policies 22, EA12 and SC20 require development to; protect and where possible enhance the water environment; manage surface water by SUDs which should integrate with and where possible enhance blue - green infrastructure; and provide a Drainage Impact Assessment where appropriate. Following the submission of a revised FRA, SEPA has advised that it has no objection on flood risk grounds. The Council's Flooding Officer has advised that further information is required to demonstrate that the potential risk from surface water run off (overland flow) during design storm events, and from groundwater has been satisfactorily considered and addressed including in relation to site layout and ground and finished ground floor levels. Such matters will be addressed through detailed design within the development site, and the absence of this information does not preclude the determination of the application for the Masterplan. The additional details can be regulated using a suitably worded condition. The layout would incorporate a number of SUDs features which would be installed and formed as the development progresses in order to manage the surface water associated with the site and the Phases. The Masterplan and associated documents show how these would be integrated to create areas which would have a positive impact on the amenity and biodiversity value of the site. The SUDs design has been amended by the applicant in response to advice from the Council to introduce more measures to deliver amenity and biodiversity improvements as well as water quantity and water quality. The design has been revised to include rain gardens, filter strips, swales, wetland areas and a pond area in the central area of open space. The type and quality of blue – green infrastructure proposed is now considered to be of an appropriate quality. The detailed designs will have to be submitted for approval as part of the MSC applications for future phases of houses (or the school). The application is not considered to be contrary to the above Policies.
- 4.20 Policies 23 and EA11 seek to ensure development will not result in any unacceptable impact on environmental quality such as from noise or odours or light pollution. Environmental Health is satisfied with the conclusions of the Noise Impact and Air Quality Impact reports including detailed measures to mitigate road noise on the houses closest to the B908 in Phase 1. The Noise Report concludes that impact from noise at the nearby builder's merchants is not predicted to result in any noise nuisance to occupants of the new houses in Phase 1. It is considered that the details within the Masterplan are consistent with these findings and the application is not contrary to Policies 23 and EA11.
- 4.21 On balance, and subject to the proposed conditions, it is concluded that the Masterplan drawings and associated documents would not be contrary to the provisions of the Development Plan and many of the Policies would provide

support for the proposed development based on the information submitted to date.

5.0 Other Material Considerations

5.1 A number of other material considerations have been identified which have also informed the assessment of the application. These are summarised below;

5.1.1 The MSC details in the Masterplan drawing and supporting documents are considered sufficient to address the requirements of Condition 5 a) of the PPP Ref 10/00153/PPP. The details are also considered to be consistent with the requirements and terms of the Section 75 Obligation as it relates to the Masterplan process and the conclusions of the Reporter set out in the Appeal decision letter about the purpose of the Masterplan. The detailed design and mechanisms for implementation and maintenance will be the subject of subsequent MSC applications for the various Phases of development. The Section 75 requires details of the timing, delivery mechanism and arrangements for ongoing maintenance of any open space, landscaping and play areas to be agreed prior to the commencement of development on the respective Phase.

5.1.2 Having regard to the advice received from consultees, it is considered that subject to the proposed conditions, and taking cognisance of the requirements of the Section 75 and conditions attached to the PPP, the responses would not justify withholding permission. It is acknowledged that the proposals do not yet fully accord with the advice from Transportation, mainly in relation to the use of some areas where active travel trips would use shared surface spaces or footways rather than on fully segregated paths, and the advice that consideration is given to the developer providing a contribution towards public transport service provision. However, as discussed in Paragraph 3.13, it is considered that there would not be reasonable or justifiable grounds to withhold or delay granting permission for these reasons and the proposed street hierarchy approach would provide a suitable network and environment to support active travel trips.

5.1.3 The issues raised by the objectors have been carefully considered. However, for the reasons summarised in Paragraph 3.21 above, these are not considered individually or collectively, to justify withholding approval of the MSC for the Masterplan.

5.1.4 The layout, access and uses are considered to be compatible with neighbouring land uses and would not adversely affect the established standards of amenity and privacy of neighbouring houses or the character and amenity of the surrounding area.

5.1.5 The proposed development is considered to accord with the relevant advice published in the Council's Supplementary Guidance relating to; 3- Placemaking; 4 - Water; 6 - Green Infrastructure; 7 - Energy Efficiency and Low Carbon Development and 8 - Woodlands and Forestry.

5.1.6 It is concluded that there would not be any other material considerations which would justify withholding permission.

5.2. In conclusion, it is considered that subject to the proposed conditions, the application would not be contrary to the provisions and policies in the Development Plan, would accord with the relevant conditions of the PPP and requirements of the Section 75, and, as discussed above, there would not be any material considerations which would outweigh the level of Development Plan support for the application and justify withholding permission.

6.0 Sustainability Implications

6.1 The development relates to a residential expansion site allocated in the Development Plan on the edge of Sauchie. The proposals are considered to accord with the principles of NPF4 in relation to delivering sustainable and liveable places.

7.0 Resource Implications

7.1 Financial Details

7.2 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

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

8.0 Exempt Reports

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

9.0 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 X
- 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)

10.0 Equalities Impact

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

Yes No

11.0 Legality

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

12.0 Appendices

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

None

13.0 Background Papers

13.1 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)


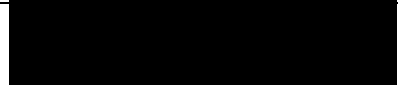
Yes (please list the documents below) No

- Adopted Clackmannanshire Local Development Plan 2015
- NPF4, 2023

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Keith Johnstone	Principal Planner	01259 452614

Approved by

NAME	DESIGNATION	SIGNATURE
Grant Baxter	Planning & Building Standards Team Leader	
Emma Fyvie	Senior Manager (Development)	



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LEGEND

Application Boundary



Clackmannanshire Council

www.clacks.gov.uk

Comhairle Siorrachd Chlach Mhanann

23/00219/MSC - Approval Of Matters Specified In Conditions related to 10/00153/PPP For Site Masterplan (Conditions 3 And 5 a)) Including Land For Houses, Open Space, Play Provision, Landscaping, Roads, SUDs And Other Infrastructure And Option Of Land For School Land At Branshill, Branshill Road, Sauchie, Clackmannanshire

