

## **Stirling Council**

Agenda Item No. 6

Planning & Regulation  
Panel

Date of  
Meeting: 30 March 2021

Not Exempt

### **Erection Of 85 Dwelling Houses, Formation Of New Access, Associated Infrastructure And Open Space At Land To South Of Croftside Farm And North Of Hillhead Farm Steadings, Stirling - Bellway Homes Limited (Scotland Division) - 17/00946/FUL**

---

#### **Purpose & Summary**

Detailed planning permission is sought by Bellway Homes Limited (Scotland Division) to develop land on the south eastern edge of Stirling for a residential development comprising 85 units with associated access, open space, landscaping and infrastructure.

This application is a major planning application under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The development is not considered to be significantly contrary to the Development Plan and so under the Council's Scheme of Delegation for Determining Planning Applications should be determined by Planning and Regulatory Panel.

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**

Planning & Regulation Panel is asked to approve the application subject to:

1. draft conditions set out in Appendix 1, and
2. a Section 75 Legal Agreement.

#### **Resource Implications**

Not applicable.

#### **Legal & Risk Implications**

Not applicable

## 1. Background

- 1.1. The site forms part of an allocated Housing, Employment and Retail site (H055, B10 and R09) allocated in the Stirling Local Development Plan 2018. The allocated site is also covered by non-statutory supplementary guidance - SG08: South Stirling Gateway Masterplan. Members may recall determining a planning application in June 2020 (18/00850/PPP – 800 new homes) for part of this allocation.

## 2. Considerations

### **The Site**

- 2.1 The site extends to approximately 3.93 hectares and encompasses an area of agricultural land between Croftside Farm and Hillhead Farm near Pirnhall interchange. The site is made up of two grazing paddocks with irregular boundaries. The northern site boundary is defined by the access road leading to Craigford House and Cottages. The same access road also serves Croftside Farm, the Barn Lodge and Croftside Cottage. The northern boundary is made up of a mixture of dry stone walls, hedgerows and traditional wire and post fencing. The western site boundary is defined by the A872/Glasgow Road and extends between the junction for access to Craigford House and the junction with Pirnhall Road.
- 2.2 The southern boundary is initially defined by Pirnhall Road and the buildings of Hillhead Farm; thereafter the boundary follows the internal field divisions eastwards. As the boundary approaches the golf course, it cuts north towards a well-defined drainage ditch (Craigford Ditch). This Craigford Ditch runs parallel to the eastern site boundary and is marked by a post and wire fence line and a tree line of semi-deciduous trees. The eastern boundary extends north towards Craigford House along the existing post and wire fence line.

### **The Proposal**

- 2.3 The proposal is for the erection of 85 residential units which will comprise 21 affordable units and 64 private units. The affordable units will be a mix of: 2-bed terrace (8 units), 1-bed cottage flats (4 units), 2-bed cottage flats (4 units) 3-bed end-terrace (1 unit) and 3-bed semi-detached (4 units). The private units will be a mix of: 2-bed terrace (2 units); 3-bed terrace (2 units), 3-bed semi-detached (2 units), 3-bed detached (12 units); 4-bed detached (40 units); 5-bed detached (6 units). The units, both affordable and private, are to be either a cream or white render with slate grey roof tiles.
- 2.4 The proposal includes a new access onto Pirnhall Road to the west of Hillhead Farm. There is to be a main spine road running southwest – northeast through the site with secondary and tertiary roads looping off it. Open space, amenity land is to be provided. There will also be a Sustainable Urban Drainage System located within an area of the site opposite Croftside Farm. The development will be set back from Glasgow Road (A872) by an area of landscaped open space and, as the site will sit above the level of the access road serving Croftside Farm/Craigforth Cottages etc., will be retained along the northwestern boundary.

## **Previous History**

- 2.5 There is no previous planning history on this site of relevance to this application.

## **Consultations**

### **NHS Forth Valley:**

- 2.6 To allow NHS Forth Valley to support additional residential dwellings in this area, additional health care infrastructure will be required. NHS Forth Valley is working with Stirling Council to identify health care infrastructure requirements for the Stirlingshire area as a whole and associated developer contributions.
- 2.7 Discussions have taken place between NHS Forth Valley and Planning Policy regarding the Draft Supplementary Guidance on Developer Contributions.

### **Scottish Water:**

- 2.8 No objection.
- 2.9 Water - sufficient capacity in the Turret Water Treatment Works.
- 2.10 Foul - sufficient capacity in the Stirling Waste Water Treatment Works.

### **Scottish Environment Protection Agency (SEPA):**

- 2.11 SEPA previously objected to this application but removed objection as they were satisfied that the finished floor levels of the proposed properties were sufficiently above any predicted flood level from the adjacent ditch.

### **Transport Scotland:**

- 2.12 Does not propose to advise against the granting of permission on the understanding that Stirling Council will make appropriate arrangements for developer contributions towards the required mitigation at Pirnhall in accordance with the Local Development Plan.

### **Roads Development Control:**

- 2.13 No objection but suggest the following conditions be applied to any consent granted:

A91 Road Mitigation – Primary Vehicular Access; A872 Road Mitigation – Secondary Vehicular Access; Access; Roads Design; Road Safety Audit; Swept Path Analysis; Internal Junction Visibility; Street Lighting; Surface Water Drainage; Parking Requirements; Driveway Construction; Driveway Visibility; Path and Active Travel Network – Access Management Strategy; Travel Plan; Public Transport; Construction Traffic Management Plan (CTMP); Speed Limit (A91); Speed Limit (A872); Ultra-Low Emissions Vehicles (“ULEV”) Charging Strategy; Ultra-Low Emission Vehicle (“ULEV”) Charging Points; Cycle Share Scheme; Public Access.

- 2.14 Recommend a Legal Agreement to ensure compliance with Supplementary Guidance – Developer Contributions (a financial contribution is required to address the developments contribution to the cumulative traffic impacts within the area) and to ensure that the applicant contributes an equitable share (proportionate to development scale) to each of the following measures:

- 2.14.1 A91 Primary Vehicular Access.
- 2.14.2 A872 Secondary Vehicular Access.
- 2.14.3 Active Travel Network Mitigation.

#### 2.14.4 Milton Terrace Road Mitigation.

- 2.15 Whilst the majority of conditions requested have been included within Appendix 1, some have not – the reasoning has been set out in the Assessment Section (Access/Transport) of this report. This relates to: A91 Road Mitigation – Primary Vehicular Access; A872 Road Mitigation – Secondary Vehicular Access; Speed Limit (A91); Speed Limit (A872) and Public Access. Furthermore, some conditions are no longer required as the issue has been addressed within the submission (such as Swept Path Analysis).

#### **Environmental Health:**

- 2.16 Environmental Health had no adverse comments to make. Comments were provided relating to construction noise, air quality, and dust. Conditions were recommended in relation to noise and contaminated land.

#### **Bannockburn Community Council:**

- 2.17 When the Local Development Plan was agreed - all infrastructure, roads etc. would be put in place prior to house building taking place. Access onto the A872 for a further 83 houses (traffic) would be impossible unless a roundabout or traffic lights were in place. Access road from site onto Pirnhall Road would be dangerous as road is narrow and cars from nearby properties park on this road.

#### **Housing Strategy & Development:**

- 2.18 The development meets the requirement of 25% on-site provision of affordable housing. The mix has been discussed and agreed with Forth Housing Association. The mix is varied and suited to the needs of the local community. The site is included in the Strategic Housing Investment Plan (SHIP) 2021-2026 for the homes to be delivered in partnership with Forth Housing Association.

#### **The Coal Authority:**

- 2.19 No objection subject to a condition requiring a scheme of further intrusive site investigations and remediation.

#### **Bridge & Flood Maintenance:**

- 2.20 The site lies outwith the functional floodplain. Stirling Council Flood Team have no objection to the application on the grounds of flood risk. Request the inclusion of conditions relating to: limiting greenfield discharge; a method statement for construction phase Sustainable Urban Drainage System Maintenance (SUDS) and setting finished floor levels of properties adjacent to the Craigford ditch.

#### **Planning & Policy:**

- 2.21 The proposed development has the potential to impact on previously unknown archaeological remains, therefore it is recommended that a condition seeking a Programme of Archaeological Works is included in any permission.

#### **Waste Services Team Leader:**

- 2.22 No response received.

### **Play Services:**

- 2.23 Layout was only allowing for 15 metre buffer zone. This close proximity may give rise to neighbour nuisance complaints. Within the overall housing layout, SG02 guidance on the buffer zone has not been afforded adequate consideration.

### **Children's Services:**

- 2.24 Primary Provision: As a part of the South Stirling Gateway masterplan, the Education Authority requires that the site provides its own education solution. The current proposal will be expected to contribute towards the cost of this school proportionately. As an interim measure, there is some space within the current capacity at Bannockburn Primary School which can be utilised to house children from the development until and including session 2023/24, based on the current Housing Land Audit information and the revised phasing for South Stirling Gateway.
- 2.25 Secondary Provision: The secondary provision for this development is being considered. The current proposal will be expected to contribute towards the cost of this provision proportionately.

### **Historic Environment Scotland:**

- 2.26 Do not object. Principle of development already established through allocation within Local Development Plan. Further work is needed to understand and assess potential impacts on the battlefields' special qualities and key landscape characteristics.

### **Representations**

- 2.27 Six letters of representation, including 4 objections, have been received raising the following matters:
- 2.27.1 Houses will overlook writer's property.
  - 2.27.2 Concern that development will affect writer's sewage pipes and septic tank.
  - 2.27.3 Concern at proximity of play area to writer's property.
  - 2.27.4 Concern raised that the links from the site to the access road that serves Craigford House, Croftside Farm and Cottage etc. is not suitable for lots of pedestrians given the restricted width of the road.
  - 2.27.5 Proposal does not accord with the masterplan (SG08) - lack of variation in density and scale to the layout arrangement, lack of sense of place and empathy with surroundings.
  - 2.27.6 Comment that this development should pay its share of common infrastructure costs.
  - 2.27.7 Concern raised regarding access to the main road and privacy disturbed if walkers are passing writer's property.
  - 2.27.8 Writer notes that the access road will run directly alongside their driveway at Hillhead Farmhouse. Suggest the road being built remains straight to avoid interference with their property.

## **Local Development Plan**

- 2.28 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
- 2.29 Primary Policy 1: Placemaking; Policy 1.1: Site Planning; Policy 1.2: Design Process; Policy 1.3: Green Infrastructure and Open Space; Primary Policy 2: Supporting the Vision and Spatial Strategy; Policy 2.2: Planning for Mixed Communities and Affordable Housing; Policy 2.3: Particular Needs Housing and Accommodation; 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; Primary Policy 7: Historic Environment; Policy 7.1: Archaeology and Historic Building Recording; Policy 7.8: Development affecting Battlefields, Gardens and Designed Landscapes; Primary Policy 8: Conservation and Enhancement of Biodiversity; Policy 8.1: Biodiversity Duty; Primary Policy 9: Managing Landscape Change; 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; Primary Policy 14: Soil Conservation and Agricultural Land.
- 2.30 The Stirling Local Development Plan allocates this site for Housing (H055 South Stirling Gateway) and it is included in the Schedule of Development Sites (Housing Sites H055 - Appendix A of the Plan).
- 2.31 Supplementary Guidance: Flood Risk Management and the Water Environment.

## **Other Planning Policy**

- 2.32 Non-statutory Supplementary Guidance - SG01: Placemaking; SG02: Green Network; SG04: Affordable Housing; SG06: Health Care Facilities; SG08: South Stirling Gateway Masterplan; SG14: Ensuring a Choice of Access for New Developments; SG15: Education Provision; SG16: Developer Contributions; SG17: Low and Zero Carbon Buildings; SG19: Waste Management; SG23: Introduction to Archaeology in Stirling; SG26: Biodiversity Conservation; SG28: Landscape Character Assessments; SG29: Landscape and Planting Requirements in New Developments; SG31: Trees and New Development; SG32: Trees and the Law.
- 2.33 Some of the Non-statutory Supplementary Guidance outlined above has been superseded by Draft Supplementary Guidance - Developer Contributions (supersedes SG04, SG06, SG15 and SG16); Transport and Access for New Development (supersedes SG14).
- 2.34 Scottish Planning Policy (2014);
- 2.35 Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality.
- 2.36 Planning Advice Note (PAN) 1/2011: Planning and Noise.

## Assessment

- 2.37 This site forms part of a larger, strategic housing designation (H055) at South Stirling Gateway. Overall, the allocated site could provide as many as 1,100 residential units.
- 2.38 **Density and Design:** Primary Policy 1 (Placemaking), Policy 1.1 (Site Planning) and Policy 1.2 (Design Process) all seek to ensure that development proposals are designed and sited appropriately and are of quality. The site allocation in the Local Development Plan was supported by non-statutory supplementary guidance SG08: South Stirling Gateway Masterplan which is a material consideration in the determination of this application. The Masterplan sought to provide direction relative to the development of the site, setting out and explaining a series of design principles intended to inform more detailed work and the design development of proposals. The document considers a number of strategic site concepts relative to landscape, movement, development pockets, and the approach to density, scale and character. In doing so, it identifies a series of character areas and sets appropriate development and design principles.
- 2.39 At a strategic level the Masterplan indicates that the 'heart' of the development, encompassing a mix of uses such as the primary school and retail, be located towards the north eastern edge of the allocation (outwith this application site). The core of the development is to be in this location, with the associated density and building typologies. The Masterplan indicates that as development moves westwards, a general reduction in density is expected, culminating in the site and the development's transition into the countryside at Croftside. As highlighted above, the Masterplan identifies a series of character areas, setting appropriate development and design principles for each. This application site straddles two such areas: Low density Housing South-West Transition and Low density Housing Croftside. 'Low density' was envisaged to be approximately 10 to 15 residential units per hectare.
- 2.40 The South-West Transition area was to be low density housing and make an adequate transition into the countryside to the west, whilst also ensuring that the setting and context of Cat Craig and the existing farm steadings are adequately protected and maintained. The Masterplan stated that development in this area should incorporate a mix of lower density housing with larger gardens, spaces between houses, with intervening areas of open space/tree planting. Strong boundary treatments, in the form of stone walls, should be used to define front boundaries and contain parking areas and driveways with the use of gateposts and features appropriate for a rural setting. Transition into areas of open space/countryside should be carefully handled, ensuring that the buildings are orientated to overlook these areas and limit the instances where rear boundary treatments form this transition.

- 2.41 The Croftside area was also to be low density housing which was to make an adequate transition into the countryside to the west. Development in this area was to adequately reflect its sensitive position and that the design of the area was to provide innovative, contemporary interpretations of traditional courtyard/steading complexes. To achieve this aim, it was expected that low density housing would be arranged in clusters and around courtyards to reflect the existing built development. There needed to be careful positioning of buildings to ensure that the edge of the development is not defined by rear garden boundaries. Boundary treatments should be stone walls to reflect those prevalent in the surrounding area.
- 2.42 This proposal has been through a number of iterations. The applicant initially proposed to locate the affordable housing element to the front of the site, at the western corner which fronts Glasgow Road. The affordable housing was formed by terraces, which the applicant considered were orientated to be 'read' as a steading complex. However, due to the scale and mass as well as the lack of variety and detailing in the form and design, it was considered that the grouping of the affordable housing in such a manner would not achieve a strong and cohesive building group and would result in an area of higher density where low density should have been located.
- 2.43 The density of this proposal is 85 units over a site area of 3.93 hectares which equates to around 21 residential units per hectare. This is far higher than the density envisaged in the Masterplan (10 to 15 residential units per hectare). The design of the units as set out in the Masterplan was to be innovative, contemporary interpretations of traditional courtyard/steading complexes however the design and layout of this proposal is a much more standard approach. The house types are standard house types produced by most similar volume house builders. The layout does not create a series of smaller clusters of buildings, interspersed by open space and landscaping, instead the landscaping is predominantly leftover space where the inclusion of another house would appear awkward. There is a lack of informal, amenity open space which has reduced the likelihood of this development providing a 'leafy', rural appearance and extension of its Cat Craig backdrop. Whilst the set back from Glasgow Road, as envisaged in the Masterplan, has been included within the proposal, this has reduced in extent and includes areas of road, footpath and visitor parking. This will result in the development having a greater visual impact at this point in the site, than necessarily either envisaged or desired through the allocation and the subsequent Masterplan.
- 2.44 There are elements of the Masterplan expectations which have, to some extent, been included within this proposal such as the orientation of the buildings to ensure that the development presents a positive frontage along its boundaries with the countryside (northern boundary). Equally, there has been an attempt to 'loosen' the layout of the buildings and provide a 'courtyard' type grouping but within the context of a standard approach. Furthermore, the applicant has sought to incorporate some changes to the appearance of properties along the visible outer edge of the site (in terms of both appearance and materials), which is supported, but it is in the context of utilising 'standard' house types. The applicant has also indicated a willingness to incorporate a better quality of boundary treatment in terms of stone walling to the properties within the western section of the site. A condition has been included within Appendix 1 to ensure the detailing of the proposed stone walling is an appropriate response to the walling set out in the Masterplan.

- 2.45 It is considered that there are significant elements of the Masterplan aspirations which the current proposal does not achieve such as overall density, lack of a bespoke house design and lack of amenity open space. However, there are elements of the proposal such as ensuring a positive edge to the development and transition into the countryside, which will be a significant positive aspect of the proposal. Whilst it is considered that the proposal does comply with Primary Policy 1 (Placemaking), Policy 1.1 (Site Planning), Policy 1.2 (Design Process) and aspects of the Masterplan, it is considered that an opportunity to achieve a development beyond a standard housing development has not been achieved.
- 2.46 **Open Space and Play Provision:** As set out in Primary Policy 1 (Placemaking), development should contribute to the implementation of the Council's Open Space Strategy and Green Network objectives. Policy 1.3 (Green Infrastructure and Open Space) states that proposals adjacent to existing open spaces should maintain and enhance functionality and connectivity. It also requires new development to incorporate accessible multifunctional open space of the appropriate quantity and quality to meet the needs arising from the development. The Policy also requires that the long term maintenance of the open space is secured. Policy 3.3 (Developer Contributions) requires that contributions to off-site provision will only be sought where on-site provision is not appropriate.
- 2.47 The Council's Open Space Strategy requires developers to ensure that open spaces are integrated and planned in a development; that they are multi-functional and connected. Such an approach prevents the provision of small 'left-over' areas of unconnected open space that offer little benefit to the local community. The approach within the Open Space Strategy is embedded in SG02 (Green Networks) to ensure that developers fully consider open space in their developments.
- 2.48 SG08: South Stirling Gateway Masterplan envisaged that, whilst open areas and landscaping will form integral parts of detailed proposals, there would be strategic areas of open space for the overall site in the form of a linear park, Cat Craig and a strategic play area. However, South Stirling Gateway has not come forward as one holistic development but in a series of developments submitted by different applicants. This has meant that the Council has been unable to achieve the strategic play areas and instead each development has been required to meet its own individual needs in respect to play and open space provision as required by Policy 1.3.
- 2.49 The Masterplan had set out an area of open space to the front of the site at the A872/Glasgow Road to improve the gateway entrance to Stirling by the retention of the stone dyke along the A872 with some additional planting whilst retaining open views across to Cat Craig and north towards the city skyline and beyond. This proposal does include the retention of the stone dyke and the development has been pulled back from the south western boundary thereby providing a landscaped area between the development and the A872. However, the overall width of this landscaped area is far narrower than envisaged in the Masterplan and it tapers off to the north west. Nonetheless, it is considered that since the buildings along the northern boundary, that front the access road to Croftside Farm, and the buildings along the western boundary all address Glasgow Road the reduction in the open landscaped area, whilst unfortunate, is considered acceptable. Furthermore, areas of open space, in the form of the SUDS, open space and a parking court, between the existing residential buildings (Croftside, Croftside Cottage, Craigford Cottages) and the proposed buildings reduces

the impact of the development on these houses and provides a more appropriate transition from the new development to the countryside.

- 2.50 The proposal had included the provision of an equipped play area within the centre of the site which was overlooked by a number of the proposed houses (Plots 51, 52 & 53). However, the 25 metre buffer between the equipped playspace and the nearest dwelling window, advocated in SG02 (Green Network), could not be achieved. Instead, the layout only allowed for a distance of 15 metres which could give rise to neighbour nuisance complaints. Moreover, the play area was to be located adjacent to Croftside Cottage where the principal elevation of the cottage would only be a few metres from the play space. This location was therefore not considered to be appropriate. The applicant had also proposed an area to the north of the site, nearest Craigford House and cottages, however this was rejected since the access to the play facility would be via a parking court. It is noted that there is no other suitable area within the site where the playspace could be accommodated without the loss of residential units. It had not been envisaged in the Masterplan (SG08) that a play facility would be provided within this area since a strategic play facility in the northern section of the South Stirling Gateway allocation had been proposed. The requirement arose since the applications within the allocation have not come forward in a holistic manner. The preference was to have one large, meaningful, equipped play area within the allocation rather than a number of small, piecemeal play areas. The Persimmon/Tulloch application included play provision however that development related to 800 units whereas this proposal is only for 85 units. The applicant has indicated a willingness to provide a financial contribution to play provision within the wider South Stirling Gateway allocation, as envisaged in the Masterplan (SG08) and as permitted under Policy 1.3(e). It is recommended that a contribution to off-site play provision (£1,000 per unit) is secured via a legal agreement. It is likely that this contribution will be utilised to augment a play facility that will be provided within the South Stirling Gateway allocation.
- 2.51 The proposal provides for linkages to existing open space to the north and east of the site. This will allow pedestrians from the existing and proposed houses to access Cat Craig and the wider countryside via this development thereby enhancing functionality and connectivity. A condition has been proposed to ensure that the eastern pedestrian link and associated water crossing is provided. This condition has been negatively worded since it will require the developer, or other interested party, to liaise with the adjacent landowner to achieve an appropriate crossing over the Craigford Ditch.
- 2.52 It is considered that, on balance, the proposal complies with Primary Policy 1 and Policy 1.3.

- 2.53 **Access/Transport:** Policy 1.1 (Site Planning) states that all proposals must be accessed safely and that all streets and open spaces should be designed in a manner so as to create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport. Policy 1.2 (Design Process) states that Masterplans will be prepared to provide a comprehensive approach to the provision, design and location of uses, open space and infrastructure. Policy 3.1 (Addressing Travel Demands of New Development) seeks to ensure that accessible (walking, cycling, public transport and motor vehicles) developments are created. This policy is supported by Draft supplementary guidance (Transport and Access for New Development) which sets out the requirements for new developments so that the Council can consider how access and transport issues are evaluated to ensure development occurs in an appropriate manner.
- 2.54 The proposal has been designed with a road hierarchy where there is a primary spine road through the development with secondary and tertiary roads branching off. The materials and character of these roads alters depending on the level of proposed usage thereby reducing the visual impact of the roads within the development whilst controlling the speed of traffic. The Masterplan indicated a hierarchy of streets to ensure that the development was well connected and permeable. Whilst this development does propose a small number of cul de sacs, which are considered inevitable given the irregular shaped site, the proposal focuses on road loops which allow for greater permeability.
- 2.55 The applicant has sought to ensure that the development meets roads requirement with regard to parking provision and that visitor parking is distributed throughout the site, in an effort to optimise their use, and avoid instance of vehicles parking on the carriageway.
- 2.56 Whilst the wider South Stirling Gateway site will allow for bus penetration along Pirnhall Road, Roads sought to ensure that bus stop facilities on Glasgow Road were improved and an enhanced pedestrian connection along Pirnhall Road was achieved should this application be advanced to construction first. This will ensure that, should this site be developed in advance of the wider allocation, residents would still utilise public transport facilities.
- 2.57 This development forms part of the wider H055 South Stirling Gateway site, which included a requirement to upgrade the junctions onto the A91 and the A872/Glasgow Road. Roads had sought, via a planning condition, to require this developer to upgrade both the A91 and A872/Glasgow Road junctions prior to commencing development on this site. Whilst it is not considered reasonable to require a development of only 85 units, within a possible 1,100 unit development, to undertake the junction improvements, it is appropriate that this development contributes to the cost of the strategic roads infrastructure improvements required for this allocation which will be achieved through the Legal Agreement.

- 2.58 The Persimmon/Tulloch application (18/00850/PPP) was supported by a Transport Assessment which outlined that an upgraded A91 junction had a 300 unit capacity. If this development takes place in advance of the Persimmon/Tulloch development, then vehicles from up to 385 units could use the upgraded A91 junction before the secondary (A872/Glasgow Road) junction was required to be upgraded. Since Roads also sought to ensure that not more than 300 units were served by the upgraded junction on the A91, further consideration needs to be given to the timing of junction improvements. A condition has been recommended within Appendix 1 requiring the access details to be approved by the Planning Authority in advance of construction taking place on this site. Through negotiations on the legal agreement and on receipt of further legal advice, clarity on the precise wording of a condition to address this matter will be achieved.
- 2.59 Roads also sought to impose conditions on any forthcoming permission to require Traffic Regulation Orders to limiting the speed of traffic on the A872 and A91 prior to the junctions being upgraded and a condition to ensure that the Core Path remained open during construction or permission must be sought from Stirling Council's Transport Development Team. It is not competent for a condition to seek to achieve an outcome which is under a separate system of control hence these conditions have not been included in Appendix 1. Instead, these requirements have been brought to the attention of the applicant should they be upgrading the junctions or intending to limit public access at any point in the construction phase of the development.
- 2.60 This development proposes an access directly onto the existing Pirnhall Road. Members may recall that the proposal by Persimmon/Tulloch (18/00850/PPP) sought to alter the Pirnhall Road alignment in this location by moving Pirnhall Road further south and a new, upgraded junction formed onto the A872/Glasgow Road. This upgraded junction and re-alignment will require a connection from this site to the revised Pirnhall Road. These matters will be captured within the proposed Legal Agreement or revised conditions to ensure that the junction improvements are provided at an appropriate stage of the development and that all developments within the South Stirling Gateway allocation contribute to the costs of provision.
- 2.61 The applicant's Transport Assessment, which was submitted in support of the application, demonstrated that the current junction arrangement was suitable of accommodating the level of traffic generated by this proposal and Roads have confirmed that, subject to conditions and appropriate measures captured within a Legal Agreement, they are content that the junction and access are appropriate.
- 2.62 It is therefore considered that the proposal meets the requirements of Policies 1.1, 1.2 and 3.1 with regard to transport matters.
- 2.63 **Affordable Housing/Mixed House Types**: Policy 2.2 (Planning for Mixed Communities and Affordable Housing) of the Development Plan requires that all new residential development schemes provide a range of housing of different types and sizes, as well as different types and tenures.

- 2.64 The initial drawings indicated that, whilst the development would deliver a variety of unit sizes, the proposed unit type within the open market housing was all detached houses and only flats and terraced units within the affordable housing mix. It was requested of the applicant that the development should contain a greater mix of housing types. In order to meet this requirement, the applicant included a terrace of units and a couple of semi-detached units however this, in turn, increased the overall unit numbers on site (from 83 units to 85). Since the requirement is for 25% of the units to be affordable, the applicant also needed to forego some of the market units to achieve the required number of affordable units.
- 2.65 The proposal has been revised to provide a mix of tenures as well as house types and sizes. Of the units that are open market (64 in total) there is a mix of terraced (4 units), semi-detached (2 units) and detached (58 units) properties. Of the units that are affordable (21 in total), there is a mix of terraced properties (4 units), flats (8 units) and semi-detached houses (4 units). Within these accommodation types, the properties are a mix of sizes from 1-bed to 5-bed. The applicant has been liaising with Forth Housing Association to ensure that the accommodation proposed within the affordable housing section of the development is varied and meets the needs of the local community. Forth Housing Association have confirmed, via the applicant, that they are content with the mix and number of units. Housing have also confirmed that they are content that the requirements for on-site affordable housing provision have been met and that the mix is varied and suited to the needs of the local community.
- 2.66 As per Primary Policy 2 (Supporting the Vision and Spatial Strategy) this site is identified for housing in the Local Development Plan and approval of this application will assist in ensuring that the Council continues to meet demand for housing within the area. Furthermore, it is considered that the proposal complies with Policy 2.2 since the development incorporates a range of housing of differing types, tenures and sizes.
- 2.67 **Noise:** Noise is a material planning consideration and must be given due weight when determining an application. The application was supported by a Noise Report which sought to determine whether or not noise from road traffic (A872) was a constraint to the development. The Noise Report set out what mitigation measures were required to ensure that external and internal noise levels do not exceed the criteria. The Noise Report was updated to reflect the revised site layout.
- 2.68 The Noise Report concluded that the assessment of road traffic noise in the rear gardens of the most exposed properties was found to be not significant. The report also concluded that, with mitigation in the form of acoustically attenuating trickle passive ventilators fitted to bedroom windows of south-western elevations within Plots 80, 81 & 82 and the north-western elevation of Plot 80, the internal night-time noise would be within the target noise criteria. Standard trickle ventilators are required to windows within a number of the plots (Plots 1, 63, 73, 74, 78, 79, 83, 84 & 85) to ensure that night time road traffic noise levels are within target noise criteria. Internal noise levels can be met with windows open elsewhere throughout the development. It was noted that, if the future speed on the A872 is reduced, this will reduce noise levels to below those assessed therefore reducing the impact at the most exposed properties. Environmental Health confirmed that they were satisfied with the findings of the updated Noise Impact Assessment and the mitigation proposed.

- 2.69 It is therefore considered that, subject to the implementation of the measures set out within the Noise Report, noise is not a constraint to development. A condition has been recommended within Appendix 1 to ensure that the recommended mitigation is implemented within the development.
- 2.70 **Air Quality:** Air quality is a material planning consideration and must be given due weight when determining an application. The planning application was supported by an Air Quality Assessment. The primary long-term concern in relation to air quality is the emissions generated by traffic and the subsequent impact on the local ambient air quality at residential and public areas located within the vicinity of the main road network. The scope and methodology of the air quality assessment was agreed with Environmental Health. The model predicted no significant change in NO<sub>2</sub>, PM<sub>10</sub> or PM<sub>2.5</sub> concentrations at all Sensitive Receptors on the comparison of 'with and without' development scenarios. The impact magnitude for all Sensitive Receptors was categorised as 'negligible' for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and no significant air quality impact was predicted on future or existing residents as a result of the proposed development. Environmental Health had no comments to make with regard to air quality other than suggesting that the developer should adopt good design principles that reduce emissions and contribute to better air quality. Roads had requested the inclusion of conditions relating to Ultra-Low Emissions Vehicles Charging Strategy and Charging Points in the interests of air quality and these have been included in Appendix 1. It is considered that the proposal complies with Primary Policy 1 (Placemaking) criteria (e), which seeks to ensure that developments have minimal impact on air quality.
- 2.71 **Ecological Survey:** Primary Policy 8 (Conservation and Enhancement of Biodiversity) requires that, where proposals may affect protected species, developers must carry out species surveys and produce mitigation plans where required. Development that may result in activities that would normally require a species licence will not be permitted unless the applicant can demonstrate that such a licence will be likely to be granted. Furthermore, areas not covered by statutory or local designations will have an appropriate level of protection if they are deemed to be important for their contribution to local biodiversity. Policy 8.1 (Biodiversity Duty) states that all development proposals will be assessed for their potential impact on biodiversity to ensure that overall biodiversity is maintained.
- 2.72 The application was supported by a Protected Species Survey. The aim of the survey was to search for the presence and evidence of protected species such as bats, badgers and nesting birds. There was no badger sett or evidence of badger presence, though the pasture offers suitable foraging habitat and hedgerows provide connectivity to the wider area. There were no suitable structures for bat roosts. Whilst the pasture offers suitable foraging habitat, there is a lack of connectivity to the wider area. The report recommended that, if vegetation clearance is required, this should be undertaken outwith the bird nesting season (March to August inclusive). This has been included as a condition in Appendix 1. Due to the length of time that has lapsed since the ecological survey work was undertaken, a condition has been proposed in Appendix 1 requiring the submission of an updated survey prior to works commencing on site.
- 2.73 The site is currently utilised for agricultural land with little planting. This proposal will introduce a level of landscaping and a variety of planting not currently present on this site. It is considered that this will at least maintain biodiversity and may likely increase it in compliance with Policy 8.1.

- 2.74 It is considered that the development complies with Primary Policy 8 (Conservation and Enhancement of Biodiversity) and, with the inclusion of the proposed conditions, provides an appropriate level of protection to local biodiversity.
- 2.75 **Drainage/Flood Risk:** The application was supported by a Drainage Assessment which included a detailed Flood Risk Assessment. The assessment described the topography of the site thus: the upper eastern paddock area is predominantly flat with slight undulations. Ground levels are generally around 51.0m OD. The lower western paddock falls from around 54.5m OD at the southern corner to 47.5m OD around Croftside Farm. The centre of this paddock lies about 52.0m OD.
- 2.76 The Assessment confirmed that the site was not associated with any functional flood plain. It recommended that final floor levels for residential properties adjacent to the Craigford Ditch and along the eastern site boundary are set to a minimum level of 50.4 OD which would provide a minimum freeboard of 600mm.
- 2.77 The Drainage Assessment indicated that the foul drainage connection will be via a gravity connection to a sewer which runs along Glasgow Road. Sustainable Urban Drainage Systems have been incorporated in the form of an attenuation basin, roadside filter trenches and porous paving.
- 2.78 Conditions have been recommended to ensure minimum finished floor levels and that there is a maintenance regime in place for the Sustainable Urban Drainage System. It is considered that this proposal complies with Primary Policy 5 (Flood Risk Management) in seeking to establish a precautionary approach to flood risk.
- 2.79 It is noted that a third party had raised concerns that this development may affect their sewage pipes and septic tank. These matters are civil issues that need to be addressed between the developer and the writer.
- 2.80 **Site Investigations:** The application was supported by a Site Investigation report which assessed such matters as the ground conditions, the risk of contamination and gas emission. The report concluded that there was no chemical contamination within the natural or made ground soils. Additionally, no significant risk to the water environment was identified from the existing site conditions. There are areas within the site (northern and western areas) potentially at risk from surface instability due to the presence of shallow abandoned mine workings within the Lower Knott Coal seam. There was also the potential for instability within the south-eastern site area associated with possible historical workings in the Knott Coal. Environmental Health were satisfied that, with the inclusion of conditions relating to remediation, any issues relating to contamination would be suitably addressed. Furthermore, the Coal Authority had no objection to the development subject to a condition requiring a scheme of further intrusive site investigations and remediation.
- 2.81 It is considered that, with the inclusion of conditions, the proposal complies with Primary Policy 6 (Resource Use and Waste Management) criteria (e) which seeks to ensure that remediation is undertaken to a standard commensurate with its new use.

- 2.82 **Impact on Historic Assets including Battlefield Designation:** Primary Policy 7 (Historic Environment) seeks to ensure that the historic environment and the setting of its component features are safeguarded, preserved and enhanced. Policy 7.1 (Archaeology and Historic Building Recording) requires that where there is the possibility that archaeological remains may exist within a development site, but their extent and significance is unclear, the prospective developer should arrange for an evaluation prior to the determination of any planning application. Policy 7.8 (Development affecting Battlefields, Gardens and Designed Landscapes) states that development which would have a significant adverse effect upon the landscape features, character and setting of sites listed in the Inventory of Historic Battlefields will not be supported unless it can be demonstrated that the overall integrity and character of the battlefield area will not be compromised. Proposals affecting these designated sites must have an appropriate level of mitigation to conserve and enhance the essential characteristics, historic value and setting of the battlefield.
- 2.83 The application was supported by an Archaeological Desk-Based Assessment, the aims of which were to assess evidence for the past human use of the development area, its archaeological sensitivity and the potential impact of the development upon the archaeological resource. The Assessment identified two known cultural heritage sites within the proposed development area that may be directly affected by the proposed development – the Battle of Bannockburn and the Battle of Sauchieburn, both of which are listed on Historic Environment Scotland’s Inventory of Battlefields and both of which are of national significance. The site has been in agricultural use from at least the middle of the eighteenth century. Given that this land has not previously been developed, and that it lies within two Battlefield sites, there is the potential for the survival of hitherto undiscovered sub-surface archaeological remains therefore a programme of archaeological evaluation works was recommended in the Assessment.
- 2.84 The Council’s Archaeologist concurred with the view that the proposed development had the potential to impact directly on both Nationally Significant archaeological remains as well as potentially unrecorded deposits but was content for the development to proceed with the inclusion of a condition requiring a programme of archaeological works. This condition has been included within Appendix 1.
- 2.85 The site forms part of the South Stirling Gateway housing allocation (H055) set out in the Local Development Plan and development of this land is supported by SG08 South Stirling Gateway Masterplan. As part of the assessment of the site for allocation in the Plan, the impact of development on the setting of the Historic Battlefields would have been taken into account. Furthermore, the extent and height of buildings in this location would have been assessed. Nonetheless, the application was supported by a Landscape and Visual Impact Assessment which found that the visual impact of the development would mainly be restricted to the immediate surroundings of the site. There was potential for some low visual impacts upon the Battle of Bannockburn Rotunda Memorial but this will be in the context of existing development and over a reasonable distance. Furthermore, the development would not interrupt the visual relationship between the monument and Cat Craig. The Assessment concluded that an area of parkland green space to the boundary with the A872 would further minimise any visual impacts and it was not considered that the development would have a significant adverse effect upon the setting of the two Battlefield sites.

- 2.86 Historic Environment Scotland considered that further archaeological works should be used to inform an updated Landscape and Visual Impact Assessment. They considered that housing development should respond to the topography of the site to accommodate views both into, and out of, the development site, including the potential impact of the development on topographical features such as Cat Craig. The requirement for an updated Landscape and Visual Impact Assessment has been included as a condition in Appendix 1 to allow the developer to undertake intrusive archaeological assessment which can inform an updated Assessment.
- 2.87 It is considered that, with the inclusion of conditions, the proposal complies with Primary Policy 7, Policy 7.1 and Policy 7.8.
- 2.88 **Infrastructure Provision/Legal Agreement:** Primary Policy 3 (Provision of Infrastructure) recognises that there will be significant infrastructure deficiencies as a result of the scale and location of development within the Plan therefore infrastructure provision and enhancement is likely to require input from developers. Policy 3.3 (Developer Contributions) sets out that developer contributions will be sought where a development (or combination of developments) creates a need for new, extended or improved public infrastructure, facilities or services. Developers will be required to make a fair and reasonable contribution, which is necessary and proportionate, to the scale and nature of the development. The draft Supplementary Guidance on Developer Contributions (Feb 2019) recognises the additional pressure placed on infrastructure as a result of new development and that the development industry is required to provide mitigation through contributions. The draft Supplementary Guidance sets out the types and threshold of development for which contributions will be sought and the amounts payable. It should be noted that while the Supplementary Guidance sets out the amounts payable, such calculations were undertaken based on the information available at the time of drafting the guidance. Developer Contributions will be secured via Section 75 Legal Agreement. During negotiations on any Legal Agreement it is likely that the contributions will be recalculated based on the most up to date information available. Further work is currently being undertaken to clarify the infrastructure costs, especially with regard to education and roads, within the South Stirling Gateway allocation to ensure that there is 'equalisation' – each developer shall pay their share of the contribution to mitigate the impact of the development. Nonetheless, the guidance and the figures given below provide a reasonable overview of contributions. It is considered that by ensuring the developer contributes to infrastructure provision, based on the scale of this development, any concerns third parties may have regarding this development contributing to infrastructure deficiencies have been addressed.
- 2.89 Affordable housing developed by the Council or a Registered Social Landlord will not be required to pay contributions because their current funding arrangements do not enable developer contribution payments. The developer is required to pay contributions on the market units only i.e. 64 units.
- 2.90 As referred to within the above Assessment, there are a number of infrastructure deficiencies that will need to be addressed through funding or provision set out within a Legal Agreement. These will include:

- 2.91 Primary and Secondary Education: Securing developer contributions to the provision of primary and secondary education capacity. The draft Supplementary Guidance on Developer Contributions anticipates the contribution to the mitigation for primary schools to be £6,288 per new house and the mitigation for secondary schools to be £5,254 per new house.
- 2.92 Transport: The City Area Transport Plan, within the Council's Local Transport Strategy, identifies a package of essential measures which will mitigate the cumulative impact of development identified in the Stirling Local Development Plan 2018. As a medium or large trip generating development, a financial contribution (£31,675) is required to address the development's contribution to the cumulative traffic impacts within the area.
- 2.93 The applicant shall contribute an equitable share (proportionate to development scale) to each of the following measures required to be provided within the South Stirling Gateway allocation:
- 2.93.1 A91 Primary Vehicular Access.
- 2.93.2 A872 Secondary Vehicular Access.
- 2.93.3 Active Travel Network Mitigation (£84,831).
- 2.93.4 Milton Terrace Road Mitigation (£17,220) – Alterations identified in the site wide Transport Assessment which included the Milton Terrace junction to be reconfigured from a mini roundabout to 'T' junctions.
- 2.94 The applicant shall also be required to contribute an equitable share (proportion of South Stirling Gateway's share) towards mitigating the development's impact at the M9/Pirnhall Junction (approximately £4,042,000 overall cost with £278,906 attributed to South Stirling Gateway based on a 9.2% impact and a 75% contribution).
- 2.95 Health: The draft Supplementary Guidance on Developer Contributions had a developer contribution of £2,078 per new house towards healthcare. This figure was based on the cost of providing additional healthcare facilities in relation to the additional pressure brought by developments in constrained GP practice catchment areas. More recently this contribution has been revised to £973 per unit.
- 2.96 Waste: The draft Supplementary Guidance on Developer Contributions had a developer contribution of £60 per residential unit to the cost of receptacle provision and £42 per residential unit to the cost of the Household Waste Recycling Centre at Polmaise. The overall developer contribution to waste is therefore £102 per residential unit.
- 2.97 Affordable Housing: The Legal Agreement will ensure 25% of the total number of units are affordable and will clarify what types of housing constitute affordable. Whilst the Council has a preference for the provision of on-site affordable housing, the Legal Agreement will ensure that, if for some reason such provision is not forthcoming, sufficient developer contributions will be secured to ensure the developer's obligations are met.
- 2.98 Open Space: The draft Supplementary Guidance on Developer Contributions sets £1,000 per unit towards the off-site provision of open space.

2.99 Developer Contributions Summary

<b>Contribution</b>	<b>Expected Amount</b>	<b>Form</b>
Affordable Housing	25% to be secure on site (21 units)	On site as specified on approved plans
City Transport Fund	£31,674	Section 75 financial contribution
A91 Primary Vehicular Access	Cost of provision still to be identified	Provision of access by developers. Cost to be apportioned across allocated site
A872 Secondary Vehicular Access	Cost of provision still to be identified	Provision of access by developers. Cost to be apportioned across allocated site
Active Travel Network Mitigation (Core Path upgrades)	£84,831	Section 75 financial contribution. Figure to be apportioned across South Stirling Gateway site developers
Milton Terrace - Road Mitigation	£17,220 (May be subject to change once detailed design available)	Section 75 financial contribution. Figure to be apportioned across South Stirling Gateway site developers
Upgrade of Pirnhall interchange to accommodate Durieshill & South Stirling Gateway	£278,906 (Total estimated cost of scheme = £4,042,120. Figure based on 9.2% impact and 75% contribution)	Section 75 financial contribution. Figure to be apportioned across South Stirling Gateway site developers
Education - Primary - Secondary	£6,288 per market unit £5,254 per market unit	To meet terms of Draft SG or most up to date SG published at point of agreement. May be subject to equalisation to ensure proportionate contribution.

<b>Contribution</b>	<b>Expected Amount</b>	<b>Form</b>
Land (remediated and serviced) for primary school	Cost of land, remediation and servicing to be determined	Will be subject to equalisation to ensure proportionate contribution.
Health	£973 per market unit	To meet terms of Draft SG or most up to date SG published at point of agreement
Open Space	£1,000 per unit	Section 75 financial contribution
Waste	£102 per market unit	Section 75 financial contribution

2.100 In reviewing all the elements of this development it is considered that the proposal complies with the Development Plan, there are no material considerations that would weigh against it and the application is therefore recommended for approval subject to conditions and a Legal Agreement.

### 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.

#### **Fairer Scotland Duty**

3.2 This section is not applicable.

#### **Climate Change, Sustainability and Environmental Impact**

3.3 An Environmental Impact Assessment is not required

#### **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 17/00946/FUL. File can be viewed online at: [View Application](#)

#### 4.2 List of determining plans:

<b>Stirling Council Plan No.</b>	<b>Name</b>	<b>Ref on Plan</b>
01	Location Plan	PL/LP/01
02B	Site Plan	PL/SK/01O
03	General	HT001_PL01
04	General	HT003_PL01
05	General	HT003_007_PL01
06	General	HTB_B1_PL01
07B	General	AVONDALE PL 01
08A	General	AVONDALE (OPP) PL 01
09B	General	BURGESS PL 01
10A	General	BURGESS (OPP) PL 01
11A	General	ERINVALLE PL 01
12A	General	ERINVALLE (OPP) PL 01
13B	General	LOMOND PL 01
14A	General	LOMOND (OPP) PL 01
15A	General	MERION PL 01
16A	General	MERION (OPP) PL 01
17	General	OAKMONT.PL.01
18	General	OAKMONT.PL.02
19A	General	PINEHURST PL 01
20A	General	PINEHURST (OPP) PL 01
21A	General	QUEENWOOD PL 01
22A	General	QUEENWOOD (OPP) PL 01
23A	General	SUNNINGDALE PL 01
25A	General	SUNNINGDALE (OPP) PL 01
27A	General	VICTORIA PL 01
28A	General	VICTORIA (OPP) PL 01
29	General	GAR/01A
30	Sections	STIRL//SS/400
31A	Details	17-015-30B
32A	Details	17-015-31B
33A	Details	17-015-32B
34A	Details	17-015-33B
35A	Landscaping	52-139-01b
36A	Landscaping	52-139-02b
37A	Landscaping	52-139-03b
38A	Landscaping	52-139-04b
39A	Details	17-015-20B
40A	Details	17-015-21B
41	Details	TF AA(9) 010
42	Details	TF AA(9) 017
43	Details	TF AA(9) 018
44	Details	PL/01/TMP
45	General	LYTHAM PL 01
46	General	LYTHAM (OPP) PL 01
47	Details	TF AA(9) 100
48	Elevations	Sect/100
49	Floor Plans	AFF PL01
50	Floor Plans	AFF PL02

51	Floor Plans	AFF PL04
52	Elevations	AFF PL03

## 5. Appendices

5.1 Appendix 1 – Conditions and Reasons.

Author(s)

Name	Designation	Telephone Number/E-mail
Jane Brooks-Burnett	Senior Planning Officer	01786 233672 brooksburnettj@stirling.gov.uk

Report of Handing approved by Chief Planning Officer

Name	Designation	Date
Christina Cox	Planning & Building Standards Manager	3 March 2021

Approved by

Name	Designation	Date
Drew Leslie	Senior Manager-Infrastructure	3 March 2021

Details of Convener(s), Vice Convener(s), Portfolio Holder and Depute Portfolio Holders (as appropriate) consulted on this report:	Cllr Alasdair MacPherson Cllr Danny Gibson
--	---

Wards affected:	Ward 7 Bannockburn
Key Priorities:	N/A
Key Priority Considerations:	N/A
Stirling Plan Priority Outcomes: (Local Outcomes Improvement Plan)	N/A



**Erection of 85 dwelling houses, formation of new access, associated infrastructure and open space at Land To South Of Croftside Farm And North Of Hillhead Farm Steadings, Stirling,, - Bellway Homes Limited (Scotland Division) - 17/00946/FUL**

**Approve**, subject to the following conditions

1. **Finished Floor Levels and Discharge Rates:** The finished floor levels for residential properties adjacent to the Craigford Ditch and along the eastern site boundary shall be set to a minimum level of 50.4 OD. Greenfield discharge shall be limited to 26.5L/s<sup>-1</sup> in accordance with recommendations of the submitted drainage assessment (March 2017).
2. **Construction Phase Sustainable Urban Drainage System Maintenance (SuDS):** Prior to works commencing on site, a method statement for construction phase SUDS shall be submitted to the Planning Authority for written approval.
3. **Sustainable Urban Drainage System Maintenance (SuDS):** Prior to the commencement of works on site, details shall be submitted to the Planning Authority for written agreement providing a maintenance schedule for the SuDS including the appointment of a factor to carry out the maintenance.
4. **Further Intrusive Site Investigations:** Prior to the commencement of development, a scheme of further intrusive site investigations relating to shallow coal mine workings shall be agreed with the Planning Authority in consultation with the Coal Authority. The scheme shall be sufficient to assess the ground conditions and inform the required remedial works. The works shall be carried out as agreed and a report of findings arising from the further intrusive site investigations, including details of the extent and nature of the remedial works necessary, shall be submitted for approval by the Planning Authority in consultation with the Coal Authority. On approval, the remedial works shall be implemented as agreed.
5. **Contaminated Land Remediation:** Remediation of the site shall be carried out in accordance with a remediation plan to be approved by Stirling Council in advance of works. The remediation measures set out within Section 11.0 of the Contaminated Land Investigation Report (undertaken by Mason Evans, Dated Oct 2017: Project ref P17/470) are to be incorporated into the remediation plan. Any subsequent amendments to the approved plan shall not be implemented unless approved in writing by the Planning Authority. On completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the Planning Authority confirming the works have been carried out in accordance with the remediation plan.
6. **Unsuspected Contamination:** The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority.

7. **Programme of Archaeological Works:** No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Stirling Council Planning Officer (Archaeology), and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Stirling Council Planning Officer (Archaeology). Such a programme of works could include some or all of the following historical research, excavation, post-excavation assessment and analysis, publication in an appropriate academic journal and archiving.
8. **Noise Mitigation:** The noise mitigation set out within Section 5 of the 'Noise Assessment, Revision A' report dated February 2021 which included, but was not limited to, the incorporation of acoustically attenuating trickle passive ventilators fitted to bedroom windows of south-western elevations in Plots 80, 81 & 82 and the north-western elevation of Plot 80, shall be implemented in full within this development.
9. **Timing of Footpath Provision:** No market unit within the eastern sector of the development (Plots 13 to 25 inclusive and Plots 47 to 50 inclusive), shall be occupied until the pedestrian footpath link between Plots 27 and 28 and associated crossing over Craigford Ditch has been formed.
10. **Updated Ecological Assessment:** Prior to the commencement of any works on site, an update to the Protected Species Survey (undertaken by Enviro Centre and dated June 2017), shall be submitted to the Planning Authority for written approval. No works shall commence on site until the extent of any mitigation identified in the updated survey has been agreed in writing with the Planning Authority. The development shall thereafter commence in accordance with the agreed mitigation.
11. **Timing of Vegetation Clearance:** Vegetation clearance shall be undertaken outwith the bird nesting season (March to August inclusive). If the foregoing cannot be achieved then a pre-construction/enabling works nesting bird check shall be undertaken by a suitably qualified ecologist.
12. **Details of Stone Walls:** Prior to the commencement of works on the western section of the site (plots west of the central access road), full details of the proposed stone walls (Detail A & E) shall be submitted to the Planning Authority for written approval. The information shall specify the stone and mortar to be used and shall be detailed on drawings including elevations, plans and sections. The development shall thereafter commence on the western section of the site in accordance with the agreed walling details.
13. **Access from Site to Pirnhall Road and onto the A872/Glasgow Road:** No construction works shall take place on this site until details of the site access onto Pirnhall Road and access onto the A872/Glasgow Road have been submitted to, and approved in writing by, the Planning Authority in consultation with the Roads Development Control.

14. **Phasing Plan:** Prior to the commencement of works on site, a phasing plan shall be submitted to the Planning Authority for written approval. The phasing plan shall set out the programme of works and the proposed timing of each and all phases of the development. It shall detail the provision of drainage, road construction, building construction (both market housing and affordable housing), planting and other associated works for each phase of the development.
15. **Roads Design:** The design and construction of all roads within the proposed development shall be in accordance with the requirements of this Authority's specification and shall incorporate the design guidance given in Designing Streets, and the National Roads Development Guide, and shall be offered for adoption upon satisfactory completion.
16. **Road Safety Audit:** Prior to the commencement of any works, a Stage 1 Road Safety Audit shall be submitted for the written approval of the Planning Authority in consultation with the Transport Development Team. The Road Safety Audit shall consider the development layout, including the junction onto Pirnhall Road, and the section of Pirnhall Road between the junction and Glasgow Road. The applicant shall then commit to the incorporation of the recommendations set out within the Road Safety Audit and their implemented on site, with all work to be carried out to the satisfaction of the Transport Development Team.
17. **Internal Junction Visibility:** Visibility requirements within the site shall comply with Designing Streets Guidance. A 2.4 metre x 25 metre (subject to design speed) minimum splay should be provided at all internal junctions. Forward visibility on the inside of bends should be a minimum of 25 metres and within these splays there should be no obstruction to visibility over 0.6 metres in height above adjoining carriageway level.
18. **Surface Water Drainage:** The surface water drainage system shall be designed to the requirements and satisfaction of SEPA, The Water Authority and Stirling Council, taking account of the sustainable urban drainage (SUDS) principles and in accordance with the guidance given in 'SUDS for Roads'. The SUDS strategy will include details of measures to be employed during the construction phase of the project.
19. **Parking Requirements:** Parking requirements, including disabled spaces and cycle parking provision, shall be provided in accordance with Draft Supplementary Guidance: Transport and Access for New Development. Driveways shall be dimensioned either 3 metre wide x 5.5 metre long (single car), 5.5 metre wide x 5.5 metre long/3 metre wide x 11 metre long (2 cars) or 7.5m wide x 5.5m deep to accommodate three cars. Garage spaces do not count towards the required provision. Parking spaces within private car parks/parking courts shall be dimensioned 2.5 metre x 5 metre and be served by a 6 metre aisle width. Visitor parking spaces shall be evenly distributed throughout the site in order to optimise their use, and dimensioned 6m in length, where parallel to the carriageway.
20. **Driveway Construction:** Driveways shall not exceed gradients of 1:10 and should be suitably surface and drained.

21. **Driveway Visibility:** Visibility shall be provided and maintained at each driveway within which there should be no obstruction to visibility over 1.05m in height above road level within 2.0m of the carriageway edge over each plot's frontage with the road. Any proposed landscaping, including trees and hedging, should not encroach on or obstruct the visibility splays or envelopes.
22. **Path and Active Travel Network – Access Management Strategy:** No residential unit in connection with the permission hereby granted shall be occupied until an access management strategy for the internal path and active travel network, to cover the full period of construction works/operations has been submitted to, and approved in writing by, the Planning Authority in consultation with Stirling Council Transport Development.
23. **Travel Plan:** No development shall be occupied until a comprehensive Travel Plan has been submitted to and approved in writing by the Planning Authority. The approved Travel Plan shall then be implemented within the timescales to be set out within the proposed Travel Plan. The Travel Plan shall set out proposals for reducing dependency on the private car against approved targets of the Transport Assessment and identify measures to be implemented, the system of management, enforcement, monitoring, review and funding arrangement to sustain commitments for the duration of the Plan.
24. **Public Transport:** No residential unit shall be occupied until a plan detailing the improved bus stop facilities on Glasgow Road, along with enhanced pedestrian connection along Pirnhall Road, are provided. The approved proposal will be implemented in full prior to any of the dwellings being occupied.
25. **Construction Traffic Management Plan (CTMP):** No development shall commence on site until a Construction Traffic Management Plan (including a routing plan for construction vehicles) has been submitted to, and approved in writing by, the Planning Authority. The approved Construction Traffic Management Plan shall be implemented prior to development commencing and remain in place until the development is complete.
26. **Ultra-Low Emissions Vehicles (“ULEV”) Charging Strategy:** No residential unit in connection with the permission hereby approved shall be occupied until a ULEV charging strategy required to support a network of charge points and associated infrastructure within the site has been submitted to and approved in writing by the Planning Authority.

The charging strategy shall include an appropriate method to calculate the level of demand for ULEV charge points based on levels of usage/uptake rates, and taking into account future usage predictions, as required to determine a proportionate level of ULEV charging and infrastructure provision at any point during the construction period. However, as a minimum the provision of ULEV charge points shall not be fewer than 1 rapid charge point per 10 communal parking spaces, or part thereof, as relative to each communal parking court/area as defined in the detailed plans, and as illustrated below:

Number of communal parking spaces:	Minimum number of ULEV rapid charge points required:
<=10	1
11 – 20	2
21 – 30 and so on	3 and so on

Thereafter, the agreed ULEV strategy shall be updated at regular intervals commencing from date of completion of the 100<sup>th</sup> residential unit and at 100 residential unit completions thereafter, until the completion of construction related operations.

27. **Ultra-Low Emission Vehicle (“ULEV”) Charging Points:** Details of the ULEV charge points pursuant to the condition above shall include:
- a) Confirmation of the level of provision, type and power level, and ducting infrastructure for all residential and non-residential uses. The level and type of provision relating to both charge points and electricity infrastructure shall be in accordance with the ULEV Charging Strategy submitted under the above condition;
  - b) Plans, at a scale no greater than 1:250, detailing how charge points and associated infrastructure would be integrated into the specific layout of communal parking courts in relation to flatted developments;
  - c) A timescale for implementation of charge points and associated infrastructure as it relates to the completion of development in each phase, sub-phase; and,
  - d) Outline detail of a communication pack to be provided to each household on first occupation explaining how they can access electric car charging infrastructure.

The scheme shall be carried out in accordance with the approved details and implemented in line with the approved timescales.

28. **Broadband Connectivity:** Prior to occupation of the first dwelling on site, the developer shall install the necessary infrastructure to enable the houses to be connected to the existing fibre optic network, where available, and in accordance with the relevant telecommunications provider's standards.
29. **Updated Landscape & Visual Impact Assessment:** Prior to any works commencing on the construction of the either the site's road network or the first residential unit, an updated Landscape & Visual Impact Assessment informed by further archaeological assessment shall be submitted to the Planning Authority for their written approval in consultation with Historic Environment Scotland.

## Reasons

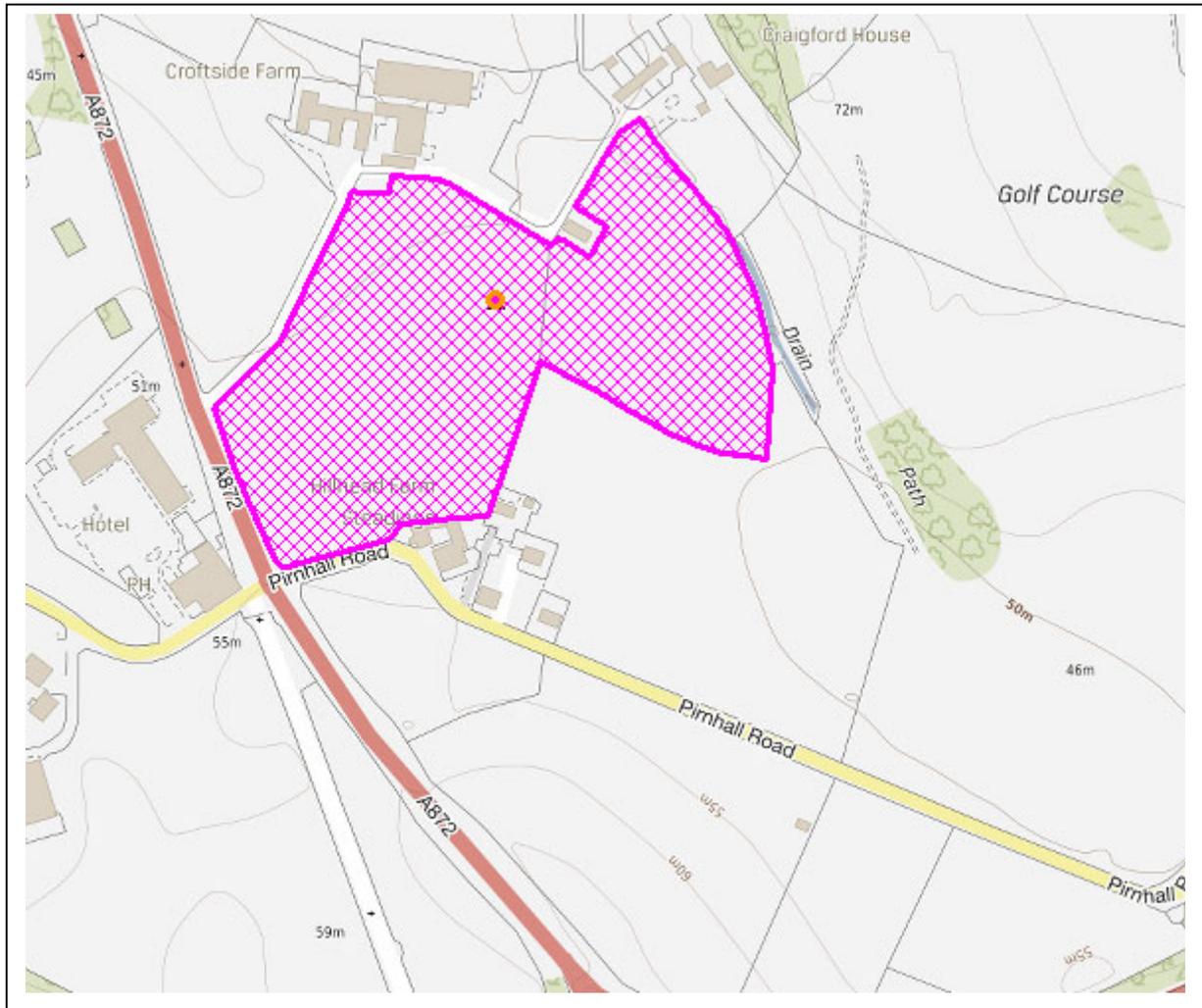
1. To ensure that the floor levels of the residential properties in this location are set above any level where flooding may occur and to ensure that the development is undertaken in conformity with the information provided in support of the application.
2. To ensure that surface water is appropriately treated during the construction phase of the development.
3. To reduce the risk of an increase in surface water runoff from this site.
4. To ensure that shallow coal mine workings do not pose a risk to the development.
5. To ensure the site is suitably remediated for its proposed use and to provide verification that the remediation has been carried out to the Authority's satisfaction.

6. To ensure all contamination within the site is dealt with.
7. To safeguard and record the archaeological potential of the area.
8. To ensure that night time noise levels are maintained within the target noise criteria (30dB) and residents of the development hereby approved are not adversely affected by road traffic noise.
9. To ensure that the footpath link and associated water crossing is provided at an appropriate stage of the development.
10. Since the information within the submitted survey was only valid for a 12 month period and to ensure that appropriate mitigation measures are in place should the presence of protected species subsequently be identified.
11. To ensure that the development does not impact adversely upon nesting birds.
12. To ensure that the walls to be incorporated within this development are of sufficient quality and character which enhances the countryside location of the site and achieves the outcome envisioned in the Masterplan.
13. To ensure full consideration has been taken of the access requirements of the South Stirling Gateway allocation and the implications of this development in relation to the wider allocated site.
14. To ensure agreement is reached between the planning authority and the developer in terms of the provision of certain aspects of the development.
15. To ensure that the road design meets the Authority's standard and in the interests of road safety.
16. To ensure that the junction onto Pirnhall Road, and the section of Pirnhall Road between the junction and Glasgow Road are suitable to accommodate the traffic generated as a result of this development and in the interests of road safety.
17. To ensure that drivers have clear visibility so that they can join the road safely.
18. To ensure the treatment and attenuation of surface water within the development.
19. To ensure that there is sufficient parking provided to serve the needs of all users within the development and that the parking is appropriately dimensioned.
20. To ensure no loose material or surface water is discharged from the driveway onto the road.
21. To ensure that drivers exiting driveways have a clear view of any oncoming vehicles, bikes or pedestrians and vice versa.
22. To ensure that the development offers the opportunity for residents to travel on foot safely during phased construction works.
23. In the interests of sustainable transport and in order to reduce the impact on the transport network as a result of private motorised travel.

24. Should this application be advanced to construction before the bus penetration along Pirnhall Road is in place to serve the South Stirling allocation, alternative facilities must be in place to ensure that residents of this development have access to public transport.
25. To ensure the impacts of construction vehicles are fully understood and mitigated.
26. To ensure the provision of appropriate charging infrastructure to encourage and sustain the uptake of ULEV in the interests of sustainability and local air quality, and to establish a minimum level of provision in accordance with 'Delivering Clean Air for Scotland' guidance.
27. In the interests of air quality and sustainability, and in order to comply with the requirements of Stirling Council Supplementary Guidance Transport and Access for New Developments.
28. To ensure that the necessary infrastructure to enable fibre-based high-speed broadband in new homes is available in accordance with Primary Policy 3 of the Stirling Council Local Development Plan 2018.
29. Further work is required to understand and assess the development's potential impacts on the special qualities and key landscape characteristics of the Battle of Sauchieburn and the Battle of Bannockburn.



## Location of Development



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2021. All rights reserved. Ordnance Survey Licence number 100020780

