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**Report to Planning Committee**

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**Date of Meeting: 11<sup>th</sup> September 2025**

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**Subject:**           **Application for approval of Matters Specified in Conditions (MSC) referenced 24/00216/MSC for a residential development consisting of 74 houses with associated infrastructure including roads, footpaths, landscaping, and drainage; which include the installation of a SuDS basin and swale and other associated works, including the realignment of a section of footpath (Core Path 14) at Land at Branshill, Branshill Road, Sauchie**

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**Report by:**       **Jacob Muff, Principal Planner**

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**1.0    Purpose**

- 1.1.    The purpose of this report is to provide an assessment of the above application which is a Matters Specified in Conditions (MSC) application for the construction of 74 houses with associated infrastructure including roads, footpaths, landscaping, and drainage. The proposed works include the installation of a SuDS basin and swale, and the realignment of a section of footpath (Core Path 14).
- 1.2.    The application has been referred to the Committee for a decision, as the proposed number of houses exceeds the threshold for a local development (50 or more) and falls within the category of Major development. The application therefore cannot be determined under the Council's Scheme of Delegation.

**2.0    Recommendations**

- 2.1.    The recommendation is to approve the application subject to the conditions listed in Appendix 1 and the approved plans listed in Appendix 2.
- 2.2.    Providing the suggested conditions are applied; the application is considered to satisfy the requirements of the related PPP and complies with the relevant provisions of the Development Plan. There are not considered to be any material considerations that would justify withholding permission.

### **3.0 Considerations**

#### **3.1. Background and Planning History**

- 3.2. This application relates to two further phases of a residential development on land that was granted planning permission in principle (PPP) in May 2023 following an appeal to Scottish Ministers against the refusal of permission by the Council. The application for PPP, referenced 10/00153/PPP, was for the development of land for houses, a school, and associated works including open space, roads, and landscaping on a site extending to approximately 53.0 Ha on mainly agricultural land immediately to the north west of Sauchie. The PPP approved up to 1000 houses across the whole site.
- 3.3. A number of MSC applications have already been approved across the wider development site, including a Masterplan for the whole site and the detailed design and layout of a number of other phases. Phases 1A and 2A are currently under construction and there is also detailed planning permission for the development of Phase 1B on the opposite side of the spine road which is to the north of this proposed phase.
- 3.4. This application is for Phases 2B and 2C and comprises of 74 new homes. It would be positioned to the south of the spine road, connecting into the new roundabout on the B908. This was constructed and made fully operational earlier this year. Phases 2B and 2C are directly to the west of Phase 2A which is currently being developed by Persimmon Homes. It is expected that Persimmon Homes would deliver the phases being proposed here.
- 3.5. The PPP was granted subject to conditions and a Section 75 Agreement between the Applicant and the Council. The conditions of the original PPP are attached (Annex 2), as is a table summarising the terms of the Section 75 Agreement (Annex 3).
- 3.6. The relevant site history is listed below:
- 10/00153/PPP - Development of Land for Houses, School and Associated Pitches, Open Space, Play Provision, Landscaping, Roads, Paths and Other Infrastructure – Approved on appeal by Scottish Ministers
  - 23/00182/MSC - Residential Development Of 157 Houses With Associated Infrastructure Including Roads, Footpaths, Landscaping, Drainage And Associated Works (Phase 1) - Approved
  - 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 - Approved
  - 24/00031/MSC - Residential Development Of 51 Houses With Associated Infrastructure Including Roads, Footpaths, Landscaping, Drainage And Associated Works (Phase 1b) - Approved

- 24/00148/FULL - Erection Of 49 No. Houses (Amendment To House Types Previously Approved Under Planning Permission 23/00182/MSC) (Phase 2A - Plots 72-118 & 149-150) - Approved
- 24/00157/FULL - Erection Of 37 No. Houses (Amendment To House Types Previously Approved Under Planning Permission 23/00182/MSC) (Phase 2A - Plots 119 -148 & 151-157) - Approved
- 24/00222/FULL - Installation of Temporary Sales Cabin with Associated Access Adjacent To B908, Parking and Landscaping (Retrospective) – Pending Consideration

### **3.7. Consultations**

Transportation Team – Raise no objections in relation to the road layout and drainage arrangements but have raised concerns with the levels and proposed new gradient of the Core Path. They suggest that the active travel route is currently fit for purpose, is well used and has been designed to be inclusive for all users. As such any realignment proposals they ask that as far as possible it retains the quality and usability offered by the existing route. From the information supplied, the intended levels and gradients on the affected lengths of the route offer a less easily accessible route especially for disabled persons. Whilst ‘Cycling by Design’ may indicate that an absolute maximum gradient of 5% may be acceptable for short sections where site constraints make it unavoidable, there is no clear explanation of what the site constraints are in this case which make the need for this alteration necessary.

- 3.8. Environmental Health – Raise no objections providing the details submitted are complied with.
- 3.9. Contaminated Land – Raise no objections but have asked that conditions are attached to any granting of planning permission.
- 3.10. Regional Archaeologist – The archaeological work pertaining to this part of the wider development site has been met. No objections are raised to these phases.
- 3.11. SEPA – Are satisfied with the flood risk information submitted and raise no objection to the proposed development.
- 3.12. The Coal Authority – Initially raised an objection to the positioning of SuDS features close to recorded mine entries, however have removed their objection following the submission of further information and discussions between the Coal Authority and the Developer. The coal mining legacy of this site remains a material consideration, but it is considered that if the works are carried out in accordance with the details submitted, that the site will be safe and stable for the proposed development.
- 3.13. Scottish Water – Raise no objection to this planning application and suggest that there is sufficient capacity for foul water connections in the system.
- 3.14. Sustainability Team – Reiterate the concerns raised by the Transportation Team and add that the increased gradients could affect people with additional needs, particularly those in wheelchairs. Request that any reinstated footpaths are the same quality as those that they replace.

### **3.15. Publicity and Representations**

- 3.16. The application was advertised by site notice and in the Alloa Advertiser.
- 3.17. One representation was received. This was from the local branch of the Scottish Wildlife Trust. They gave comments neither objecting to nor supporting the development but noted that there had previously been ponds on the site; that hedgerows would provide habitat for wildlife; and that these should be preserved or enhanced. They ask for bird and bat surveys before works start.
- 3.18. Planning Authority Response: Although there are trees and hedgerows within the wider PPP site, there are no trees or hedgerows relating to this phase. There is also no existing pond in this phase of the development, but the environmental impacts of this phase of development will be considered in the report of handling below in accordance with the requirements of the MSC.

### **3.19. The Development Plan**

- 3.20. Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the Development Plan. The determination shall be made in accordance with the Plan unless material considerations indicate otherwise. The Statutory Development Plan for the Clackmannanshire Council Planning Authority Area comprises the adopted National Planning Framework 4, 2023 (NPF4) and the Clackmannanshire Local Development Plan, 2015 (LDP). As NPF4 and LDP policies form the Development Plan, all the policies are to be read and applied as a whole.

### **3.21. Planning Assessment**

- 3.22. The key NPF 4 policies are considered to be:

Policy 1 – Tackling the Climate and Nature Crises

Policy 2 – Climate Mitigation and Adaption

Policy 3 – Biodiversity

Policy 6 – Forestry, Woodland and Trees

Policy 7 – Historic Assets and Places

Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings

Policy 11 – Energy

Policy 13 – Sustainable Transport

Policy 14 – Design, Quality and Place

Policy 15 – Local Living and 20 Minute Neighbourhoods

Policy 16 – Quality Homes

Policy 18 – Infrastructure First

Policy 19 – Heat and Cooling

Policy 20 – Blue and Green Infrastructure

Policy 21 – Play, recreation and sport

Policy 22 – Flood risk and water management

Policy 23 – Health and safety

3.23. The key LDP policies are considered to be:

Policy SC5 – Layout and design principles

Policy SC6 – Additional design information

Policy SC7 – Energy efficiency and low carbon development

Policy SC9 – Developer contributions

Policy SC10 – Education, community facilities and open spaces

Policy SC12 – Access and transport Requirements

Policy SC20 – Water and drainage infrastructure and capacity

Policy EA2 – Habitat networks and biodiversity

Policy EA7 – Hedgerows, trees and TPOs

Policy EA9 – Managing flood risk

Policy EA11- Environmental quality

Policy EA12 – Water environment

Policy EA25 - The development of brownfield, unstable and contaminated land

### **3.24. Principle of Development**

3.25. The principle of this development has already been established by Planning Permission 10/00153/PPP. The site is located within the settlement boundary of Sauchie as defined in the adopted LDP and forms part of a larger site allocated for housing (reference H16).

3.26. As this application is a MSC application, the matter of the principle of this development cannot be reconsidered. The key considerations for this application is its compliance with the terms of the PPP and the Section 75 Agreement, the relevant provisions of the Development Plan and any other material planning considerations, including the approved Masterplan and the advice from consultees which are considered in the assessment below.

### **3.27. Conditions 1, 2 and 8**

- 3.28. Conditions 1, 2 and 8 are compliance conditions which do not require an MSC application.
- 3.29. Condition 1 requires the development to be begun no later than the expiration of five years starting with the date that planning permission was granted. Planning permission was granted in 2023 and works commenced on site in 2024; therefore, the terms of this condition have been met.
- 3.30. Condition 2 requires the development to have no more than a thousand homes to be constructed on the site, unless the Council approve otherwise. The proposed layout appears to follow closely the Masterplan approved by the Committee under application reference 23/00219/MSc in May 2024. The layout and density of development appears to be consistent with an expectation to deliver no more than 1000 homes across all phases.
- 3.31. Condition 8 requires the developer to give written notice on the completion of each phase of development. None of the developments are yet close to completion, so no notification has yet been received.

### **3.32. Condition 3**

- 3.33. Condition 3 requires the written approval of the council for details of the siting, design and the external appearance of all buildings; the means of access; landscaping and associated infrastructure. Details for these matters were submitted as part of the MSC approved by Committee under application 23/00219/MSc but were subject to further conditions.
- 3.34. In summary, the further conditions applied through the MSC sought an updated Transport Assessment, details of the infrastructure phasing plan, and an assessment of the flood risk from surface and groundwater. These were all to be submitted to and approved by the Planning Authority prior to any works commencing on site.
- 3.35. An updated transport assessment which included further details required by condition was received, as well as an infrastructure phasing plan, and a detailed assessment of the flood risk for surface and groundwater. These were submitted to the Planning Authority in 2024 and approved in consultation with the relevant Council teams and are not for reassessment. As there are no trees present in this part of the development site, the protection and replanting specifications for the areas required by condition are also not considered to be relevant to this phase and are also not reassessed.
- 3.36. The further conditions to application 23/00219/MSc did however make clear that the Masterplan approved by the Committee only gave a framework for the areas of open space, play provision landscaping, and blue and green infrastructure; and that the approval of the detailed design and specifications of each phase was required. It is considered that the assessment of the conditions below, if acceptable, can meet the requirements of these conditions.

### **3.37. Conditions 4**

3.38. Condition 4 in summary requires a site layout plan showing all of the of the buildings, public utility and energy infrastructure, roads, footpaths, parking areas, public and private spaces, walls, fences, open spaces and children's play facilities as well as landscaping. It required plans and elevations of all buildings, including the dimensions, type and colour of external materials, and details of the existing and finished ground levels and floor levels within the site. Each aspect is considered below.

### **3.39. Buildings, Dimensions, Types and Materials**

3.40. The new homes proposed would be a mixture of detached and semi-detached, two storey buildings. There are 8 different house types proposed, all of which will be consistent in height, but propose a mixture of different finishes creating a mixed character for the area. The size and positioning of the openings appear to be proportionate to their respective elevations and are also adequately informed by each other.

3.41. In respect of the materials and finishes, the roofs will have either a grey or red tile as proposed. The walling will either consist of a beige or white render depending on the plot, with buff brick detailing around the windows and skirting of the buildings. The driveways are proposed in monoblock, and each property will have level access to the front doors, with a patio door to the rear.

### **Public Utilities and Energy Infrastructure**

3.42. The proposal will connect into the existing public utilities and energy infrastructure in this area, which is considered to have sufficient capacity. The properties will benefit from mains gas supply, mains electricity and public sewerage connections, with new connections formed. There will be connectivity into a substation which was constructed as part of an earlier phase and new connections to the gas and public sewerage network.

### **3.43. Roads**

3.44. The primary roads within the site will be finished in tarmac with pavements at the junctions with the secondary routes. It will have pavements to either side and a green buffer consisting of grass verges and trees. The secondary routes will be finished in a surface with coloured chips and will have footways to at least one side. The tertiary routes are designed to be a shared surface and will be finished in pavements. They are designed to slow down the speed of travel whilst also allowing sufficient and safe rest areas for pedestrians and other users.

3.45. The type and design of the roads appear to be acceptable for their respective locations, and no objections are raised by the Transportation Team in relation to this matter.

### **3.46. Footpaths**

3.47. The proposal shows good connectivity with the existing and proposed footpaths in this area. There is a Core Path which runs through the centre of the site and minor realignment is sought to accommodate the SuDS and drainage infrastructure in this location. Discussions have also taken place with

the Access Forum and a rerouting in principle is not considered to be contentious. It is also noted that the existing route will remain open whilst the works are undertaken, and further consents will be required.

- 3.48. Concerns have however been raised by the Sustainability Team and the Road's Team about the land levels and gradients in some of the sections of the rerouted Core Path. These lack sufficient justification and the footpath currently has a gentle gradient which is accessible, however the new land levels and gradient proposed appear to hit the maximum acceptable gradient of 1 in 20 for long distances.
- 3.49. This concern has been noted and has been passed to the developer. Although the realignment is not considered to raise any significant issues, given the quality and the accessibility of this Core Path currently, it is considered necessary to seek further changes or clarity on the gradient of this route.
- 3.50. The sections submitted appear to show large areas of flat land and it does appear from these that shallower gradients may be achievable. For this reason, it is considered reasonable to accept the rerouting of the Core Path but subject to a condition that notwithstanding the details already submitted, the new land levels and gradients are to be submitted and approved in writing prior to the changes proposed, in consultation with the Roads and Sustainability Team. A condition will allow other aspects of the development to proceed.
- 3.51. It is expected that the incline should remain as shallow as possible to ensure that no users of the Core Path are unfairly disadvantaged in any way and for the path to remain as accessible as possible. A condition is proposed.
- 3.52. Parking Areas
- 3.53. Each of the properties will benefit from individual parking spaces for two cars, and some also benefit from additional parking within garages. Private parking spaces will be finished in a red monoblock, but there will also be a total of 22 visitors spaces provided throughout this phase of development, which appear to be appropriately placed and acceptable in number for the scale of this development.
- 3.54. Walls and Fences
- 3.55. The developer proposes open plan frontages, with a combination of walls and fences throughout the development to separate the private amenity areas at the rear of the properties. The public facing walls will be constructed in a brick to match the new houses, with timber infill fence panels. Between each of the plots, fences are proposed to be erected to a height of no more than 1.8 metres which is consistent with the permitted development rights that each of the properties will eventually benefit from and is considered to present an acceptable arrangement.
- 3.56. Open Spaces, Children's Play Facilities and Landscaping
- 3.57. The proposal is supported with a comprehensive landscaping plan. This includes the planting of more than 200 trees, more than a 1000 Shrubs,



hedgerows consisting of more than 3000 trees and shrubs with wildflower areas and grass. The planting proposed is diverse and provides a variety of different species which adds interest to these areas, gives added resilience, creates new habitat and new biodiversity. The specifications included in the submitted details appear to be acceptable.

- 3.58. The main focus of the landscaping is to be on the open space at the south of the site, however the planting in domestic gardens also contributes significantly to the public realm. Trees are to be positioned in most gardens on their most prominent elevations, and those properties fronting onto the primary routes are also to have hedgerows fronting those plots.
- 3.59. There are small pockets of open space throughout the development site which are to be predominantly grassed, but the open space to the south is considered to add positively to the character of the area, with grassed areas, a wildflower meadow, hedgerows and a mixture of trees.
- 3.60. Although there are no formal children's play facilities in this phase of the development, the quality of planting in this area and the connectivity into the footpath at the south provides opportunities for informal play. It is considered however that the timing on the landscaping is important, and a condition is suggested to ensure that it is provided at the earliest opportunity following the substantial completion of this phase of the development.
- 3.61. Land Levels and finished floor levels
- 3.62. The site slopes predominantly from north to south and the plots themselves have a generally gradual gradient, which increases as you move closer to the proposed SuDS infrastructure. As noted in the section under 3.46 the levels and gradient of the realigned Core Path have raised some concerns and a further condition has been suggested, but all other levels appear to be acceptable within the development site. Details of the finished floor levels of the properties also appear to be acceptable and show that level access is achievable to each of the main entrances.

### **3.63. Condition 5**

- 3.64. Part A to Condition 5 was approved by committee under application 23/00219/MSC, however, detailed assessment is required by the MSC for the following matters: The phasing of the development; the site's flood risk; its drainage impact; its impact on trees and the protection measures proposed; Any land contamination, the coal mining legacy of the site and any remediation required; construction methods and measures to minimise environmental and road safety impacts; energy use; impacts on transport; measures to encourage active and sustainable travel; public art provision; noise impacts; and air quality impacts. Each aspect is considered below.
- 3.65. Phasing
- 3.66. A detailed phasing plan has been submitted with this application. It gives details as to where each of the phases will be located, how many units are anticipated for each phase, and the anticipated completion date for each phase. The earliest phase of the wider development is anticipated to complete

in November 2027, but for phases 2B and 2C it is anticipated that the completion will be in November 2028 and November 2029 respectively.

3.67. Flood Risk

- 3.68. The application is supported by a detailed flood risk assessment. This takes into consideration the impacts of climate change, which go beyond the 1 in 200-year event. This gives appropriate safeguards for the development, and no objections are raised by SEPA for this phase of the development.

3.69. Drainage impact

- 3.70. Scottish Water state in their consultation response that there is sufficient capacity in the system for foul water drainage. Surface water drainage is to be dealt with via sustainable drainage techniques, and this phase of the development includes a SuDS basin and a swale, which will collect water from the wider site, and direct it to existing water courses. It has been constructed to a standard that is adoptable by Scottish Water, and no objections are raised by either Scottish Water or the Transportation Team

3.71. Impact on Trees and Tree Protection

- 3.72. It does appear from past aerial photography that there were two trees in this part of the development site, however they were not statutorily protected and appear to have been removed. An arboricultural impact assessment and constraints report has been submitted with this Phase, but as there are no longer any trees in this part of the development site, and there are no hedgerows, it is not considered to be relevant, and no protective fencing is required.
- 3.73. In mitigation, the landscaping plan proposes a significant number of new trees in gardens where there is a higher degree of public visibility, especially within the areas closest to the SuDS infrastructure and along the spine road of the site. Although the loss of the two trees is unfortunate, it doesn't appear that this would have been avoidable with the scope of the works presented, and the high-quality landscaping proposed is considered to provide sufficient mitigation and will have a positive impact for tree cover on this site overall.
- 3.74. Contamination and Coal risk
- 3.75. The Contaminated Land Section of the Environmental Health Team raise no objection to the proposed development but ask that conditions are applied to any approval in respect of site investigations, and where necessary remediation is undertaken. Prior to occupancy any remediation required should be undertaken and a verification report produced. Conditions are suggested.
- 3.76. The Coal Authority initially raised an objection to the location of the of SuDS features above a recorded mine entry, however, have since removed their objection following the submission of further information and discussions between the Coal Authority and the Developer.
- 3.77. The works proposed will require further investigatory works as part of this phase to establish the full extent of unrecorded coal mining activity in the area, and there is a potential requirement for grouting to mitigate any risks for

users of the development and to make the land safe and stable to support the development proposed.

- 3.78. The coal mining legacy of this site remains a material consideration, but it is considered that if the works are carried out in accordance with the details submitted, then these risks can be adequately mitigated. Further consideration by the Coal Authority will be required through their permitting processes.
- 3.79. Construction and Environmental Method Plan
- 3.80. A Construction and Environmental Management Plan has been submitted as part of this proposal. This identifies the steps and procedures that will be implemented to minimise the creation and impact of dust; waste disposal and pollution arrangements; ecology management; soil management; and traffic management.
- 3.81. It gives the roles and responsibilities of the Site Manager and Health and Safety Managers; sets out hours of work; and gives arrangements for communication should an issue occur as a result of the works associated with the development. The plan also extends to any sub-contractors on the site and is treated as a live document should any significant aspects or arrangements change.
- 3.82. Although there have been concerns on earlier phases of the wider development in relation to compliance with the CEMP, enforcement of these issues is separate to the considerations of the MSC application. Good lines of communication do appear to have been established in recent months, and the number of complaints has significantly reduced. This document also gives the process for responding to enquiries and complaints from the public, and the arrangements as submitted are considered to be acceptable by the Transportation Team and to Environmental Health.
- 3.83. Transport Impact
- 3.84. An assessment was undertaken by Dougall Baillie Associates and submitted as part of this phase of development. The most visible intervention is the roundabout connecting to the B908, which has now been installed and provides a gateway feature into the development, directing vehicular travel to the most appropriate routes whilst helping to reduce the speed of travel on this road.
- 3.85. A strong active travel route will be maintained through the centre of the site and new dedicated walking and cycling facilities will encourage and promote active travel. Public transport is already available within this area, and once the spine road is completed, it will open up new opportunities for public transport connections by bus.
- 3.86. The development is in a generally accessible location which will integrate well with the existing transport network. It provides sufficient manoeuvrability for vehicles including emergency vehicles, provides sufficient parking and encourages different modes of travel. It is considered that this phase can be accommodated within the transport network as proposed and does not raise

any adverse impacts. No objections are raised by the Transportation Team in regard to this matter.

3.87. Travel Plan

3.88. A travel plan has been submitted as part of this proposal and its purpose is to promote a diverse range of travel options. It is suggested that car travel accounts for approximately 70% of travel in this area, and a reduction in car travel is sought by promoting increased walking, wheeling and cycling trips and public transport use.

3.89. The proposal seeks to introduce a series of new and attractive walking and cycleways which integrate well with the surrounding areas, and that will help encourage more people to choose active travel modes. It is also suggested that once the spine road is completed, bus stops can be introduced, allowing people to choose alternative modes of travel for those longer journeys.

3.90. Residential travel packs are to be given to the occupants of the new homes, which include details on active travel, public transport, and local facilities. There is also information on home delivery services and car sharing schemes included all of which it is hoped will help contribute to a reduced travel need.

3.91. Details of all roads, parking and paths within the development have been provided and appear to be acceptable for their locations and the type of traffic they are designed to accommodate, and it is confirmed that monitoring and review as part of the PPP will be undertaken.

3.92. Public Art

3.93. A public art strategy statement has been submitted by the developer. This suggests that the developer will use local artists, with involvement by community groups to deliver artwork along the rerouted footpath.

3.94. The indication is that this artwork will consist of 8 to 10 corten steel panels, distributed along the length of the Core Path. The installation will take place alongside other phases of the development and is provisionally expected to be installed in May 2032.

3.95. It is considered that this approach will meet the terms of the Section 75 Agreement and is reasonable and acceptable. It would promote social inclusion, cultural diversity, and community cohesion, whilst ensuring that any finished artwork reflects the local character and distinctiveness.

3.96. Noise Impacts

3.97. A noise impact assessment was undertaken by 'Acoustic Energy Vibration' for the earlier phases of this development. This concluded that the main noise receptors in this area were the road and Lornshill Academy. Given the distance from the school and the road, it is agreed with the developers submitted statement which suggests that a noise impact assessment is not required for this phase of the development is acceptable, and no objections have been raised by the Environmental Health Team in this respect.

### **3.98. Air Quality Impacts**

- 3.99. An air quality impact assessment was undertaken by Airshed. It acknowledged that there would be an increase in vehicular movements on the road network in this location as a result of this development, and that the development overall would likely have a negative impact on air quality in the area.
- 3.100. Studies were undertaken which showed the impact during the development phase to be negligible in most instances but showed a projected increase in PM10's as a result of this proposal. To mitigate the impacts to an acceptable level. The assessment suggested the minimum standards of gas boiler to be fitted; measures to reduce vehicle use; electric vehicle charging points to be installed on all properties; and for dust management during the construction phase.
- 3.101. Providing works are undertaken in accordance with this report and the mitigation measures proposed which should be reinforced by conditions, no objections are raised by Environmental Health in relation to this matter.

### **3.102. Conditions 6 and 7**

- 3.103. These conditions relate to archaeology. Prior to works taking place the area had not been subject to previous archaeological investigations or recorded findings, but a desktop investigation noted that there was a coal shaft within the site, and 2 curling ponds (outwith the site) to the south that had existed prior to 1865. There was also suggestion that the topography of the site and the availability of water could suggest historic habitation, and anomalies from aerial photography potentially identified pits that bear resemblance to others that are positioned alongside historic Roman roads.
- 3.104. An archaeological field evaluation has been secured with a scheme of investigation as agreed with the Planning Authority and the Council's Archaeologist. The works include creating a total of 233 trenches large trenches within the site, excavated under the supervision of an Archaeologist. Any archaeology on this site is yet unknown, therefore the potential mitigation is broad reaching. If significant archaeological remains are encountered, the remains will be left in situ, with appropriate excavation and post excavation studies undertaken, with backfilling. This is accepted by the Council's Archaeologist, and in any case, a report detailing the results of the archaeological fieldwork and advancement of knowledge will be produced by the Developers and published.

### **3.105. Summary of assessment**

Having regard to the material considerations and for the reasons given in the report above; In conclusion, it is considered that subject to the proposed conditions, the application meets the requirements of the Matters Specified in Conditions for Planning Permission in Principle 10/00153/PPP, and there are no material considerations that justify withholding permission. Approval is therefore recommended.

#### 4.0 **Other Material Considerations**

4.1 None.

#### 5.0 **Sustainability Implications**

5.1 The development relates to a residential expansion of a site allocated for development on the edge of Sauchie. The proposal is in a location that is well connected, would support the 20 minutes neighbourhoods and local living concept, and meets the requirements of the Development Plan overall in relation to delivering sustainable and liveable places.

#### 6.0 **Resource Implications**

6.1 *Finance Details*

6.2 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 ☐

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

Yes ☐

#### 7.0 **Exempt Reports**

7.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No **X**

#### 8.0 **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	<input type="checkbox"/>
Women and girls will be confident and aspirational, and achieve their full potential	<input type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	X

(2) **Council Policies**

Clackmannanshire Council Local Development Plan 2015

## 9.0 **Equalities Impact**

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

## 10.0 **Legality**

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

## 11.0 **Appendices**

- 11.1 Appendix 1 - Proposed conditions for MSC Application 24/00216/MSC
- 11.2 Appendix 2 – List of approved plans and supporting information
- 11.2 Appendix 3 - Table summarising the terms of the Section 75 obligation agreed as part of 10/00153/PPP

## 12.0 **Background Papers**

- 12.1 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 **X** No ☐

- Adopted Clackmannanshire Local Development Plan (2015)
- National Planning Framework 4 (2023)
- Supplementary Guidance 1 Developer Contributions
- Supplementary Guidance 3 Placemaking
- Supplementary Guidance 4 Water
- Supplementary Guidance 6 Green Infrastructure
- Supplementary Guidance 7 Energy Efficiency and Low Carbon Development

### **Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Jacob Muff	Principal Planner	01259 450000

### **Approved by**

NAME	DESIGNATION	SIGNATURE
Pauline Elliott	Interim Chief Planner and Team Leader for Planning and Building Standards	





## **APPENDIX 1**

### **Proposed Conditions and Reasons**

#### **1. Land Investigations**

No development on this phase 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 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 Planning Authority. Such work is to be carried out by a suitably qualified and accredited geoenvironmental consultant in accordance with the current UK 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 Planning Authority

**Reasons:** In the interest of ensuring appropriate investigations are undertaken to inform the remediation required for this phase of development, and to accord with policies 9 and 23 of the National Planning Framework 4 and EA25 of the Clackmannanshire Local Development Plan 2015.

#### **2. Remediation and Verification**

The buildings 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 shall 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 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 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 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 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 Planning Authority.

**Reasons:** In the interest of ensuring appropriate remediation is undertaken prior to the sensitive end use, and to accord with policies 9 and 23 of the National Planning Framework 4 and EA25 of the Clackmannanshire Local Development Plan 2015.

### **3. Core Path**

Notwithstanding the details submitted and the acceptance of the altered route for the Core Path; No changes shall take place to the Core Path until further details of the proposed finish (including surfacing, lighting and rest areas); and details of the altered gradients and land levels (as well as justifications for these); have been submitted to and approved in writing by the Planning Authority. Once approved, the changes to the Core Path shall be implemented in full accordance with the approved plans and details and shall be retained in that form thereafter.

**Reasons:** Although not fully accepted, the information submitted with the realignment of the Core Path appears to show that a shallower gradient and land levels can be achieved. The condition is required in the interests of promoting active travel; in the interests of Core Path users; to help ensure that no person is unfairly disadvantaged by the proposed changes in any way; and to accord with Policies 13, 14 and 15 of the National Planning Framework 4

### **4. Landscaping**

In the first planting season following the habitation of the final property within this phase of development, the landscaping as detailed on plan 467.35.01b, shall be implemented in full accordance with the details submitted and hereby approved, unless otherwise approved in writing by the Planning Authority. Any trees, shrubs or hedgerows, that become uprooted, damaged, diseased or which die within the first 5 years following the completion of planting, shall be removed and replaced with a tree, shrub, or hedge of the same species and specification no later than the end of the first available planting season following the disease/death/removal of the original planting unless otherwise approved in writing by the Planning Authority.

**Reasons:** In the interests of achieving an acceptable finish for the proposed development; in the interests of trees and biodiversity; to agree the timing and ensure appropriate green infrastructure; and to accord with Policies 1, 3, 20

and 21 of the National Planning Framework 4 and Policies SC10, EA2 and EA7 of the Clackmannanshire Local Development Plan 2015.

## **5. Air Quality**

The development hereby approved shall be undertaken in full accordance with the mitigation measures proposed in submitted Air Quality Impact Assessment produced by 'The Airshed' dated the 12<sup>th</sup> September 2023, unless otherwise approved in writing by the Planning Authority. Once installed, measures shall be retained thereafter.

**Reasons:** To help ensure that the development does not have an adverse impact on human health and to accord with Policy 23 of the National Planning Framework 4 and Policy EA11 of the Clackmannanshire Local Development Plan 2015.

## **6. Construction Environment Management Plan**

The development hereby approved shall be undertaken in full accordance with the details submitted titled the 'Construction Environment Management Plan Rev A' produced for Persimmon Homes North Scotland, unless otherwise approved in writing by the Planning Authority.

**Reasons:** In the interests of neighbouring residents and to help safeguard the amenity of the area during the construction phase; and to accord with Policy 23 of the National Planning Framework 4 and Policy EA11 of the Clackmannanshire Local Development Plan 2015.

## **APPENDIX 2**

### **List of Plans and Reports for Approval**

Footpath Diversion Plan – 21104-100-4001

Core Path Phasing Plan – 21101-SK-58

Phase 2B and 2C Location Plan – 4043-01-008 REV B

Phase 2B Finishes and Boundaries – 4043-01-304 REV B

Phase 2B and 2C Site Layout – 4043-01-305 REV B

Phase 2B Finishes and Boundaries – 4043-01-404 REV B

Landscaping Proposal (Sheets 1 to 6) – 467.35.01b

Illustrative Masterplan 4043-01-111 Rev D

Illustrative Masterplan 4043-01-112 REV B

Coal Outcrop Plan – 132068/9002 REV B

Consolidation of Mine Workings – 154223/9002 REV A

Consolidation of Mine Workings Proposed Infill Holes - 154223/9003 REV A

Coal Legacy Instability Areas - 132068/9004 REV A

SuDS Construction Details – 21104-500-2104 REV A

SuDS Construction Details – 21104-500-2105 REV A

Active Travel Connections and Internal Footway Links

Site Levels – 24114-100-200

Road Adoption Plan - 24114-100-201

Visibility Splays – 24114-100-202

Drainage Layout – 24114-500-200

Swept Path Analysis (Fire) 24114-AT-200

Swept Path Analysis (Refuse) 24114-AT-201

Phasing Plan – 4043-01-003 REV F

House Types Proposed Finishes – 4043/06/011

Boundary Details – 4043/06/025

Boundary Details – 4043/06/026

Phase 2B section A-A and B-B – 4043-01-301

Phase 2B section C-C and D-D – 4043-01-303

Phase 2B section A-A and B-B – 4043-01-402

Phase 2C section C-C and D-D – 4043-01-403

Landscape Masterplan – 466.16.10b

Integrated SuDS Strategy – 466.16.20a

Avon Elevations – Av\_TF\_Det\_S25g - 903

Avon Floor Plans – Av\_TF\_Det\_S25g - 901

Bengairn Elevations – Bg\_TF\_Det\_S25G -903

Bengairn Floor Plans – Bg\_TF\_Det\_S25G -901

Carbeth Elevations – Ce\_TF\_End\_S25G-903

Carbeth Floor Plans – Ce\_TF\_End\_S25G-901

Lambridge Elevations – LB\_TF\_Det\_S25G-903

Lambridge Floor Plans – LB\_TF\_Det\_S25G-901

Lowes Elevations – LW\_TF\_Det\_S25G-903

Lowes Floor Plans – LW\_TF\_Det\_S25G-901

Maree Elevations – Me\_TF\_Det\_S25-903

Maree Floor Plans – Me\_TF\_Det\_S25-901

Rodel Elevations – Ro\_TF\_Det\_S25G-903

Rodel Floor Plans – Ro\_TF\_Det\_S25G-901

Morar Elevations – Mr\_TF\_Det\_S25G-903

Morar Floor Plans – Mr\_TF\_Det\_S25G-901

### **Not Approved (and subject to a further Condition)**

Site Levels – Horizontal Geometry of Core Path – 21104-100-4000

Proposed Core Path Alterations Overview – 21101-SK-57

### **Supplementary Statements and Reports**

Environmental Statement Construction Environment Management Plan Rev A

Phase 2B and 2C Design and Access Statement – November 2024

Branshill Road, Sauchie – Core Path Realignment Statement

Transport Assessment – July 2023

Initial Travel Plan – July 2023

Public Art Strategy

Supporting Statement – Future School Site

Landscape and Visual Impact Assessment Revised March 2024

Artwork

Airshed Air Quality Impact Assessment – Revised September 2023

Preliminary Ecological Appraisal – April 2023

Noise Impact Statement (Following earlier assessment – September 2024

Persimmons Sustainability Statement – October 2024

Persimmons Statement of Community Benefit – October 2024

Arboricultural Constraints Report – May 2023

Arboricultural Impact Assessment – Revised July 2023

## **APPENDIX 3**

### **Section 75 Obligations Summary**

Subject	Requirements	Status
Masterplan	<ul style="list-style-type: none"><li>- Draft Masterplan to be submitted with first MSC application.</li><li>- Development cannot commence until Masterplan is approved.</li><li>- Landscaping, open space, play area details to be agreed before any phase.</li></ul>	<ul style="list-style-type: none"><li>- Masterplan submitted and approved.</li><li>- No open space/play area in Phase 1b.</li></ul>
Education	<ul style="list-style-type: none"><li>- Developer to submit specification to extend Craigbank PS by 5 class bases.</li><li>- Cost to be agreed within 60 days of approval.</li><li>- Contribution paid before 300th house occupied.</li><li>- Council may opt to procure a new school instead.</li><li>- Developer must safeguard land for school.</li></ul>	<ul style="list-style-type: none"><li>- Specification approved.</li><li>- Cost to be agreed.</li><li>- No further action at this stage.</li></ul>
Offsite Transport Works	<ul style="list-style-type: none"><li>- Offsite works to be identified in Transport Assessment (TA).</li><li>- Council and Developer to agree design/specification/cost within 20 working days of TA approval.</li><li>- Contribution paid per unit.</li></ul>	<ul style="list-style-type: none"><li>- Revised TA pending approval.</li><li>- Design and cost under assessment.</li><li>- No further action at this stage.</li></ul>
Public Art	<ul style="list-style-type: none"><li>- Public Art Strategy to be agreed before development starts.</li><li>- Strategy may include on-site delivery, contribution (£250/unit), or hybrid.</li><li>- If on-site, must include design/spec and timeline.</li></ul>	<ul style="list-style-type: none"><li>- On-site delivery strategy agreed.</li></ul>





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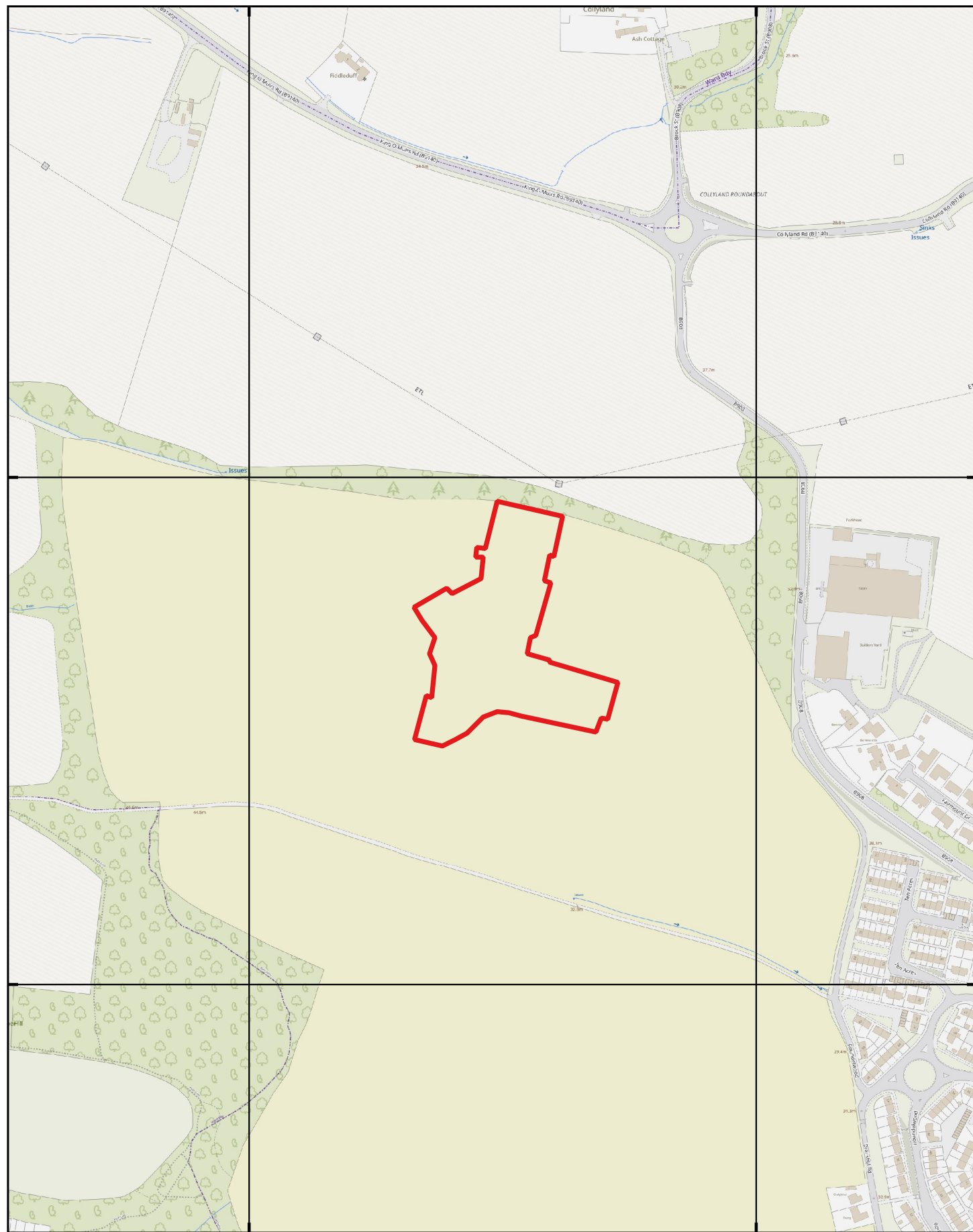
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## 24/00031/MSC – Phase 1b, Land at Branshill, Sauchie



Clackmannanshire  
Council  
[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

0 50 100 150 200 250 metres

Scale: 1:5000

Development Services  
Kilncraigs  
Tel: 01259 450 000  
[planning@clacks.gov.uk](mailto:planning@clacks.gov.uk)

Date:  
26 Aug 2025

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