

# NOTICE OF MEETING

**A MEETING** of the **PLANNING & REGULATION PANEL** will be held in **COWIE COMMUNITY CENTRE, MAIN STREET, COWIE** on **TUESDAY 27 JUNE 2017** at **10.00 a.m.**

**IAIN STRACHAN**  
*Chief Officer - Governance*  
Clerk to the Council

21 June 2017

## A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**
2. **DECLARATIONS OF INTEREST**
3. **URGENT BUSINESS BROUGHT FORWARD BY THE CHAIR**

### PLANNING

4. **RESIDENTIAL DEVELOPMENT OF UP TO 433 HOMES, 0.7 HECTARES OF EMPLOYMENT LAND, NATURE PARK, ROUNDABOUT AND ASSOCIATED INFRASTRUCTURE AT LAND TO SOUTH OF BANNOCKBURN ROAD AND NORTH WEST OF BOWLING CLUB, MAIN STREET, COWIE - TAYLOR WIMPEY UK LTD - 14/00546/PPP - HEARING**  
(Report by Senior Manager – Infrastructure) (Pages 1 - 14)
5. **RESIDENTIAL DEVELOPMENT OF UP TO 67 DWELLINGS, EMPLOYMENT LAND, ROADS, LANDSCAPING, NATURE PARK AND DRAINAGE AT LAND REAR OF BOWLING GREEN, MAIN STREET, COWIE – OMNIVALE LTD - 14/00652/PPP- HEARING**  
(Report by Senior Manager – Infrastructure) (Pages 15 - 26)

(For further information contact Karen Swan on 01786 233081)



**STIRLING COUNCIL****THIS REPORT RELATES  
TO ITEM 4  
ON THE AGENDA****PLANNING & REGULATION PANEL****LOCALITIES &  
INFRASTRUCTURE****27 JUNE 2017****NOT EXEMPT****RESIDENTIAL DEVELOPMENT OF UP TO 433 HOMES, 0.7 HECTARES OF EMPLOYMENT  
LAND, NATURE PARK, ROUNDABOUT AND ASSOCIATED INFRASTRUCTURE AT LAND  
TO SOUTH OF BANNOCKBURN ROAD AND NORTH WEST OF BOWLING CLUB, MAIN  
STREET, COWIE - TAYLOR WIMPEY UK LTD - 14/00546/PPP - HEARING****1 SUMMARY**

- 1.1 This application was brought before Members at the Planning and Regulation Panel Meeting on 13 April 2017, where the Panel agreed to defer consideration of the application pending a site visit and Hearing. A site inspection is scheduled to take place on Tuesday 27 June, prior to the Planning and Regulation Meeting. In the interim, the applicant has resolved to provide 25% affordable housing and contributions to the City Transport Strategy in accordance with SG14 therefore the report has been amended accordingly.
- 1.2 Taylor Wimpey is seeking planning permission in principle for residential development on a site on the western edge of Cowie. A planning permission in principle application means that details such as, housing types etc are confirmed in future application(s). The application is brought to Planning & Regulation Panel as it is a Major planning application under the terms of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

**2 OFFICER RECOMMENDATION(S)**

The Panel agrees to refuse the application for the following reasons:

- 2.1 The proposal is contrary to Policy 2.2 (c) of the Stirling Council Local Plan 2014, as re-enforced by the Proposed Plan 2016, since the development will not incorporate the required 25% affordable housing provision.
- 2.2 The proposal is contrary to Policy 3.3 (d) of the Stirling Council Local Plan 2014, as re-enforced by the Proposed Plan 2016, since this development will not provide a fair and reasonable contribution which is necessary and proportionate to the scale and nature of the development with regard to contributions to transport infrastructure and contributions to school capacities.

### 3 CONSIDERATIONS

#### The Site

- 3.1 The north-east boundary of the site runs along the south side of Bannockburn Road, one of the approach roads into Cowie. The western site boundary runs parallel with the rail-line. The south eastern boundary is shared with another planning application (14/00652/PPP) and the eastern boundary runs up to Berryhills Park, where a new primary school and nursery have recently been constructed (St. Margaret's Primary and Cowie Nursery). There is a difference in the levels between the land at Berryhills Park and this site, with the park sitting at a higher level.
- 3.2 The site encompasses approximately 17.82 hectares of brownfield land which has regenerated to scrub and rough grassland with species-poor alder and ash trees. Running along the north east edge of the site is a footpath known locally as Colliers Pad (it was originally used as a link between Bannockburn and Bannockburn Colliery). The site falls from east to west: the steepest area lies to the east of the site with gradients of around 1:10 and a flatter, undulating area lies to the west of the site where gradients are around 1:60. Historically, the surrounding area to the east, south and southwest has been extensively quarried for sand, gravel and sandstone, and mined for coal. The site, however, appears to have been open, rough grassland since the mid-19<sup>th</sup> Century. A small watercourse is present along part of the northwest site boundary and there is some woodland in the north-west corner of the site.

#### The Proposal

- 3.3 The proposal seeks planning permission for up to 433 residential units, 0.7 hectares of employment land, a parkland area and associated works including a roundabout at the site entrance. A masterplan has been produced which shows a primary street running from a new roundabout at the north (Bannockburn Road) through the adjacent site (14/00652/PPP) in the south to the Main Street (B9124). This primary road is to run along the western edge of the site with all the residential units sited to the east of the road and the nature park to the west. Tertiary streets are to branch off this primary road leading to the residential blocks/houses. The employment land is to be sited at the extreme east of the site and will tie-in with the employment land proposed in the neighbouring application (14/00652/PPP).

#### Previous History

- 3.4 There are no applications within recent years of relevance to this proposal.

#### Development Plan Policy

- 3.5 Development Plan policies of relevance include: Primary Policy 1: Placemaking; Policy 1.1: Site Planning; Policy 1.2: Design Process; Policy 1.3: Green Network and Open Space; Primary Policy 2: Supporting the Vision and Spatial Strategy; Policy 2.1: Housing Land Requirement; Policy 2.2: Planning for Mixed Communities and Affordable Housing; Policy 2.3: Particular Needs Housing and Accommodation; Policy 2.4: Safeguarding Employment Land and Property; Policy 2.5: Employment Development; Policy 2.8: Sites Suitable for a Mix of Uses; Primary Policy 3: Provision of Infrastructure; Policy 3.1: Addressing the Travel Demands of New

Development; Policy 3.2: Site Drainage; Policy 3.3: Developer Contributions; Primary Policy 4: Greenhouse Gas Reduction; Primary Policy 5: Flood Risk Management; Primary Policy 6: Resource Use and Waste Management; Primary Policy 8: Conservation and Enhancement of Biodiversity; Policy 8.1: Biodiversity Duty; Primary Policy 9: Managing Landscape Change; Policy 9.2: Landscaping and Planting in association with Development; Primary Policy 10: Forests, Woodlands and Trees; Policy 10.1: Development Impact on Trees and Hedgerows; Primary Policy 13: The Water Environment.

- 3.6 The Stirling Local Development Plan allocates a larger site which encompasses this site for housing and employment (H074 Berryhills South/North with an indicative capacity of 380 and B01 Berryhills Main Street with an indicative area of 0.8 hectares) and it is included in the Schedules of Housing Sites and Employment Sites (Appendix B of the Plan).
- 3.7 The LDP is supported by the following Supplementary Guidance which is of relevance: SG01; SG02; SG04; SG06; SG14; SG15; SG16; SG17; SG18; SG19; SG23; SG29; SG31; SG32; SG34.
- 3.8 **Other Material Policy Considerations** – Local Development Plan Review - Stirling Council has commenced an early review of the adopted Local Development Plan focused on the housing land requirement for the Stirling Core Area. This is in response to an acknowledged shortfall in the housing land requirement arising from the Reporter's recommendation and the fact that Scottish Planning Policy states the housing supply target should be increased by a margin of 10 - 20% to establish the housing land requirement to ensure a generous supply of land for housing is provided.
- 3.9 Stirling Local Development Plan: Proposed Plan, June 2016 - The Proposed Plan represents the settled view of the Council on the sites which should – and should not – be developed during the Local Development Plan period of 2015-2027 to provide a generous supply of land for housing.
- 3.10 The relevant policies of the plan remain substantively unchanged, with the exception of Primary Policy 2 and Policy 2.1. Primary Policy 2 no longer states that should allocated sites prove ineffective, this will be addressed in the first instance through consideration of advancing identified alternatives from Phase 2 (2019-24) or Period 2 (2024-34). Instead, circumstances where a shortfall in the housing land supply are addressed by Policy 2.1 of the Proposed Plan.
- 3.11 The Proposed Plan still allocates a larger site which encompasses this site for housing and employment (H074 Berryhills South/North with an indicative capacity of 380 and B01 Berryhills Main Street with an indicative area of 0.8 hectares)

### **Assessment**

- 3.12 The Local Development Plan 2014 and the Proposed Plan 2016 both allocate this site (H074 & B01 Berryhills) for housing and employment for a total of 380 residential units and 0.8 hectares of employment land. This application seeks planning permission in principle for up to 433 units and 0.7 hectares of employment land. An application (14/00652/PPP) on adjacent land seeks planning permission in principle for up to 67 residential units and employment land. Together, these two applications represent the full H074 & B01

allocation and would result in 500 residential units where 380 had been allocated. The 'key site requirements' of the Local Plan state that developer contributions will be required to support socio-economic regeneration.

- 3.13 The Local Development Plan Spatial Strategy sets the context for how the area will be developed over the next 20 years. Table 1 of the Spatial Strategy, *inter alia*, recognises the need for more varied tenure mix, particular needs housing and affordable housing opportunities to assist areas of deprivation and to retain a more balanced population. Regeneration of the Eastern Villages, brought about partly by new development, is also expected to deliver opportunities for environmental improvements in existing communities and local employment opportunities. Residential and business development sites have therefore been allocated within Cowie at a sufficient scale to support this socio-economic regeneration.
- 3.14 Developer contributions, either directly or in kind, will be required to support the aforementioned objectives for the Eastern Villages. Financial contributions will be required to contribute to new physical infrastructure and environmental improvements impacted upon by new development. Amongst a number of infrastructure issues identified as likely to arise with new housing development in Cowie is the limited capacity at Cowie Primary School and Bannockburn High School, pressures on NHS Forth Valley health care facilities and impacts on the quality of open spaces within the village.
- 3.15 Policy 3.3 (Developer Contributions) states that contributions will be sought in situations where a development creates a need for new, extended or improved public infrastructure. The need for such contributions will be determined through consideration of existing capacity and cumulative development pressures arising from other proposals.
- 3.16 Policy 3.3 (v) states that developers will be required to make a fair and reasonable contribution relative to the cost of meeting new or expanded local health service infrastructure resulting from new development in the identified 'pressured locations' as set out in SG06. SG06 identifies that there is currently no capital investment to expand/provide new facilities but, given the number of housing units proposed, the Fallin/Cowie GP practice area will require an increase in consulting rooms and that developer contributions will be sought to allow for the expansion. Whilst Stirling Council had achieved funding for a feasibility study for a project that would see the replacement of a number of time expired public sector facilities (health centre, local office, community centre, library, church) and their replacement in a single Hub building, the project had never progressed to the extent that an estimate of cost could be apportioned to the various housing sites within Cowie. Without being able to identify the costs, the planning authority could not require a contribution from the developer to contribute to those costs and no consultation response was forthcoming from NHS Forth Valley. The applicant objected to the principle of healthcare contributions in general but, nonetheless, it was considered that contributions towards healthcare could not be pursued as there was no input from NHS Forth Valley and the contribution could not be quantified.
- 3.17 Policy 3.3 (iii) states that developers will be required to make a fair and reasonable contribution to the improvement of existing and/or the provision of new community facilities resulting from development proposed in the Regeneration Areas. It states that specific site requirements are identified in

the Key Site Requirements set out in the relevant Settlement Statements. The Key Site Requirements for Cowie simply state that developer contributions are required to support socio-economic regeneration. As set out in the preceding paragraph, since no project had progressed with associated costings, a contribution could not be assigned to this development.

- 3.18 Policy 3.3 (ii) states that developers will be required to make a fair and reasonable contribution relative to the provision of primary and secondary education facilities to ensure sufficient school capacity is in place to accommodate the development. Cowie falls within the Core Education Area and SG15 states that all housing developments within the Education Core Area will be expected to contribute to Primary and Secondary Provision. SG15 sets out the education contributions expected from housing developments so that the Education Authority can move away from short to medium term planning. Rather than developments being viewed on a case-by-case basis, a comprehensive solution across the Education Core Area is being sought. Long term planning has been undertaken based on identified sites within the Local Development Plan so that there is a long-term solution. Primary school developer contributions are tiered from £2,321 for a 2-bed unit to £5,801 for a 5+ bed unit but a general figure is given of £3,323. Secondary school developer contributions are also tiered from £3,406 for a 2-bed unit to £8,514 for a 5+ bed unit but a general figure is given of £5,108. This would result in a total primary school developer contribution of £1,392,337 and a total secondary school developer contribution of £2,140,252 (based on a development of 419 units). This results in an overall education contribution of £3,532,589.
- 3.19 Within the supporting information submitted with the application, the applicant stated that, since there was capacity at St Margaret's Primary School, no contribution was offered for denominational primary education. With regard to Cowie Primary School, the applicant stated that since the shortfall in capacity equated to a need for two additional classrooms but, with the relocation of the nursery to the new St Margaret's School two classrooms will be released, they would only fund the cost of converting the classrooms used by the nursery back into primary school classrooms. Furthermore, the applicant did not intend to provide a contribution towards secondary education since there was capacity at Bannockburn High and St Modan's to accommodate the development. The Council invested substantially in improving the primary education estate in recent years, and this has included the refurbishment of Cowie Primary, and going ahead with the rebuilding of St Margaret's RC Primary. These decisions have been taken in the knowledge of the LDP housing proposals. The Council has therefore already invested in Cowie with the intention of recouping that investment as developments came forward, for example, the relocation of the nursery to the new St Margaret's School, which freed up two classrooms at Cowie Primary, cost the Council £1.1m. The applicant is seeking to utilise the accommodation provided at Cowie without contributing to the investment that created this capacity.
- 3.20 The applicant then sought to discuss the education contributions and the mechanism which calculated these contributions. Whilst the Council's education representatives were prepared to discuss the Council's approach to calculating the contributions, it was considered that the information which fed into the calculations was robust and took account of the local circumstances. The applicant provided a revised education report in draft form (March 2016) for discussion though did not formally table a revised proposal for education

contributions. Instead of the 'first past the post' approach previously adopted, the report proposed a compromise with regard to primary school contributions where a local approach was adopted with cumulative impact taken into account.

- 3.21 In October 2016, in an attempt to reconcile the position of the parties, Education offered flexibility over the education contributions in relation to affordable housing. This would result in nil contribution for the affordable housing element and would reduce the contribution by £948,262 (if the full 25% affordable housing was being offered).
- 3.22 In January 2017 the applicant had instructed a different education consultant and a School Impact Assessment report was submitted. This assessment did not agree with the approach adopted by the Council in its Education Background Paper and subsequently the methodology adopted by the Council. On the basis of the method used to calculate the education requirements set out in the applicant's Assessment, they considered that only £350,000 was required to provide a new classroom at Cowie Primary School and that there was capacity at Bannockburn High School to accommodate the development. However, the Assessment considers that with Durieshill an extension to Bannockburn High would be required which would equate to the Berryhills development contributing £300,000 as a proportionate share of the cost. The applicant therefore offered £350,000 for primary education and £300,000 for secondary education. The combined contribution of £650,000 offered by the developer falls short (by £1,934,327) of the £2,584,327 (full contribution of £3,532,589 less affordable housing contribution of £948,262) contribution sought by the Council.
- 3.23 Policy 2.2 (Planning for Mixed Communities and Affordable Housing) (c) (ii) states that residential schemes of more than 20 units should include 25% affordable housing. SG04 states that the on-site delivery of affordable housing is a priority as is social-rented, though other types of affordable housing will be considered appropriate in specific circumstances. The applicant recently (June 2017) altered their position to provide 25% of the units as affordable. The type of affordable unit proposed is 'entry level housing for sale'. This is where the buying price of the property is less than £105,000 and the applicant has indicated that this would include 60 flats, 35 mid-terrace units and 10 end-terrace units.
- 3.24 Waste – Developers must provide each household with appropriate waste receptacles. An approximate cost per dwelling is £63.43 to £92.58, depending on the housing type. SG19 (Waste Management) also requires residential developments over 50 dwellings to contribute towards Bring Site provision (£35 per dwelling) and towards Lower Polmaise Household Waste Recycling Centre (HWRC) (£42 per dwelling). This would result in approximately £26,577 for receptacles, £14,665 re Bring site and £17,598 for HWRC and a total of £58,840. The applicant was aware of the requirements set out in SG19 however only referred to receptacles and HWRC contributions and states that the contributions would be made on an as sold basis, suggesting payments made on the completion of every 100 units.
- 3.25 Open Space - SG02 (Green Network) requires £1,000 for each proposed housing unit when more than 10 units are being built. This would result in a total contribution of £419,000. Play Services acknowledged that the developer will provide a nature park as part of this proposal and stated that



any off-site contribution would be subject to negotiation depending on the content of the nature park/on-site open space.

- 3.26 Transport – Roads consultation response stated that, in line with SG14, a financial contribution towards the City Transport Strategy of £261,209 was required. Taylor Wimpey (June 2017) indicated their willingness to provide this contribution.
- 3.27 In June 2015, the applicant provided information to allow the Council to undertake an independent viability assessment. The assessment found that the Gross Development Values and the build costs were reasonable. The viability assessor considered that there was scope to increase the number of affordable units and to vary the tenure proposed and he also considered there to be potential for adopting a more optimistic sales rate which would improve the profitability however he stated that even with these changes it may not produce an acceptable rate of return so the site may well be unviable.
- 3.28 He stated that the key issue is around the Education Contribution of £3,600,000 which the site is unable to meet. The assessor understood that SG15 school contributions are set at this level as part of a wider strategy in order to deliver all of the housing sites identified in the LDP with the costs shared between the contributing sites. This means that if this site (or any other) is exempted then the rate per unit may need to be recalculated increasing the burden on other sites and potentially threatening deliverability elsewhere.
- 3.29 Summary - The applicant is seeking planning permission for up to 433 residential units and 0.7 hectares of employment land. The site is already allocated for these uses in the adopted Plan and the proposed Plan therefore the uses are acceptable. The difficulties arise from the extent of contributions that are required by the Council and those that are being offered by the developer. Combined with the adjacent site, this development would result in an overall development of 500 units on a site allocated in the LDP for 380 units. The applicant has stated that the site would not be viable if the full range of contributions was required. Instead of an education contribution of £2,584,327 (£3,532,589 less £948,262 – assuming 25% affordable), the developer proposes a contribution of £650,000. The independent assessor agreed that the education contribution sought could not be supported through this development.
- 3.30 It is considered that departure from the terms of SG 15 could be supported, in planning terms, where the contribution required threatens development viability and this position is supported by a Development Viability Statement and the contribution being proposed is supported by the conclusions and detail of the Development Viability Statement.
- 3.31 Clearly, in order to take a view on the acceptability of the consequential impact on education provision it requires to be established what the direct impact of the development, on a case-by-case basis, would be on education provision. The applicant has requested that the planning application be determined prior to this position being ascertained. This being the case, the impact of the development on education provision is unknown, and with the proposals being contrary to SG15, we are not in a position to substantiate a recommendation for approval on such a basis.

- 3.32 Furthermore, the applicant has not supported the proposed level of contribution on the basis of the Development Viability Statement, but instead has proposed the level of contribution based upon their consideration on limitations within the education contribution methodology used by the Council. The Council's position on the methodology used is set out in paras 1.22-1.24 above. As mentioned in para 1.35, the direct impact of the development when taken on a case-by-case basis, were the Council so minded to agree, is not known.
- 3.33 It is therefore considered that the proposals are contrary to the Development Plan and SG15 and refusal of planning permission is recommended.

### Objections

- 3.34 Five individuals supplied letters of comment. The issues raised included: the loss of open space; more units proposed than previously anticipated; impact on infrastructure such as schools, doctors; development on greenfield land; impact on birds; query validity of transport assessment as under-reported bus frequency and distance from Cowie Primary School will increase car dependency, proposed roundabout will make a substandard road worse; lack of play facilities within the proposed development; road cannot cope with additional traffic; increase in foot traffic would increase nuisance, noise and littering in writer's garden; loss of habitat.

## 4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

<b>Policy Implications</b>	
Equality Impact Assessment	No
Strategic Environmental Assessment	No
Single Outcome Agreement	No
Diversity (age, disability, gender, race, religion, sexual orientation)	No
Sustainability (community, economic, environmental)	No
Effect on Council's green house gas emissions	No Effect
Strategic/Service Plan	No
Existing Policy or Strategy	No
Risk	No
<b>Resource Implications</b>	
Financial	No
People	No
Land and Property or IT Systems	No
<b>Consultations</b>	
Internal or External Consultations	Yes

### Equality Impact Assessment

- 4.1 This application was assessed in terms of equality and human rights. Any impact has been identified in the Considerations/Assessment section of this report.

### Strategic Environmental Assessment

4.2 The application does not require a strategic environmental assessment.

### Single Outcome Agreement

4.3 The recommendation does not apply to any of the seven objectives of the single outcome agreement.

### Other Policy Implications

4.4 None.

### Resource Implications

4.5 None.

### Consultations

4.6 **Cowie Community Council:** Question the suitability of the houses for the community, access to affordable housing, impact on schools and roads. Issue regarding the Main Street regeneration programme.

4.7 **Roads Development Control:** As part of the planning submission the applicant has submitted a Transport Assessment (prepared by the applicant's Transport Consultants Arup) to assess the development sites suitability for access via sustainable modes of travel, and to consider the likely impact of the development on the surrounding road network.

As indicated in the Transport Assessment, the proposed road layout affords sufficient scope for bus penetration to be achievable into the site and this will ensure walking distances to bus stops are within the 400m recommended in National Planning Policy. As the proposed development is being split over two planning applications, the main access road through the site does not fall fully within the ownership boundary of a single applicant. As such, and given the potential timescales for delivering each aspect of the development, they would seek assurances from each of the applicants that the full length of the main access road, and thus the provision for bus penetration, can be delivered as a single phase early in the development process.

The junction analysis data provided in the Transport Assessment shows no junction capacity issues on the surrounding road network as a result of the proposed development. The Transport Assessment has not provided any proposed mode share figures for the development site and whilst it could be argued that the majority of local facilities that are available in Cowie are within acceptable walking and cycling distance of the site, there will undoubtedly be an increased demand for parking and general vehicle movements on Main Street. Cowie Community Council has previously raised concerns with this Service regarding the suitability of the traffic calming and pedestrian crossing facilities on Main Street and these concerns will only be increased given the likely increase in vehicular traffic in this area as a result of the development. We note from the Transport Assessment that it is proposed to install a signalised crossing on Main Street as part of the development proposals and we would recommend that this, along with the concerns regarding Main Street be discussed in greater detail with the community and this Service, so that a suitable solution can be agreed as part of the development proposals.

Conditions recommended:

Roads Design, Roundabout, Junction Visibility (Internal), Junction Visibility, Driveway/Parking Court Visibility, Forward Visibility, Traffic Calming/Pedestrian Crossing Facilities, SUDS, Public Transport, Parking Requirements, Driveway Construction, Waste Collection, Travel Plan, Landscape Maintenance

Developer Contribution: The Council's Supplementary Planning Guidance SG14: Ensuring a Choice of Access for New Developments requires a financial contribution from developments of this nature towards transport measures identified in the City Transport Strategy. Given the information provided in the Transport Assessment a developer contribution of £261,209.55 has been calculated for this proposal. It is recommended that the developer contribution be agreed and secured under a Section 75 Legal Agreement in accordance with the approved Policy. (Please note that should the development proposals be amended as part of any future detailed submission, a revised Transport contribution will need to be calculated).

- 4.8 **Service Manager (Environmental Health):** Recommend conditions: Noise, Contaminated Land.
- 4.9 **Senior Access Officer:** The proposals show the provision of extra paths and links within the actual development site and that these are to a high standard. Recommend that improvements to the Collier's pad are included in the final application.
- 4.10 **Bridge & Flood Maintenance:** No objection.
- 4.11 **Network Rail:** No objection. Comments re drainage, suitable barriers of at least 1.8 metres, planting, lighting, construction works.
- 4.12 **Housing Strategy & Development:** As part of their planning application, Taylor Wimpey has offered 14% of the planned 433 units as affordable housing - roughly 60 units. These are to be market properties for sale at less than £105k. This raises a number of points.
- 4.12.1 Further discussion would be required on the 60 units that would be for sale at less than £105k. In their view 60 x 2 bedroomed properties would not be appropriate - a range of house sizes and types would be required across the site.
- 4.12.2 TW's proposal falls 48 units short of the 108 units (25%) that would be required under the affordable housing planning policy.
- 4.12.3 The Council would expect the balance of 48 units to be social housing built in phases during the development of the site. These units could be built by the Council or an RSL on land provided by the developer or could be built by the developer to the specification of the Council/RSL.

TW's submission appears to question the need for 25% affordable housing in Cowie. The need for 25% affordable housing across most of urban Stirling (33% in some high pressured areas) is clearly stated in the Council's Local Development Plan - now accepted by Scottish Government - and is based on

Stirling's HNDA 2011 which was approved by Scottish Government as being 'robust and credible'.

In their documentation TW suggests that 'over 50%' of the housing stock in Cowie is social rented housing. In fact, according to figures from the 2011 Census (which were published following the drafting of the LDP), the social rented stock in Cowie represents just 36% of the housing stock which compares to a Scottish average of 25%.

The size of the social rented housing stock in Cowie, however, is not pertinent to this application given that affordable housing built anywhere in the Council area is open to applicants from across the Council area. A recent analysis of the Council's waiting list showed that 377 of the Council's 3,000 housing applicants have indicated a wish to live in Cowie. Of these, 100 have indicated Cowie to be their first choice amongst Stirling's 56 lettings areas.

That there is clear demand for social rented housing in Cowie is underlined by the fact that the Council will shortly be going on site to build 10 houses for social rent, the first to be built by the Council in Cowie for several decades.

4.13 **Land Services Team Leader:** Observations and comments are as follows:

4.13.1 There is currently a high quantity of low quality open space within Cowie as evidenced within the recent Open Space Survey. In further development creation of additional similar open space would be undesirable and the applicant has addressed this to a high degree by promoting a proposed nature park.

4.13.2 In terms of play provision within Cowie the settlement is currently served by 3 play areas. In line with the Council's 2008 play strategy and population this indicates current over provision in terms of quantity. However quality of these facilities may have scope for enhancement.

4.13.3 It should be established at an early stage in the planning process how the applicant is to provide for the maintenance of proposed local open spaces and nature park.

4.13.4 Would be grateful for details of "natural" play provision within the nature park once detailed design has been drafted.

4.13.5 In addition to proposed "natural" play provision within the proposed nature park an off-site contribution towards enhancement of both existing play and sports facilities in the nearby Welfare/Berryhills/Roxburgh parks would be appropriate in line with the level of contribution in SG02. The level may be subject to negotiation pending sight and content of the nature park/on-site open space detailed design.

4.14 **Children's Services:** Cowie is within the Education Core Area and it is therefore expected that contributions towards both primary and secondary education will be made in line with the figures cited within SG15. This will reimburse the Council for expenditure to increase capacity and provide funding for further expansion as per the education background paper.

- 4.15 **Scottish Environment Protection Agency (East):** Recommend a condition re Surface Water Drainage.

Flood Risk - no objection to the proposed development on flood risk grounds.

Proximity of proposed development to Norbord site - Norbord Europe Limited is regulated by SEPA under the Pollution Prevention and Control Regulations (Scotland) 2012, and as such hold a PPC Permit. The company manufactures wood based products namely MDF and particleboard and operate 24 hours per day. Noise - Complaints from residents of Cowie have been received over the years in relation to the operations at Norbord, mostly relating to noise and dust. As part of the requirements of the PPC Permit, the company employed an independent contractor to carry out a noise survey at sensitive receptors outside the site boundary. The report, which was published in January 2012 has highlighted that there may be locations in Cowie where the analysis of the noise results (which were recorded during the day and night) suggests that the operations at the factory may give rise to complaints. The locations identified in the report are not in the locality of the proposed development. However as the proposed development is currently a greenfield site, there were no sensitive receptors identified in that area at the time of the noise survey. We would, however, also state that there have been no noise complaints from residents in that area of Cowie over the last few years. There are no noise emission limits associated with the factory.

Dust

We have received numerous complaints over the years regarding windblown dust from the site. The dust is usually in the form of fine pieces of wood fibre.

Due to the prevailing south westerly wind, the majority of complaints come from residents in the Kyle Avenue and Mount Oliphant areas. It would be rare for SEPA to receive dust complaints from the area of Cowie where the proposed development is planned. There are no dust limits associated with the factory.

To summarise, we would advise that, given the scale and nature of the PPC activity, there is a low potential for residents of the proposed development site to experience nuisance associated with the SEPA-regulated process even where the process is operated in accordance with the conditions of its Permit.

Ecology - The applicant has provided a National Vegetation Classification (NVC) survey. Satisfied that the applicant has demonstrated that there are no areas of GWDTE on or off-site which would be affected by the proposed development.

- 4.16 **Scottish Water:** Consulted twice, no response.
- 4.17 **NHS Forth Valley:** Consulted but, despite repeated requests, no response.
- 4.18 **Land Conservation & Biodiversity:** No response.

**5 BACKGROUND PAPERS**

5.1 Planning Application file 14/00546/PPP. File can be viewed online at:

<http://pabs.stirling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NB8B9UPIG2P00>

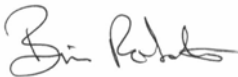
**6 APPENDICES**

6.1 None.

## Author(s)

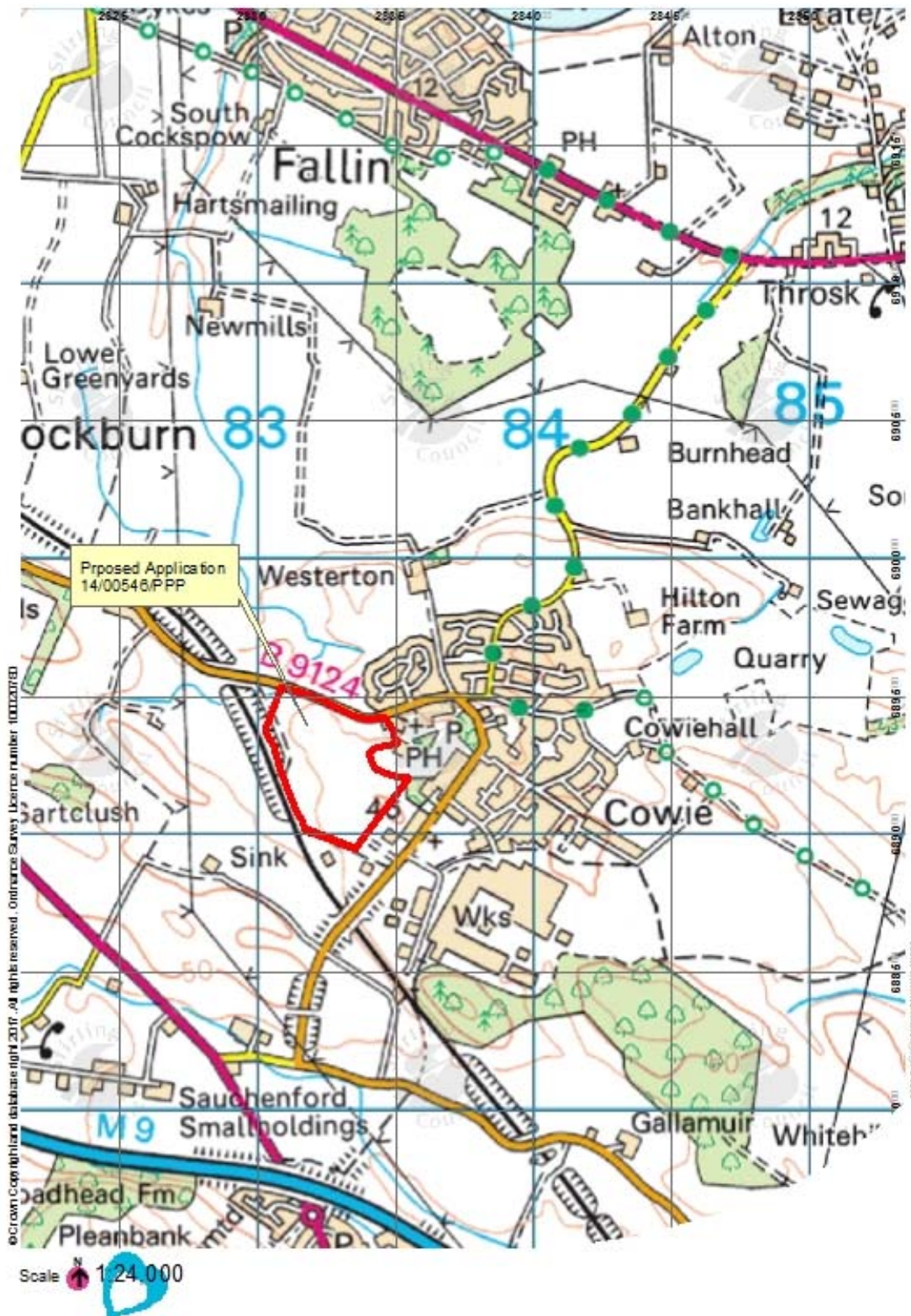
Name	Designation	Telephone Number/E-mail
Jane Brooks-Burnett	Senior Planning Officer	01786 233672, brooksburnettj@stirling.gov.uk
Christina Cox	Service Manager - Planning & Building Standards	01786 233682, coxc@stirling.gov.uk

## Approved by

Name	Designation	Signature
Brian Roberts	Senior Manager - Infrastructure	

Date 14 June 2017

Service Reference 14/00546/PPP





**STIRLING COUNCIL**

**THIS REPORT RELATES  
TO ITEM 5  
ON THE AGENDA**

**PLANNING & REGULATION PANEL**

**LOCALITIES &  
INFRASTRUCTURE**

**27 JUNE 2017**

**NOT EXEMPT**

**RESIDENTIAL DEVELOPMENT OF UP TO 67 DWELLINGS, EMPLOYMENT LAND, ROADS,  
LANDSCAPING, NATURE PARK AND DRAINAGE AT LAND REAR OF BOWLING GREEN,  
MAIN STREET, COWIE - OMNIVALE LTD - 14/00652/PPP - HEARING**

## **1 SUMMARY**

- 1.1 This application was brought before Members at the Planning & Regulation Panel Meeting on 13 April 2017, where the decision was taken to defer the item to allow for a site visit and Hearing to take place. A site inspection is scheduled to take place on Tuesday 27 June, prior to the Planning and Regulation Meeting.
- 1.2 Omnivale Limited is seeking planning permission in principle for residential development on a site on the western edge of Cowie. A planning permission in principle application means that details of housing types etc are confirmed in future application(s). The application is brought to Planning & Regulation Panel as it is a Major planning application under the terms of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

## **2 OFFICER RECOMMENDATION(S)**

The Panel agrees to refuse the application for the following reasons:

- 2.1 The proposal is contrary to Policy 3.3 (d) of the Stirling Council Local Plan 2014, as re-enforced by the Proposed Plan 2016, since this development will not provide a fair and reasonable contribution which is necessary and proportionate to the scale and nature of the development with regard to contributions to school capacities.

## **3 CONSIDERATIONS**

### **The Site**

- 3.1 The site extends to 2.83 hectares and comprises the southern part of allocation H074. The site lies to the north of Main Street (B9124) and the western boundary is shared with another planning application (14/00546/PPP). The southern boundary runs up to the playing fields on Main Street and the site wraps around the bowling green, to the west of residential properties along Main Street. The site is brownfield land which

has regenerated to scrub and rough grassland with species-poor alder and ash trees.

### **The Proposal**

- 3.2 The proposal seeks planning permission for up to 67 residential units, 0.104 hectares of employment land, open space, access on to Main Street, internal roads, landscaping and footpaths, part of a nature park and drainage. A masterplan has been produced in conjunction with application 14/00546/PPP. The Masterplan shows an access off Main Street, which continues through the adjacent site (14/00546/PPP) to Bannockburn Road. A small area of the nature park is proposed to the south, to tie-in with the nature park proposed in application 14/00546/PPP. The primary road to the south through the wider site is to branch off and the masterplan indicates residential blocks/houses. The employment land is to be sited at the extreme north of the site and will tie-in with the employment land proposed in the neighbouring application. The application also included an indicative housing layout.

### **Previous History**

- 3.3 There are no applications within recent years of relevance to this proposal.

### **Development Plan Policy**

- 3.4 Development Plan policies of relevance include:
- 3.4.1 Primary Policy 1: Placemaking; Policy 1.1: Site Planning; Policy 1.2: Design Process; Policy 1.3: Green Network and Open Space;
  - 3.4.2 Primary Policy 2: Supporting the Vision and Spatial Strategy; Policy 2.1: Housing Land Requirement; Policy 2.2: Planning for Mixed Communities and Affordable Housing; Policy 2.3: Particular Needs Housing and Accommodation; Policy 2.4: Safeguarding Employment Land and Property; Policy 2.5: Employment Development; Policy 2.8: Sites Suitable for a Mix of Uses;
  - 3.4.3 Primary Policy 3: Provision of Infrastructure; Policy 3.1: Addressing the Travel Demands of New Development; Policy 3.2: Site Drainage; Policy 3.3: Developer Contributions;
  - 3.4.4 Primary Policy 4: Greenhouse Gas Reduction;
  - 3.4.5 Primary Policy 5: Flood Risk Management;
  - 3.4.6 Primary Policy 6: Resource Use and Waste Management;
  - 3.4.7 Primary Policy 8: Conservation and Enhancement of Biodiversity; Policy 8.1: Biodiversity Duty;
  - 3.4.8 Primary Policy 9: Managing Landscape Change; Policy 9.2: Landscaping and Planting in association with Development;
  - 3.4.9 Primary Policy 10: Forests, Woodlands and Trees; Policy 10.1: Development Impact on Trees and Hedgerows;
  - 3.4.10 Primary Policy 13: The Water Environment.

- 3.5 The Stirling Local Development Plan allocates a larger site which encompasses this site for housing and employment (H074 Berryhills South/North with an indicative capacity of 380 and B01 Berryhills Main Street with an indicative area of 0.8 hectares) and it is included in the Schedules of Housing Sites and Employment Sites (Appendix B of the Plan).
- 3.6 The LDP is supported by the following Supplementary Guidance which is of relevance: SG01; SG02; SG04; SG06; SG14; SG15; SG16; SG17; SG18; SG19; SG23; SG29; SG31; SG32; SG34.
- 3.7 **Other Material Policy Considerations** – Local Development Plan Review - Stirling Council has commenced an early review of the adopted Local Development Plan focused on the housing land requirement for the Stirling Core Area. This is in response to an acknowledged shortfall in the housing land requirement arising from the Reporter's recommendation and the fact that Scottish Planning Policy states the housing supply target should be increased by a margin of 10 - 20% to establish the housing land requirement to ensure a generous supply of land for housing is provided.
- 3.8 Stirling Local Development Plan: Proposed Plan, June 2016 - The Proposed Plan represents the settled view of the Council on the sites which should – and should not – be developed during the Local Development Plan period of 2015-2027 to provide a generous supply of land for housing.
- 3.9 The relevant policies of the plan remain substantively unchanged, with the exception of Primary Policy 2 and Policy 2.1. Primary Policy 2 no longer states that should allocated sites prove ineffective, this will be addressed in the first instance through consideration of advancing identified alternatives from Phase 2 (2019-24) or Period 2 (2024-34). Instead, circumstances where a shortfall in the housing land supply are addressed by Policy 2.1 of the Proposed Plan.
- 3.10 The Proposed Plan still allocates a larger site which encompasses this site for housing and employment (H074 Berryhills South/North with an indicative capacity of 380 and B01 Berryhills Main Street with an indicative area of 0.8 hectares).

### Assessment

- 3.11 The Local Development Plan 2014 and the Proposed Plan 2016 both allocate this site (H074 & B01 Berryhills) for housing and employment for a total of 380 residential units and 0.8 hectares of employment land. This application seeks planning permission in principle for up to 67 residential units and 0.104 hectares of employment land. An application (14/00546/PPP) on adjacent land seeks planning permission in principle for up to 433 residential units and employment land. Together, these two applications represent the full H074 & B01 allocation and would result in 500 residential units where 380 had been allocated. The 'key site requirements' of the Local Plan state that developer contributions will be required to support socio-economic regeneration.
- 3.12 The Local Development Plan Spatial Strategy sets the context for how the area will be developed over the next 20 years. Table 1 of the Spatial Strategy, *inter alia*, recognises the need for more varied tenure mix, particular needs housing and affordable housing opportunities to assist areas of deprivation and to retain a more balanced population. Regeneration of the

Eastern Villages, brought about partly by new development, is also expected to deliver opportunities for environmental improvements in existing communities and local employment opportunities. Residential and business development sites have therefore been allocated within Cowie at a sufficient scale to support this socio-economic regeneration.

- 3.13 Developer contributions, either directly or in kind, will be required to support the aforementioned objectives for the Eastern Villages. Financial contributions will be required to contribute to new physical infrastructure and environmental improvements impacted upon by new development. Amongst a number of infrastructure issues identified as likely to arise with new housing development in Cowie is the limited capacity at Cowie Primary School and Bannockburn High School, pressures on NHS Forth valley health care facilities and impacts on the quality of open spaces within the village.
- 3.14 Policy 3.3 (Developer Contributions) states that contributions will be sought in situations where a development creates a need for new, extended or improved public infrastructure. The need for such contributions will be determined through consideration of existing capacity and also cumulative development pressures arising from other proposals.
- 3.15 Policy 3.3 (v) states that developers will be required to make a fair and reasonable contribution relative to the cost of meeting new or expanded local health service infrastructure resulting from new development in the identified 'pressured locations' as set out in SG06. SG06 identifies that there is currently no capital investment to expand/provide new facilities but, given the number of housing units proposed, the Fallin/Cowie GP practice area will require an increase in consulting rooms and that developer contributions will be sought to allow for the expansion. Whilst Stirling Council had achieved funding for a feasibility study for a project that would see the replacement of a number of time expired public sector facilities (health centre, local office, community centre, library, church) and their replacement in a single Hub building, the project had never progressed to the extent that an estimate of cost could be apportioned to the various housing sites within Cowie. Without being able to identify the costs, the planning authority could not require a contribution from the developer to contribute to those costs and no consultation response was forthcoming from NHS Forth Valley. The applicant objected to the principle of healthcare contributions in general but, nonetheless, it was considered that contributions towards healthcare could not be pursued as there was no input from NHS Forth Valley and the contribution could not be quantified.
- 3.16 Policy 3.3 (iii) states that developers will be required to make a fair and reasonable contribution to the improvement of existing and/or the provision of new community facilities resulting from development proposed in the Regeneration Areas. It states that specific site requirements are identified in the Key Site Requirements set out in the relevant Settlement Statements. The Key Site Requirements for Cowie simply state that developer contributions are required to support socio-economic regeneration. As set out in the preceding paragraph, since no project had progressed with associated costings, a contribution could not be assigned to this development.

- 3.17 Policy 3.3 (ii) states that developers will be required to make a fair and reasonable contribution relative to the provision of primary and secondary education facilities to ensure sufficient school capacity is in place to accommodate the development. Cowie falls within the Core Education Area and SG15 states that all housing developments within the Education Core Area will be expected to contribute to Primary and Secondary Provision. SG15 sets out the education contributions expected from housing developments so that the Education Authority can move away from short to medium term planning. Rather than developments being viewed on a case-by-case basis, a comprehensive solution across the Education Core Area is being sought. Long term planning has been undertaken based on identified sites within the Local Development Plan so that there is a long-term solution. Primary school developer contributions are tiered from £2,321 for a 2-bed unit to £5,801 for a 5+ bed unit but a general figure is given of £3,323. Secondary school developer contributions are also tiered from £3,406 for a 2-bed unit to £8,514 for a 5+ bed unit but a general figure is given of £5,108. This would result in a total primary school developer contribution of £222,641 and a total secondary school developer contribution of £342,236. This results in an overall education contribution of £564,877. Since, in an attempt to reconcile the parties on application 14/00546/PPP, Education stated that nil contributions would be required for the affordable housing element of the development, the education contribution would be reduced by 25% resulting in a contribution of £423,658 (£564,877 less £141,219).
- 3.18 Policy 2.2 (Planning for Mixed Communities and Affordable Housing) (c) (ii) states that residential schemes of more than 20 units should include 25% affordable housing. SG04 states that the on-site delivery of affordable housing is a priority as is social-rented, though other types of affordable housing will be considered appropriate in specific circumstances. The applicant is proposing 17 of the 67 units as affordable and would therefore meet the requirements. The affordable housing is to be provided as 12 lower cost market flats priced at £95,000 and 5 lower cost market houses (mid-terrace) priced at £105,000.
- 3.19 Waste – Developers must provide each household with appropriate waste receptacles. An approximate cost per dwelling is £63.43 to £92.58 depending on the housing type. SG19 (Waste Management) also requires residential developments over 50 dwellings to contribute towards Bring Site provision (£35 per dwelling) and towards Lower Polmaise Household Waste Recycling Centre (HWRC) (£42 per dwelling). This would result in approximately £4,249 for receptacles, £2,345 re Bring site and £2,814 for HWRC and a total of £9,408.
- 3.20 Open Space - SG02 (Green Network) requires £1,000 for each proposed housing unit when more than 10 units are being built. This would result in a total contribution of £67,000 however Play Services acknowledged that the developer will provide a nature park as part of this proposal and stated that any off-site contribution would be subject to negotiation depending on the content of the nature park/on-site open space.
- 3.21 Transport – Roads consultation response stated that, in line with SG14, a financial contribution towards the City Transport Strategy of £40,657.

- 3.22 In August 2015 the applicant provided a viability report prepared by Savills. This was assessed independently and the response was that “the appraisal adopts a fairly broad brush approach and as such is extremely sensitive to changes in inputs. Generally, we are not convinced, without further evidence, that the appraisal provides a complete picture of costs and revenues associated with this development”. The assessment went on to state “a meaningful assessment of viability at this stage could be viewed as premature on the basis that actual development costs are no more than estimates at this stage and there is also the potential for an increase in the total GDV of the completed houses that may potentially impact on the land sales value”. The assessor went on to state that the “appraisal provided to us is therefore extremely sensitive to changes in key assumptions with both viability and unviability able to be argued”.
- 3.23 This applicant has not sought to challenge the Council’s assessment of education contributions but has stated that the overall requirement for contributions would render this site unviable. The Council’s independent assessor stated that, though the value of the site is not “as high as that proposed within Savills alternative scenario, it does indicate a return to the landowner over and above existing use value and on this basis, the development is viable. However, in commercial terms, this is a marginal development site and we doubt that either the landowner or developer would wish to proceed on this basis”.
- 3.24 In conclusion, the site is allocated in the Local Development Plan and the Proposed Plan for housing and employment therefore the uses proposed on the site are acceptable. The developer has indicated that the contributions sought by the Council would make developing the site unviable however the viability assessor stated that a meaningful viability is premature since the costs are only estimates. The costs have also changed since contributions towards education are no longer being applied to the affordable housing element and an allowance of £7,500 for Health has not been sought. The applicant had put the education contribution at £615,566 whereas the Council is now seeking a contribution of £423,658 (a reduction of £191,908). These two items reduce the requirement for contributions by £199,408. Since the proposals do not meet with the contribution requirements set by the Council, and the applicant’s case on development viability has not been substantiated by the Council’s expert, it is considered that the application is contrary to the Development Plan Policy 3.3 (d) and is therefore recommended for refusal.

### **Objections**

- 3.25 No letters of comment received.

#### 4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

<b>Policy Implications</b>	
Equality Impact Assessment	No
Strategic Environmental Assessment	No
Single Outcome Agreement	No
Diversity (age, disability, gender, race, religion, sexual orientation)	No
Sustainability (community, economic, environmental)	No
Effect on Council's green house gas emissions	No Effect
Strategic/Service Plan	No
Existing Policy or Strategy	No
Risk	No
<b>Resource Implications</b>	
Financial	No
People	No
Land and Property or IT Systems	No
<b>Consultations</b>	
Internal or External Consultations	Yes

#### Equality Impact Assessment

- 4.1 This application was assessed in terms of equality and human rights. Any impact has been identified in the Considerations/Assessment section of this report.

#### Strategic Environmental Assessment

- 4.2 The application does not require a strategic environmental assessment.

#### Single Outcome Agreement

- 4.3 The recommendation does not apply to any of the seven objectives of the single outcome agreement.

#### Other Policy Implications

- 4.4 None.

#### Resource Implications

- 4.5 None.

#### Consultations

- 4.6 **Roads Development Control:** Recommend that pedestrian and cycle linkages will need to be considered from this development to the new school.
- 4.6.1 As indicated in the Transport Assessment the proposed road layout affords sufficient scope for bus penetration to be achievable into the site and this will ensure walking distances to bus stops are within the 400m recommended in National Planning Policy. As the proposed

development is being split over two planning applications the main access road through the site does not fall fully within the ownership boundary of a single applicant. As such, and given the potential timescales for delivering each aspect of the development, would seek assurances from each of the applicants that the full length of the main access road, and thus the provision for bus penetration, can be delivered as a single phase early in the development process.

- 4.6.2 The junction analysis data provided in the Transport Assessment shows no junction capacity issues on the surrounding road network as a result of the proposed development. The Transport Assessment has not provided any proposed mode share figures for the development site and whilst it could be argued that the majority of local facilities that are available in Cowie are within acceptable walking and cycling distance of the site, there will undoubtedly be an increased demand for parking and general vehicle movements on Main Street. Cowie Community Council has previously raised concerns with this Service regarding the suitability of the traffic calming and pedestrian crossing facilities on Main Street and these concerns will only be increased given the likely increase in vehicular traffic in this area as a result of the development.
- 4.6.3 Conditions recommended: Roads Design; Junction Visibility (Internal); Junction Visibility; Driveway/Parking Court Visibility; Forward Visibility; Traffic Calming/Pedestrian Crossing Facilities; SUDS; Public Transport; Parking Requirements; Driveway Construction; Waste Collection; Travel Plan; Landscape Maintenance
- 4.6.4 Developer Contribution: The Council's Supplementary Planning Guidance SG14: Ensuring a Choice of Access for New Developments requires a financial contribution from developments of this nature towards transport measures identified in the City Transport Strategy. Given the information provided in the Transport Assessment a developer contribution of £40,657.35 has been calculated for this proposal.

#### **05/12/14**

- 4.6.5 Experience would suggest that bus operators will only amend existing service routes to serve new developments when there is a clear demand for a service within the site. Provision of a bus service is a commercial decision for the operator and they will not usually divert buses to an area where demand is low without incentive payments/subsidy. General approach is pragmatic and the Council look to secure the infrastructure capable of accommodating the service when the actual demand is available on site to make the service commercially viable without subsidy.
- 4.6.6 With regard to the crossing point on Main Street, there is not enough information at this time to indicate the exact location or type of crossing facility that would be most suitable.
- 4.6.7 The following conditions are recommended at this outline application stage in relation to provision of the road link and traffic management of Main Street.



- 4.6.8 **Link Road** - The road link within each development should be completed to the adjoining site boundary on completion of the xth house (there would need to be a similar condition applied to both applications - but house numbers appropriate to each development). This will ensure a timing mechanism is in place to ensure the through route is realised within a reasonable timeframe.
- 4.6.9 **Main Street, Cowie** - As an appendix to the submitted Transport Assessment, the applicant should undertake a more detailed assessment of exiting traffic conditions along Main Street (speed and volume), Cowie, so as to fully identify any speeding, parking and pedestrian crossing issues that may presently exist and be exacerbated by the development proposals. The study and any proposed mitigation measures should be submitted for the written approval of the Planning Authority in consultation with the Roads Authority.
- 4.7 **Service Manager (Environmental Health):** Recommended conditions regarding contaminated land and the submission of a Noise Impact Assessment re noise from a nearby noise source (Norbord & adjacent industrial premises to northeast boundary of site).
- 4.8 **Cowie Community Council:** Question the suitability of the houses for the community, access to affordable housing, impact on schools and roads. Issue regarding the Main Street regeneration programme.
- 4.9 **Housing Strategy & Development:** At 67 units, this development would require an affordable housing contribution of 25%. The Council would be seeking on site provision of 17 units of social rented housing.
- 4.9.1 The Council would hope that on the balance of the development, in line with Stirling's Local Housing Strategy 2012 (paragraph 1.20), the developer would seek to address needs that exist locally, including the provision of smaller houses, houses that meet the needs of those on low incomes, houses that meet the needs of older people and houses that meet the varying needs standards.
- 4.10 **Bridge & Flood Maintenance:** No objection to the development. Having visited the proposed site and been consulted on the master plan of the wider area our drainage concerns have been addressed.
- 4.11 **Land Services Team Leader:** Cowie is currently served by 3 play areas. In line with the Council's 2008 play strategy and population this indicates adequate provision in terms of quantity, however quality of these facilities has scope for enhancement. An off-site contribution towards enhancement of both existing play and park facilities in the nearby Welfare/Berryhills/Roxburgh parks would be appropriate in line with the level of contribution in SG02, currently £1000 per unit. It should be established at an early stage in the planning process how the applicant is to provide for the maintenance of any proposed on-site local open spaces and this maintenance mechanism secured within a condition of development.
- 4.12 **Children's Services:** The Omnivale development is part of both a larger development at Berryhills and also wider development within Cowie and the larger Education Core Area. The Education Authority has moved away from

looking at individual developments on a first come first served basis, instead it has used the Local Development Plan process to look strategically at the longer term needs and planning within the education authority area.

4.12.1 The Education Authority has recognised front funded the replacement and capacity in primary provision within Cowie. This has included refurbishment of Cowie Primary School, provision of new nursery provision releasing additional primary capacity and providing a new school for St Margaret's Primary School. The planning for these establishments took account of build on the LDP, and as such investment in the school estate was made to allow development to take place, given the total planned growth within Cowie. In total nearly £8M will have been invested in Primary provision in Cowie.

4.12.2 Simply isolating their own development from the remaining 3 other developments in Cowie does not reflect the total impact of housing build within the village. The Local Authority includes this development as part of all development and as such has included the total number of houses and, consequently, the number of pupils likely to be generated from such a development. The total pupil product for the 520 houses proposed in the local plan produces using an average pupil product, 156 pupils. There is insufficient capacity to accommodate such numbers. The Council disagrees that there is no requirement for a primary education contribution.

4.12.3 With regards to secondary, this development is catchment to Bannockburn High School. Whilst Bannockburn High has some capacity development at Durieshill, South Gateway, East Plean and Cowie are all catchment to Bannockburn High. This totals 3,470 properties being built within Bannockburn High's catchment area. This will produce (using average pupil products until full housing types are known) approx 1,041. There is insufficient capacity to accommodate this number of pupils without a significant investment in large amounts of additional accommodation. The Council disagrees that there is no need for a secondary education contribution.

4.12.4 This development requires to make a contribution to education infrastructure, as it will contribute to an increased number of pupils requiring access to education within Cowie.

4.13 **Scottish Water:** No objection. Turret Water Treatment Works currently has capacity to service this proposed development. Cowie Waste Water Treatment Works currently has capacity to service this proposed development.

4.14 **NHS Forth Valley:** Consulted but, despite repeated requests, no response.

## 5 BACKGROUND PAPERS

5.1 Planning Application file 14/00652/PPP. File can be viewed online at:

<http://pabs.stirling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NDW3U8PIGYV00>

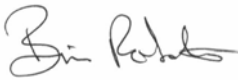
**6 APPENDICES**

6.1 None.

## Author(s)

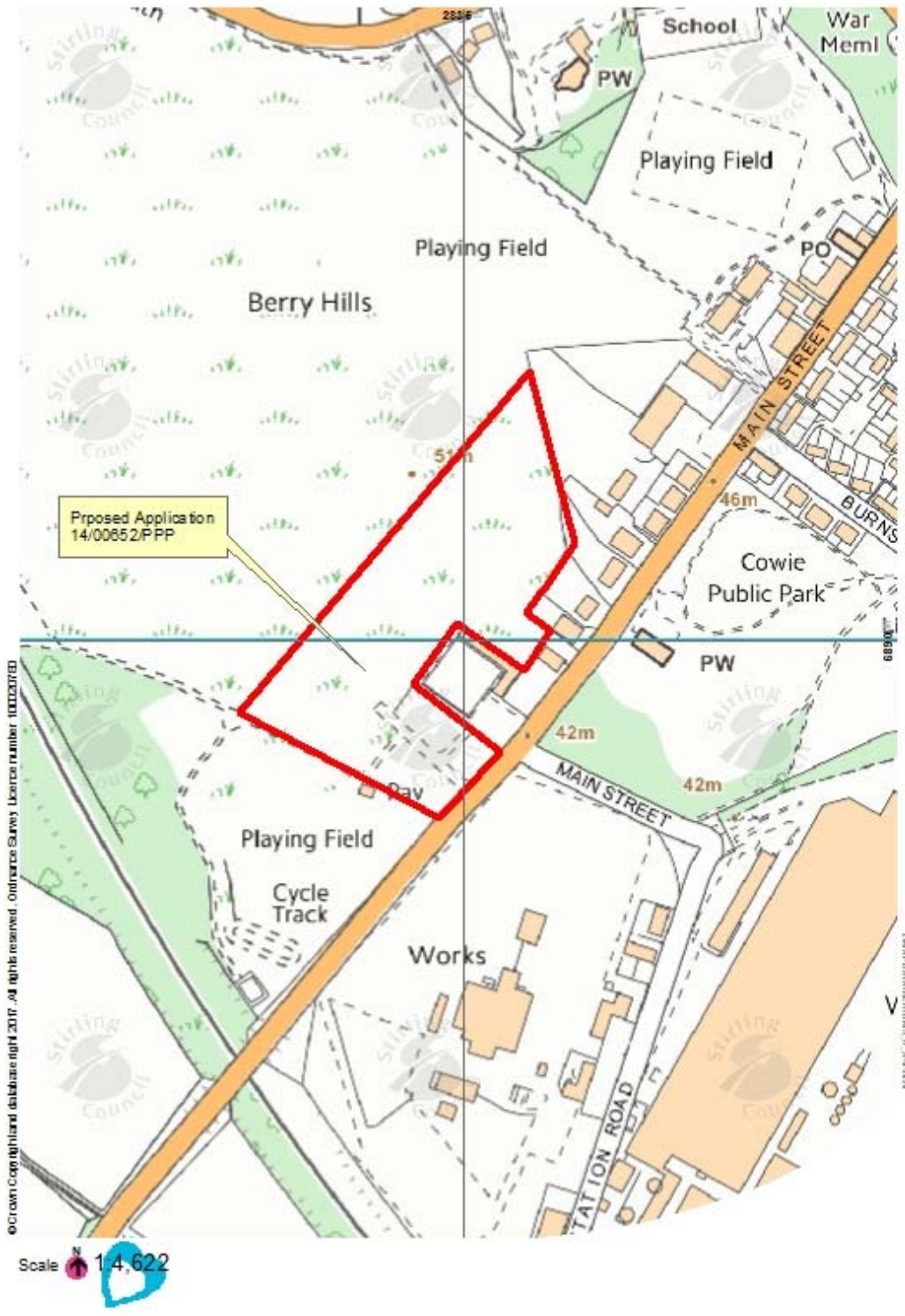
Name	Designation	Telephone Number/E-mail
Jane Brooks-Burnett	Senior Planning Officer	01786 233672, brooksburnettj@stirling.gov.uk
Christina Cox	Service Manager - Planning & Building Standards	01786 233682, coxc@stirling.gov.uk

## Approved by

Name	Designation	Signature
Brian Roberts	Senior Manager - Infrastructure	

Date 14 June 2017

Service Reference 14/00652/PPP



© Crown Copyright and database right 2016. All rights reserved. Ordnance Survey Licence number 100030782

1:4,622