

Stirling Council

Agenda Item No. 7

Planning & Regulation Panel

Date of Meeting: 25 February 2020

Not Exempt

Application For Approval Of Matters Specified In Conditions 1 And 7 Of Planning Permission 18/00175/PPP For Redevelopment Of Existing HMP YOI Cornton Vale To Form Women's National Facility, Including Demolition Of Existing Buildings, Provision Of New Access, Car Parking, Boundary Treatment, And Site Landscaping At Cornton Vale Prison, Cornton Road, Cornton, Stirling, FK9 5NU - Scottish Prison Service - 19/00961/MSC

Purpose & Summary

Planning Permission in Principle was granted in June 2018 to the redevelopment of the existing prison site to form a Women's National Facility. This Matters Specified in Conditions application seeks to agree the outstanding matters.

This application is a major planning application under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

This report forms the Report of Handling for the planning application in compliance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

Recommendations

The Planning & Regulation Panel is asked to:

1. approve the application to agree the details submitted with regard to Condition 1 and formally discharge Condition 7 once all recording and recovery of archaeological resources within the development site is undertaken, as per the condition included within Appendix 1.

Resource Implications

Not applicable.

Legal & Risk Implications and Mitigation

Not applicable.

1. Background

- 1.1. At its meeting on 26 June 2018, the Planning & Regulation Panel agreed to approve Planning Permission in Principle application (ref: 18/00175/PPP). That application included a substantial amount of information, including the location of all buildings on site and a full series of elevations and floor plans. The two-tier approach to achieving planning permission was partly as a consequence of Scottish Prison Service's requirements and how they manage risk within development proposals. This means that little information is required for this Matters Specified by Condition submission.

2. Considerations

The Site

- 2.1. The site (approximately 9.5 hectares) lies to the east of the River Forth, but set back from it, west of the B823 (Cornton Road), north of the housing along Castle Vale and south of the existing housing at Vale Grove/Forth Park. The site lies within the countryside and within the Green Belt between Stirling and Bridge of Allan.

The Proposal

- 2.2. The proposal seeks to agree details set out within Conditions 1 and 7 of the previously approved Planning Permission in Principle application. The previous application agreed the principle of redeveloping the existing HMP and YOI Cornton Vale to establish a new, smaller national facility to accommodate female offenders.
- 2.3. Condition 1 required the approval of details including:
 - 2.3.1. Elevations of all buildings including specification of materials.
 - 2.3.2. A Risk Assessment and Method Statement.
 - 2.3.3. Access Arrangements.
 - 2.3.4. Road Safety Audit.
 - 2.3.5. Bus Stop.
 - 2.3.6. Construction Management Plan.
 - 2.3.7. Culvert Maintenance Regime.
 - 2.3.8. Full landscaping details including maintenance regime.
- 2.4. Condition 7 required approval of a Programme of Archaeological Works.

Previous History

- 2.5. 18/00175/PPP: Redevelopment of existing HMP YOI Cornton Vale to form Women's National Facility, including demolition of existing buildings, provision of new access, car parking, boundary treatment, and site landscaping, approved July 2018.

Consultations

Roads Development Control:

- 2.6. Roads Officers reviewed the information submitted to discharge the relevant condition and were content to agree all of the details, such that the relevant condition could be discharged. Full details have been provided within the Assessment section of this report.

Bridge & Flood Maintenance:

- 2.7. The Flooding Team is satisfied that the condition for a culvert maintenance regime has been met and have no objection to the application.

Planning & Policy (Archaeology):

- 2.8. The Council's Archaeologist is content with the programme of archaeological works as set out within the Written Scheme of Investigation. Formal discharge of this condition will take place once all the archaeological works have been undertaken.

Representations

- 2.9. Stirling Area Access Panel submitted comments asking the developer to give some consideration to a number of matters including the position of the cycle parking, the inclusion of electric charging points and the provision of an extra-large disabled parking bay. Whilst these matters do not relate to this application, the comments have been forwarded to the agent who has confirmed that they have been provided to the design team. The design team will review and incorporate where possible.

Local Development Plan

- 2.10. 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 following provisions of the Development Plan are considered relevant to the consideration of this application.
- 2.11. Development Plan policies of relevance include: Primary Policy 1: Placemaking; Policy 1.1: Site Planning; Policy 1.2: Design Process; Policy 1.3: Green Infrastructure and Open Space; Policy 1.5: Green Belts; Primary Policy 2: Supporting the Vision and Spatial Strategy; 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; Policy 4.1: Low and Zero Carbon Buildings; Primary Policy 5: Flood Risk Management; Primary Policy 6: Resource Use and Waste Management; Policy 7.1: Archaeology and Historic Building Recording; Primary Policy 8: Conservation and Enhancement of Biodiversity; Policy 8.1: Biodiversity Duty; Policy 9.3: Landscaping and Planting in Association with Development; Primary Policy 10: Forestry, Woodlands and Trees; Policy 10.1: Development Impact on Trees and Hedgerows; Primary Policy 13: The Water Environment.
- 2.12. These above policies are also supported by a number of Supplementary Guidance documents including SG01: Placemaking; SG02: Green Network; SG03: Green Belts; SG14: Ensuring a Choice of Access for New Developments; SG17: Low and Zero Carbon Buildings; SG18: Planning and Flood Risk Management; SG23: Introduction to Archaeology in Stirling; SG29: Landscape and Planting Requirements in New Developments.

Other Planning Policy

- 2.13. Draft Supplementary Guidance documents including Transport and Access for New Development; Flood Risk Management and the Water Environment.

Assessment

- 2.14. Condition 1 a) Elevations and materials – full elevations have been submitted for all buildings. The external materials incorporate a buff multi facing brick as the dominant elevational treatment with an aluminium standing seam roof as the main roof finish with photovoltaic panel proposed where appropriate. It is considered that these details comply with Primary Policy 1 (Placemaking), Policy 1.1 (Site Planning) and Policy 4.1 (Low and Zero Carbon Buildings). It is therefore recommended that these matters are agreed.
- 2.15. Condition 1 b) Risk Assessment and Method Statement relating to the existing culvert. A maintenance regime has been submitted to ensure that there will be no issues arising with regard to a blockage of the culvert. The Council's Flooding Team have reviewed the submitted details and are content. It is considered that these details comply with Primary Policy 5 (Flood Risk Management) and it is recommended that this matter is agreed.
- 2.16. Condition 1 c) Access Arrangements – Detailed layouts of the two junctions (serving the car park and the gatehouse) have been provided. These layouts provide details of the junction geometry and visibility splays. The detailed layouts have been reviewed by the Transport Development Team and are considered acceptable. It is recommended that this matter is agreed.
- 2.17. Condition 1 d) Road Safety Audit – A Stage 1 Road Safety Audit has been submitted. The Transport Development Team have considered the recommendations of the audit and conclude that these can be easily incorporated into the design and as such the findings are accepted. It is recommended that this matter is agreed.
- 2.18. Condition 1 e) Bus Stop – Roads had previously requested the submission of details regarding the proposed bus stop. Details of the bus stop have been included within this submission and have been assessed by the Transport Development Team. These details have been accepted and it is recommended that this matter is agreed.
- 2.19. Condition 1 f) – Roads had previously requested the submission of a Construction Traffic Management Plan for each phase of the development. This information has been submitted and has been assessed by the Transport Development Team. These details have been accepted and it is recommended that this matter is agreed.
- 2.20. It is considered that all the foregoing matters (c, d, e and f) comply with Policy 3.1 (Addressing the Travel Demands of New Development), SG14 (Ensuring a Choice of Access for New Developments) and draft Supplementary Guidance (Transport and Access for New Development). It is recommended that all these matters are agreed.
- 2.21. Condition 1 g) - Culvert Maintenance Regime: A maintenance regime has been submitted to ensure that there will be no issues arising with regard to a blockage of the culvert. The Council's Flooding Team have reviewed the submitted details and are content. It is considered that these details comply with Primary Policy 5 (Flood Risk Management) and it is recommended that this matter is agreed.

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- 2.22. Condition 1 h) - Full landscaping details including maintenance regime. A full set of detailed soft and hard landscaping plans were submitted together with the maintenance regime. It is considered that the details comply with Policy 9.3 (Landscaping and Planting in Association with Development) and it is recommended that this matter is agreed.
- 2.23. Condition 7 required the developer to secure a programme of archaeological works. The programme of works was to be undertaken in accordance with a written scheme of investigation which was to be agreed by the Council's Archaeologist. All of this was to take place prior to works starting on site. The developer has submitted a written scheme of investigation which sets out the archaeological works designed to evaluate the potential for any significant archaeological remains to be present within the development area. The written scheme of investigation provides the detail of the works (evaluation, survey, monitoring, exclusion, excavation, post-excavation analyses and publication) for the mitigation pertaining to ground breaking works. The Council's Archaeologist is content for works to proceed as set out in the written scheme of investigation with the condition being formally discharged once the works are completed and reported upon. It is considered that the details submitted comply with Policy 7.1 (Archaeology and Historic Building recording) and the Council's Archaeologist is content that works can commence on site, in accordance with the programme of archaeological works. However, the condition will only be formally discharged once all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority. This ensures that Policy 7.1 is fully complied with. This is addressed by the Condition proposed in Appendix 1.

3. Implications

Equalities Impact

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

Sustainability and Environmental

- 3.2. An Environmental Impact Assessment is not required.

Fairer Scotland Duty

- 3.3. This section is not applicable.

Other Policy Implications

- 3.4. All relevant policies have been set out in section 2.

Consultations

- 3.5. As set out in section 2.

4. Background Papers

- 4.1. Planning Application file 19/00961/MSC. File can be viewed online at: [View Application](#)

4.2. List of determining plans:

Stirling Council Plan No.	Name	Ref on Plan
01	Location Plan	S-AL(0)002A
02	Site Plan	WNF-HML-EX-XX-DR-A-10001
03	Elevations	WNF-HML-HA-XX-DR-A-10130
04	Elevations	WNF-HML-HB-XX-DR-A-10130
05	Elevations	WNF-HML-AC-XX-DR-A10130
06	Elevations	WNF-HML-CH-XX-DR-A-10130
07	Elevations	WNF-HML-FH-XX-DR-A-10130
08	Elevations	WNF-HML-RE-ZZ-DR-A-10130
09	Elevations	WNF-HML-GM-ZZ-DR-A-10130
10	Details	410764MMD-00-XX-DRC0003
11	Details	410764MMD-00-XX-DRC0001
12	Details	410764MMD-00-XX-DRC-0004
13	Details	410764MMD-00-XX-DRC-0002
14	Landscaping	WNF-HML-EX-XX-DR-L-19001
15	Landscaping	WNF-HML-EX-XX-DR-L-19011
16	Landscaping	WNF-HML-EX-XX-DR-L-19012
17	Landscaping	WNF-HML-EX-XX-DR-L-19013
18	Landscaping	WNF-HML-EX-XX-DR-L-19014
19	Landscaping	WNF-HML-EX-XX-DR-L-19015
20	Landscaping	WNF-HML-EX-XX-DR-L-19031
21	Landscaping	WNF-HML-EX-XX-DR-L-19021
22	Landscaping	WNF-HML-EX-XX-DR-L-19022

5. Appendices

5.1. Appendix 1 – Conditions and Reasons.

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Approved By:

Date: 14 February 2020

Drew Leslie
Senior Manager – Infrastructure

Details of Convener(s), Vice Convener(s),
Portfolio Holder and Depute Portfolio Holder
consulted on this report

N/A

Wards affected:

Ward 4 Stirling North

Key Priorities:

N/A

Key Priority Considerations:

N/A

Stirling Plan Priority Outcomes:
(Local Outcomes Improvement
Plan:

N/A

**APPLICATION FOR APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 1 AND 7 OF
PLANNING PERMISSION 18/00175/PPP FOR REDEVELOPMENT OF EXISTING HMP
YOI CORNTON VALE TO FORM WOMEN'S NATIONAL FACILITY, INCLUDING
DEMOLITION OF EXISTING BUILDINGS, PROVISION OF NEW ACCESS, CAR
PARKING, BOUNDARY TREATMENT, AND SITE LANDSCAPING AT CORNTON VALE
PRISON, CORNTON ROAD, CORNTON, STIRLING, FK9 5NU - SCOTTISH PRISON
SERVICE - 19/00961/MSC**

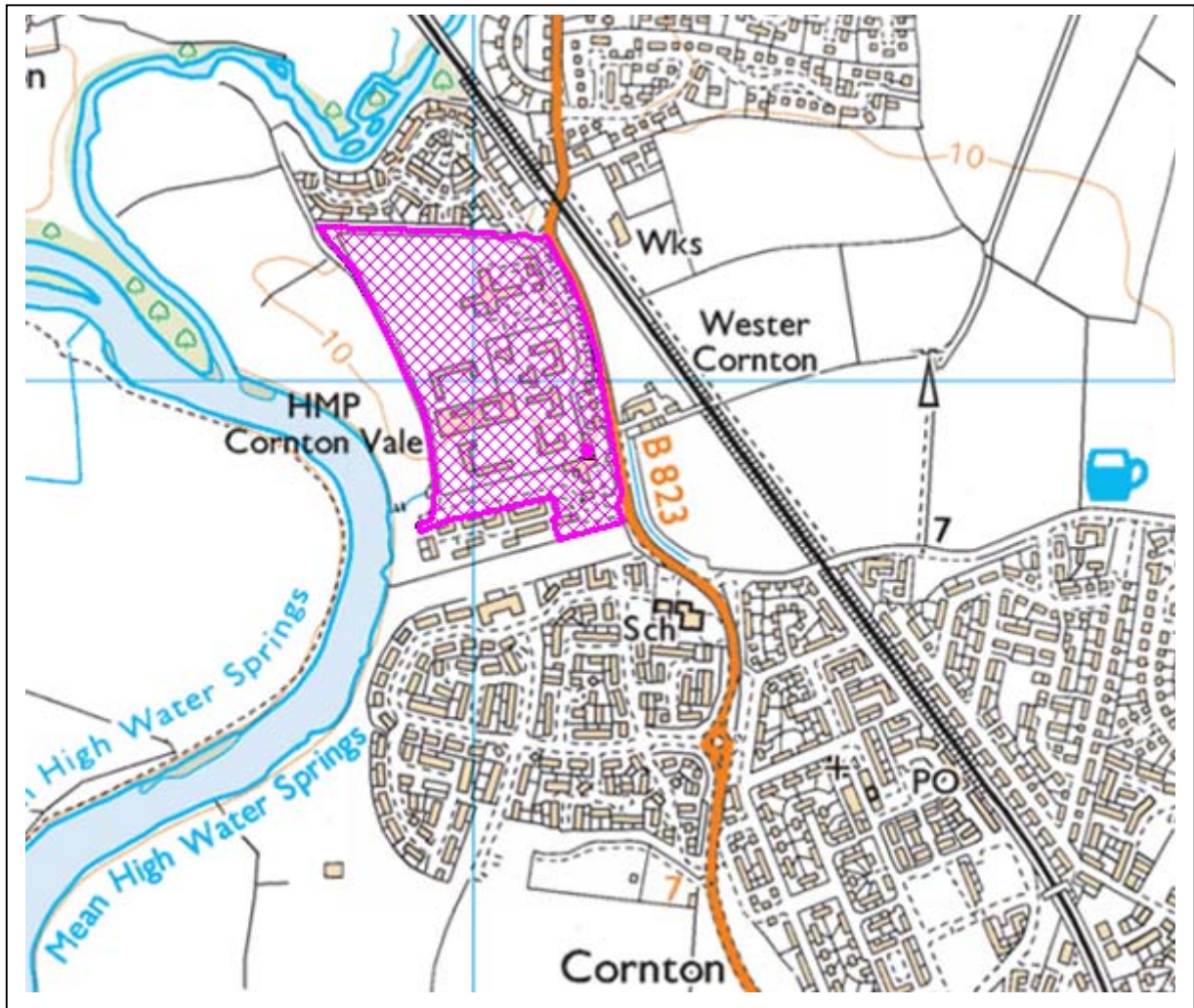
Approve subject to the following condition:

- 1 **Discharge of Condition 7:** Notwithstanding the details submitted in regard to Condition 7, formal discharge will take place once all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.

Reasons:

- 1 To ensure full compliance with Policy 7.1 and since the formal discharge of the Condition can only take place after the archaeological resources are fully understood with recording and recovery undertaken.

Location of Development



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