

Telephone: 01324 696455 Fax: 01324 696444
E-mail: brian.archibald@scotland.gsi.gov.uk

Councillor Danny Gibson
Stirling Council
Viewforth
STIRLING
FK8 2ET



Our ref: LDP-390-1

7 March 2014

Dear Cllr Gibson

**PROPOSED STIRLING LOCAL DEVELOPMENT PLAN
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING)
(SCOTLAND) REGULATIONS 2008
SUBMISSION OF THE REPORT OF THE EXAMINATION**

We refer to our appointment by the Scottish Ministers to conduct the examination of the above plan. Before carrying out the examination into the issues raised in representations we assessed the planning authority's conformity with its participation statement under Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended). We concluded that the authority's consultation and engagement procedures in respect of the proposed local development plan did conform to the participation statement. Having satisfied ourselves of that, our examination of the plan began on 22 July 2013. We have now completed that examination and enclose our report, comprising one bound copy and one unbound copy.

In our examination we considered all 57 issues arising from unresolved representations that were identified by the planning authority. In each case we have taken account of the summaries of the representations and responses, as prepared by the planning authority, as well as the original representations. The examination process included several unaccompanied site inspections and, for some issues, we requested additional information from the authority and other parties. We did not hold any hearings or formal inquiries. We have set out our conclusions and recommendations for each issue in our report.

We received a table entitled "Summary of Non-Notifiable Modifications, April 2013" with the October 2012 examination version of the proposed local development plan. The planning authority confirmed on 8 November 2013 that this table describes formal modifications made to the plan under Section 18(3) of the above Planning Act. In other words, that the modifications are minor, and that they could be regarded as having already been incorporated into the proposed local development plan, pre-examination. On that basis, where these modifications have been

mentioned in the authority's summaries, we have in the main simply noted that position. The only exceptions to this are firstly, where we have been left uncertain by the wording of the modification that the concerns raised in the representations have been addressed. In that case, we have made a recommendation, for the avoidance of doubt. Secondly, in Issue 3 for the Spatial Strategy, we have disagreed fundamentally that "core elements of its spatial framework for onshore wind" could be inserted into the local development plan as a non-notifiable modification. The reasons for our opinion are detailed fully in our conclusions for that issue and we have made particular recommendations to address the consequent difficulties.

Subject to the limited exceptions set out in section 19 of the Town and Country Planning (Scotland) Act 1997 and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, the planning authority is now required to make the modifications to the proposed local development plan that we have set out in our recommendations. The authority should also make any consequential modifications to any other part of the plan text or maps that may arise from these modifications. Separately, the authority must also make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

We will now write to everyone who submitted representations to tell them that the examination has been completed and that the report has been submitted to the planning authority. That letter will advise that our report is now available to view:

- on the DPEA web site at <http://www.dpea.scotland.gov.uk/>
- on the authority's website at www.stirling.gov.uk/localdevplan;
- at the authority's office at Municipal Buildings, Corn Exchange Road, Stirling, FK8 2HU; and at various libraries throughout the plan area.

The examination documents should be held on the authority's website for a period of six weeks following the adoption of the local development plan.

It would be helpful for DPEA to know when the plan has been adopted. Please send confirmation of this to us in due course.

Yours sincerely

Jill Moody
Reporter

Iain Urquhart
Reporter

Iain G Lumsden
Reporter

Stephen Hall
Reporter

Richard G Dent
Reporter

REPORT TO STIRLING COUNCIL

STIRLING PROPOSED LOCAL DEVELOPMENT PLAN EXAMINATION

Reporters:

Jill Moody DipTP MRTPI
Iain Urquhart MA(Hons) DipTP MRTPI
Iain G Lumsden MA(Hons) MSc MRTPI
Stephen Hall BA(Hons) BPI MRTPI
Richard G Dent BA(Hons) DipTP

Date of Report:

7 March 2014

CONTENTS

Examination of Conformity with Participation Statement	1
--	---

<u>Issue</u>	<u>Page No</u>
1. Miscellaneous Issues and the Glossary	3
2. Vision	8
3. Spatial Strategy	14
4. Housing Land Requirement	42
5. Employment Land Requirement	81
6. Retail and Commercial Leisure and the Network of Centres	89
7. Overarching Policy and Placemaking (including Green Network)	105
8. Green Belts	115
9. Affordable and Particular Needs Housing	126
10. Housing in the Countryside/Housing in Garden Ground	144
11. Infrastructure and Developer Contributions	152
12. Low and Zero Carbon Buildings	167
13. Protection of Carbon-rich Soils	170
14. Flood Risk Management	173
15. Resource Use and Waste Management	175
16. Historic Environment	177
17. Conservation and Enhancement of Biodiversity	185
18. Local Landscape Areas	187
19. Forests, Woodlands and Trees	190
20. Minerals and Other Extractive Industries	194
21. Renewable Energy and Wind Turbines	198
22. Water Environment	206
23. Soil Conservation and Agricultural Land	208
24. Tourism	211
25. Action Programme	216
26. Strategic Environment Assessment	220
27a. Doune	222
27b. Deanston	226
28. Thornhill Conservation Area	237
29. Thornhill	248
30. Arnprior	255

31. Balfron	257
32. Buchlyvie	266
33. Fintry	273
34. Gargunnock	291
35. Killearn	292
36. Kippen	320
37. Strathblane and Blanefield	326
38. Mugdock	342
39. Blairlogie	347
40. Bridge of Allan	359
41. H056 – Airthrey Kerse	388
42. Dunblane	414
43. Kildean, Stirling	453
44. Housing Sites in Stirling	460
45. Employment Sites in Stirling	496
46. Retail Sites in Stirling	502
47. Cambusbarron	514
48. Millhall and Broadleys, Stirling	520
49. Crookbridge, Stirling	530
50. Bannockburn	542
51. Cowie	557
52. Durieshill	572
53. Fallin	582
54. Plean	589
55. Throsk	598
56. Stirling Settlement Statement	603

Examination of conformity with the participation statement

In carrying out an examination under Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended) reporters are required firstly to examine:

“the extent to which the planning authority’s actions with regard to consultation and the involvement of the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 18(1)(a).”

To this end, we have assessed the Stirling Council “Development Plan Scheme and Participation Statement” dated September 2012 (document reference CD47) and the “Stirling Local Development Plan Statement of Conformity” dated May 2013.

The participation statement sets the following specific objectives for each stage in the local development plan process:

- “Objective 1. Development of a participation & Communications strategy.
- Objective 2. Identify people & organisations who have an interest in the LDP.
- Objective 3. Set out & publish a timetable & how people can get involved.
- Objective 4. Feedback from Agencies and others, on key policy areas for review/methods of engagement.
- Objective 5. Expressions of interest from developers, landowners & others i.e. development proposals & projects.
- Objective 6. Assist & obtain feedback from communities & community planning partners on local planning issues.”

The participation statement then identifies a wide range of key participants and methods of engagement, it describes the various steps and actions that the planning authority has taken to fulfil the above objectives, and it explains in full out who, how, why and when the planning authority consulted and engaged at each of the various stages in the preparation of its local development plan.

The statement of conformity was prepared to meet the terms of Section 18(4)(a)(i) of the Act, it states that the planning authority is satisfied that it has met the participation statement, and it shows the extent to which the steps were repeated and the objectives satisfied for the settled version of the Proposed Local Development Plan, which was submitted to DPEA on 3 June 2013.

Some 174 of the representations received express concerns about the overall consultation process. Most of these representations relate to particular allocations in Killearn and at Airthrey Kerse, but in summary, the matters raised throughout are that the planning authority:

- has not done enough to gauge local opinion;
- did not consult adequately on specific proposals and changes to proposals;
- did not undertake community referenda for the proposals in the plan;
- did not inform enough local residents directly about proposals; and
- followed a consultation process that was confusing and not sufficiently objective or transparent.

Having reviewed all of the related information and evidence, we conclude that, for the main issues report, the planning authority:

1. notified directly all those interested persons on its data base, including community councils and key agencies and statutory consultees;
2. posted press releases and public notices;
3. publicised the plan through local magazines;
4. published the development plan scheme describing subsequent programming and intentions;
5. conducted community roadshows from March to June 2010;
6. conducted stakeholder workshops in June and July 2010;
7. engaged with young people, including at an event held on 5 August 2010;
8. prepared a strategic environmental assessment for the plan; and
9. reported on all these various stages to appropriate council committees.

The Stirling Local Development Plan has been in some ways unusual because after the Main Issues Report, the proposed plan effectively became a draft that was published for comment on 24 October 2011. The planning authority then repeated steps 1 to 4 and 9 above inclusive for that draft proposed plan. Additionally, the planning authority established a 'frequently asked questions' page on the relevant part of its web site, conducted drop-in sessions for certain specific issues in October, November and December 2011, and updated the strategic environmental assessment.

Lastly, the planning authority again repeated steps 1, 2, 4 and 9 above for the settled version of the proposed plan. The planning authority also notified the neighbouring owners of land around the allocated sites, updated the 'frequently asked questions' web page, updated the strategic assessment in September 2012, conducted a public meeting about the proposal for a conservation area in Thornhill on 21 November 2012, and published the settled plan on 15 October 2012 with 8 weeks for public comment, until 10 December 2012.

Having considered all of this evidence, we find that Stirling Council did consult on the plan and involved the public at least in the ways it said it would and has probably exceeded its participation statement, all in accordance with the requirements of the Planning Act. Being satisfied, we therefore proceed to examine the proposed local development plan.

Issue 1	Miscellaneous Issues & the Glossary	
Development plan reference:	How you can comment on the Plan (Chapter 2, page 8) Glossary (Chapter 9, pages 82 – 92) Appendix A: Schedule of Land owned by the Local Authority (pages 93 – 95)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Wallace Land Investment & Management (SLDP_48) Cycle Stirling (01039)	Jehovah's Witnesses (SLDP_856) Warren Consultants (SLDP_192)	
Provision of the development plan to which the issue relates:	Chapters and sections dealing with instructions on how to comment on the Plan, a glossary of terms and references used in the Plan, and a list of sites allocated/identified in the Plan for residential, business and retail uses.	
Planning authority's summary of the representation(s):		
<u>Chapter 2 : How you can comment on the Proposed Plan</u> Wallace Land Investment & Management (SLDP_48/001) - requests that the Plan makes explicit, how the Council intends to deal with addressing those comments which are legitimately submitted in relation to matters which are not contained within the Plan itself particularly Supplementary Guidance. <u>Glossary</u> Cycle Stirling (01039/007) - Requests the inclusion/modification of various terms in the Glossary. Jehovah's Witnesses (SLDP_856/006) - Requests that a definition of 'mixed use' is provided in the Glossary. <u>Appendix A: Schedule of Land Owned by the Local Authority</u> Warren Consultants (SLDP_192/009) - Questions whether all of the sites on the schedule identified as in the control of the local authority, is correct e.g. Menzies Terrace, Fintry, Campsie Rd, Strathblane, and Berryhills, Cowie.		
Modifications sought by those submitting representations:		
<u>Chapter 2 : How you can comment on the Proposed Plan</u> Wallace Land Investment And Management (SLDP_48/001) - Paragraph 2.1 should be expanded so as to provide a full account as to how the Council will deal with those comments which are submitted in respect of Supplementary Guidance.		

Glossary

Cycle Stirling (01039/007) - The addition/modification of the following terms in the Glossary:

“Active Travel - travel by walking and cycling to everyday destinations; school, work, shops, leisure, public transport.”

“Modal shift/share - changing the proportion of journeys from car to walking, cycling and Public Transport”.

“CAPS - Cycling Action Plan for Scotland sets targets of 10% journeys by bike by 2020”

“NCN - national cycle networks are developed by Sustrans. They use quiet roads, cycle pavements, core paths, tracks suitable for novices, families with young children and unaccompanied 12 year olds”.

“Sustrans - promote mainstream cycling, including national funding and advice on safe cycling networks through urban and rural areas, including the NCN”.

Infrastructure - add “including cycling infrastructure and networks”.

“Cycling infrastructure, routes, networks and facilities - cycle routes need to be safe, direct/convenient and attractive to enable mainstream cycling and modal shift. Networks need to be complete, comprehensive and comprehensible through clear signage. Cycle parking needs to be convenient and secure”.

“Cycling by Design 2010 (reviewed) published by Transport Scotland - gives guidance on safer, coherent cycling design.”

Green Corridors - after 'connectivity' add “which includes walking and cycling networks”.

Jehovah's Witnesses (SLDP_856/006) – A definition of 'mixed use' be provided in the Glossary as follows:

“In addition to housing, employment and retail uses, the provision of community facilities for leisure, arts and culture, places of worship, sports and recreation grounds, health facilities etc.”

Summary of responses (including reasons) by planning authority:Chapter 2 : How you can comment on the Proposed Plan

Wallace Land Investment & Management (SLDP_48/001) – Paragraph 2.1 explains how only comments to the Plan itself will be considered at Examination. The Council's Development Plan Scheme (CD 47) highlights on Page 27 that any modified Supplementary Guidance will be published between Dec 2013 and April 2014 to coincide with the adoption of the Plan in 2014. Given that the adoption of the Plan is now more likely to be June 2014 the Guidance will mirror this timescale. This is consistent with Para.8 of Circular 1/2009 (CD 4). The Council does not therefore to agree to modify the Plan in response to this representation.

Glossary

Cycle Stirling (01039/007) - Only explanations of terms used in the Plan text should be in the Glossary. Having considered Cycle Stirling's proposed amendments to the Plan, it is not proposed to include any new text which introduces new terminology. This is because these terms relate more to a transport strategy than a local development plan and do not cover all the other transport modes. It is not necessary to include any additional terminology in the Glossary. The Council does not therefore agree to modify the Plan in response to this representation.

Jehovah's Witnesses (SLDP_856/006) – Policy 2.8 deals with sites suitable for a mix of uses. Mixed use by its very nature is difficult to define as it could comprise a whole variety of different uses that might be appropriate for a particular locality. Any attempt to define it would be fraught with difficulty and could constrain the consideration of suitable uses for mixed use sites. The Council does not therefore agree to modify the Plan in response to this representation.

Appendix A: Schedule of Land Owned by the Local Authority

Warren Consultants (SLDP_192/009) – Appendix A is presented in accordance with Schedule 1 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (CD 3). Section 15(3) of the 2006 Act (CD 2) requires the Plan to contain a schedule of land that is owned by the planning authority and affected by any of the policies, proposals or views expressed in the Plan. Appendix A presents all the land in Council ownership 'affected' by the Plan i.e. falling either solely or partly within any development proposal identified within the Plan. This includes small areas of land on the edges or boundaries of sites and includes for example, verges that may be in the ownership of the Council roads department. This is perhaps why so many sites are indicated as in Council ownership. Appendix A is considered accurate and does not require to be modified. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:Chapter 2: How you can comment on the Proposed Plan

1. The planning authority has supported the local development plan (LDP) with proposed supplementary guidance, as set out in Chapter 8. Circular 6/2013: Development Planning confirms that such guidance will be prepared alongside the LDP, but it is not to be scrutinised at examination (paragraphs 140 to 145). Accordingly, the consideration of issues raised in representations about supplementary guidance is not in the scope of this examination.
2. That said, the proposed plan and the planning authority's development plan scheme (CD47) confirm that the proposed supplementary guidance available so far, has been subject to consultation. The plan then provides an accurate, if concise, description of how to make representations on the LDP and its supporting documents (paragraph 2.1). This process is also explained in Circular 6/2013, but the detail of how authorities should consider any representations arising is left for individual authorities to determine.
3. For these reasons, it is not appropriate to recommend including text in the plan to describe a particular process for the planning authority to follow in the preparation and adoption of supplementary guidance. I therefore conclude that the LDP requires no modification in this regard.

Glossary

4. Development plans should be concise, so additional text should only be inserted where this is clearly necessary. It is not generally necessary for all terms used in the LDP to be defined in the glossary. However, definition can be useful particularly where terms are uncommon, their interpretation is not obvious and a proper grasp of them is necessary to correctly understand the meaning of the plan.
5. The terms 'modal shift', 'modal share', 'CAPS', 'NCN', 'national cycle networks', 'Sustrans', and 'Cycling by Design' do not exist in the plan, so do not require a glossary definition.
6. The words 'active travel' are used several times, including in policy contexts where its proper interpretation could affect the determination of planning applications. It is not a term that is widely known, and it could have a range of possible meanings. I therefore conclude that a definition for active travel in the glossary would add to the usability of the plan. However, because the definition proposed by Cycle Stirling restricts the modes and the purpose of the journey, I recommend an alternative, more general wording.
7. As regards the glossary definition of 'infrastructure', it is not practical to include every possible example of utility, social or community services. But equally the glossary should make clear that the list of examples is not necessarily exhaustive. I therefore recommend a modification to make this clear.
8. The changes proposed by Cycle Stirling for 'cycling infrastructure, routes, networks and facilities' and for 'green corridors' are more like new policy requirements, rather than simple definitions. The glossary should only define terms, not set policy or describe its benefits. In addition, the connectivity that is mentioned in the glossary as a characteristic of green corridors may relate as much to landscape and wildlife connectivity as to travel. I therefore conclude that no modification is required to either of these definitions.
9. The term 'mixed use' is broadly self-explanatory. However, any attempt to define precisely and concisely the wide range of actual mixes of uses that could conceivably come forward would not be practical. It might be possible to, for instance, define the proportion of land-take by subordinate uses that the plan would regard as a mixed use, that approach would risk removing flexibility from the plan and restricting development options that might otherwise be entirely acceptable. I therefore conclude that no definition of 'mixed use' is justified.

Appendix A: Schedule of Land Owned by the Local Authority

10. The LDP is required to detail any land owned by Stirling Council that is affected by policies, proposals or opinions. In some cases the council may only own a small part of a development site, with the balance resting in other ownership. The planning authority states that because all such sites are included in the Schedule of Land Ownership in Appendix A to the LDP, land that may be thought to be in other ownership may still appear. On that basis I am satisfied that no modification is required.

Reporter's recommendations:

The local development plan glossary should be modified by:

1. Inserting the following new definition: "Active Travel - Travel by physically active, non-motorised modes, such as walking and cycling."
2. Replacing the existing infrastructure definition with: "**Infrastructure:** Utility services (including roads, sewers, and supplies of gas, water and electricity) or social/community services (including schools, community halls and health centres) which are needed to allow development to take place".

Issue 2	Vision	
Development plan reference:	Chapter 4: Local Development Plan Vision (pages 12–14) Durieshill (page 13)	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
John Brisbane & Son (SLDP_1139) Wallace Land Investment & Management (SLDP_48) Story Homes (SLDP_1178) Mactaggart & Mickel (Homes) Ltd (SLDP_346)		Damaris Fletcher (SLDP_1185) Forth Environment Link (SLDP_665) Kippendavie Development Company (SLDP_723) Kippendavie Group Trust (SLDP_1314) Cycle Stirling (01039)
Provision of the development plan to which the issue relates:	Chapter dealing with the overall vision of the Plan.	
Planning authority's summary of the representation(s):		
<p><u>Durieshill</u></p> <p>John Brisbane & Son (SLDP_1139/005) - Objects to the new 'village' at Durieshill forming the Council's key strategy for meeting the long-term needs of Stirling. Durieshill is located remotely from Stirling, will take a significant number of years to establish and is considered unsustainable and unviable. Concerned that the Council is still persisting to support Durieshill which has grown from a village in Chapter 4, to a settlement in Chapter 5. Based on experience throughout Scotland, initiatives such as Durieshill are non-effective.</p> <p>Wallace Land Investment & Management (SLDP_48/002) - The Council's continued insistence that Durieshill will come forward should be seriously questioned and tested. Scotland has no recent track record of delivering any new settlements of any significant scale.</p> <p>Story Homes (SLDP_1178/011) - The vision as set out for Durieshill will not be achieved in the timeframe (to 2034) under consideration in the Plan.</p> <p><u>General</u></p> <p>Mactaggart & Mickel (Homes) Ltd (SLDP_346/002) - The proposed strategic settlement expansion at north Stirling, including land controlled by the objectors, can meet the Vision in the Plan.</p> <p>Wallace Land Investment & Management (SLDP_48/002) - The Vision indicates that new housing will be brought forward within sites, which fall outwith an adjusted Green Belt. It is submitted that such land should only be released for development in instances when no reasonable or viable alternative solution can be found. In terms of a sequential approach, non Green Belt land should always be preferred over Green Belt land when the allocation of such land can be justified against the overall objectives of the Plan. The objector promotes an alternative site (to South Stirling Gateway) at Back O' Muir Farm, which is more suitable</p>		

as it is not located within the existing or proposed Green Belt. Also considers that certain development land allocations are inconsistent with the Plan's stated Vision and that as such, additional, deliverable housing allocations will require to be made in order that the Plan can deliver upon its own housing land objectives.

Damaris Fletcher (SLDP_1185/001) – Objects to the reference to 'more houses and more businesses in the countryside'. It will no longer be countryside, will no longer attract tourists and will become a suburb.

Forth Environment Link (SLDP_665/001) - The reference to local food production in the section on Villages and Smaller Towns is placed within a statement about 'recreational activities and facilities' which does not fit.

Kippendavie Development Company (SLDP_723/001); Kippendavie Group Trust (SLDP_1314/001) - Considers the Vision to be somewhat confused and contradictory.

Cycle Stirling (01039/001) - Requests the wording of the Vision is changed to incorporate/reflect suggested statements regarding enhancing existing cycling infrastructure and ensuring that new development incorporates cycle-friendly design and safe cycling in the countryside.

Modifications sought by those submitting representations:

Durieshill

John Brisbane & Son (SLDP_1139/005) - Durieshill is not able to contribute to the land supply in an adequate way throughout the first 10 years of the LDP.

Wallace Land Investment & Management (SLDP_48/002) - A more realistic view as to the likely performance of the Durieshill site should be taken in the Plan.

Story Homes (SLDP_1178/011) - The text should be amended to provide a true reflection of the funding and market constraints facing the new settlement at Durieshill notably that it is extremely unlikely to be "well established".

General

Mactaggart & Mickel (Homes) Ltd (SLDP_346/002) - The proposed strategic settlement expansion at north Stirling, including land controlled by the objectors, can meet the Vision in the Plan.

Wallace Land Investment & Management (SLDP_48/002) - Allocate land at Back O'Muir Farm, Bannockburn for mixed-use residentially led development or alternatively solely for residential development purposes. Reduce the extent of the proposed development of the Stirling South Gateway site as a means of mitigating its adverse impact.

Forth Environment Link (SLDP_665/001) - Bullet point 2 on page 13 that reads "Local food production - more allotments, community orchards, etc" be replaced with "Local food production - more allotments, community orchards, and other local food production enterprises". The last bullet point on page 13 be separated out to read "More recreational activity and facilities" and then "Local food production - more allotments, community orchards, and other local food production enterprises".

Cycle Stirling (01039/001) - Page 12 add references to “enhancing existing cycle infrastructure and ensuring that new development incorporates cycle-friendly design as central to our commitment to promoting a modal shift away from car use and meet national CAPS targets. To this end the LDP will ensure that developers, planners and the community work together to ensure any changes to existing infrastructure reflect a commitment to cycling”.

For ‘Durieshill’ add “a transport infrastructure that enables safe, quick cycling north into Stirling town centre and south to Larbert hospital, Denny, Falkirk”.

For ‘Villages and smaller towns’, add “an infrastructure that supports safe cycling between communities, to the city and links with public transport.”

For ‘In the countryside’, add “safe cycling between communities, links with PT and the regional cycle network and NCNs to boost tourism”.

Summary of responses (including reasons) by planning authority:

Durieshill

John Brisbane & Son (SLDP_1139/005); Wallace Land Investment & Management (SLDP_48/002); Story Homes (SLDP_1178/011) - In accordance with the agreed 2012 Housing Land Audit (CD64), Durieshill is expected to deliver housing units by 2015/16. Once commenced, it is expected to continue to deliver units up to 2034. It is therefore still supported by the house building industry in agreeing the 2012 Audit. The large scale of Durieshill relative to the overall Spatial Strategy requires it to be identified in the Vision – it has a key role to play in the meeting the long-term housing needs for the area. Specific representations to Durieshill are dealt with under Issue 52 Durieshill. The Council does not therefore to agree to modify the Plan in response to these representations.

General

The Plan’s Vision sets the wider context for Spatial Strategy and the land allocations within the Plan. The Council does therefore not support the addition of specific references within the Vision to particular sites being promoted for development as suggested by Mactaggart & Mickel (Homes) Ltd (SLDP_346/002) and Wallace Land Investment & Management (SLDP_48/002).

Damaris Fletcher (SLDP_1185/001) – The Plan’s strategy to supporting housing and businesses in the countryside is more constrained than the approach to such developments in the Rural Villages and Core Area. However, supporting small scale developments in the countryside is an objective of Scottish Planning Policy (CD 1) and Para. 94 requires that a generous land supply for housing be applied to rural as well as urban areas and the Plan should support small scale housing in appropriate circumstances. Policy 2.10 allows for suitable sites to come forward. The Council does not therefore to agree to modify the Plan in response to this representation.

Forth Environment Link (SLDP_665/001) – The suggested text changes will not significantly alter the aims of the Vision with regard to citing local food production as a outcome for the city, villages and smaller towns, therefore the Council does not consider any modification is necessary.

Kippendavie Development Company (SLDP_723/001); Kippendavie Group Trust (SLDP_1314/001) – The Council response to this objection is dealt with under Issue 3 Spatial Strategy and Issue 4 Housing Land Requirement.

Cycle Stirling (01039/001) – The Transport and Access Background Report (CD 71) highlights the need to encourage a modal shift from motor vehicles to walking, cycling and public transport if the growth proposed in the Plan is not to lead to congestion and its associated problems. The Vision in the Plan also reflects the need to support walking, cycling and public transport in the form of park and ride. For reasons of consistency, if the Plan were to go into the level of detail with regards cycling as suggested, then it would need to go into a similar level of detail with regards walking and public transport and ensuring good access to and from our key employment areas. The objectives sought within the suggestion are already addressed within Policy 3.1 and the supporting Proposed Supplementary Guidance SG14 (CD 178). The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

1. Local food production makes up a separate bullet point in the context of the local development plan (LDP) Vision for Stirling City, which ends with the words “community orchards, etc.” (page 13). The words are not in a specific policy, but the use of “etc.” is not specific and it leaves considerable room for doubt. The representation suggests substituting “other local food production enterprises”, which same words have been used for villages and smaller towns farther down the same page. While the overall Vision would not be altered by this, its clarity and consistency would be improved by replacing the abbreviated short-hand with the suggested wording.
2. In the villages section of the Vision, local food production has been combined with recreational activity and facilities in the last bullet point, so that it reads as much the same thing. In many cases these activities may be related, but they are not always the same. The representation requests that the wording should be split into 2 separate bullet points and again, the change would enhance the clarity of the plan.
3. In general, the LDP Vision aims to increase the interdependence of the City with its surroundings. Cycle infrastructure is also encouraged explicitly in bullet numbers 1 and 7 for Stirling City (page 12). Against this, neither the Durieshill or the villages and countryside sections of the Vision make any reference to cycling. Durieshill mentions transport infrastructure in general and the village illustration shows a cycling symbol, but there is no matching reference in the plan text. Because cycle provision is explicit in the Stirling City section, adding it to the general Vision preamble would amount to unnecessary duplication. However, the City reference underlines the disparity between the Vision for that part and for the surroundings, where cycling is not mentioned.
4. In response to the representation about the omission, the planning authority relies on the application of LDP Policy 3.1 and the related proposed supplementary guidance SG14: Ensuring a choice of access for new developments (CD178). Durieshill as an entirely new settlement would be the subject of a development proposal, which means that the policy and SG14 would be engaged. Further, at the very least, bullet 15 from the Durieshill Key Site Requirements includes maximising the ability of trips to be made by cycling amongst the specified range of sustainable transport requirements (page 158). As a result, cycling for Durieshill is covered elsewhere in the plan. Because the plan should always be read as a whole, an additional reference in the Durieshill part of the overall plan Vision is not

necessary.

5. The existing villages, smaller towns, and countryside are not new developments, so that the policy and guidance requirements set out above would either not apply, or may only apply piecemeal as individual proposals arise. Either way, that means that the Vision does not explicitly or cohesively support or encourage a modal shift, including to cycling. Further, the links between Stirling City and its surroundings would not necessarily be improved, as the Vision implies. On that basis, and again to improve the clarity and consistency of the Vision, the LDP should be changed to address this omission, albeit with more general words than the representation suggests.

6. Representations that relate to housing land matters and individual site proposals are considered elsewhere in this examination report, under several named specific issues.

7. Scottish Planning Policy (SPP) advises that green belt designations are to:

- direct planned growth to the most appropriate locations;
- support regeneration;
- protect and enhance the quality, character, landscape setting and identity of towns and cities; and
- protect and give access to open space within and around towns and cities.

8. Specifically, green belt designations should provide clarity and certainty on where development will and will not take place. In other words, they should be used to direct development to suitable locations, not simply to prevent development. Green belts can be circles, corridors, strips or wedges and their designation can help to manage the planned growth of towns and cities. In planning green belts, account must be taken of the need to accommodate land for house building, which includes an element of provision in the countryside. Boundaries should be drawn to take account of the need for development and expansion, and development plans should support more opportunities for small scale housing development in rural areas, including new clusters and groups, as well as extensions to existing settlements (paragraphs 159 to 164).

9. The LDP Vision mentions high quality rural environments and evolving green networks. The City section of the Vision envisages adjusted green belts, integrated open space green corridors in a developing green network, quality green spaces, and green network enhancements to let river corridors contribute far more to residents' quality of life. The Durieshill section then mentions planned landscape fit in the wider green network. Lastly, more houses are anticipated in the countryside, but only where they are appropriately located and generally in small groups, along with more woodland infrastructure. Against the above SPP background, the LDP Vision strikes a suitable balance between green belt and countryside protection and development, albeit that the suitability of specific proposals will ultimately be considered against the detailed policies, site requirements and supplementary guidance that all flow from the central Vision.

10. The background to the Durieshill settlement proposal is significant because is generally not efficient or necessary to re-examine parts of an LDP that have been examined before or rolled forward from previous adopted or approved plans, unless circumstances have clearly changed.

11. Until this LDP is adopted, the development plan for the area continues to comprise the approved Clackmannanshire and Stirling Structure Plan (2002) and the adopted Stirling Council Local Plan. The approved structure plan contains a locational framework that is

based on the majority of necessary new housing being delivered in a major growth area, which may be a new community. Proposal HP2 of the approved structure plan identifies the housing land requirement for Stirling and confirms that Indicative Phase 2, which is scheduled for 2008 to 2017, should comprise around 2500 homes in an Area of Search for Major Growth. The structure plan key diagram then shows the major growth area as broadly covering Durieshill, and the implementation section states this will be progressed as an alteration to the adopted local plan. The process of alteration was to have begun in 2000, with final adoption in 2002. Approved structure plan proposal HP3 then sets out the principles that the major growth area should follow. The planning authority progressed the local plan alteration and an inquiry into objections to the new village proposal reported in 2006 (CD40). The outcome describes clear evidence of full public consultation and it shows that other sites were then considered, as were other options such as the dispersal of the housing land requirement. These other options were ruled out and local plan alteration number 2 was adopted in 2006, with proposal HP1 for a new village of 2500 homes on a site that matches the LDP allocation H057 (CD39). This shows that Durieshill was firmly established in the previously approved and current extant development plan, and that it has been rolled forward intact into the emerging LDP which will ultimately replace both parts.

12. The representations make general statements about the viability of the Durieshill proposal and about the general effectiveness and suitability of the site for development. They also mention the long time that has passed since the adopted local plan alteration, during which progress towards implementation seems not to have been made. However, no quantifiable evidence has been supplied to support these general assertions or to show that circumstances have indeed changed, and to such an extent that Durieshill is no longer appropriate. Further, implementation was only ever intended to be long-term, so that an apparent lack of progress up to and including during this current economic downturn should not necessarily be regarded as fatal to the continued inclusion of Durieshill in the LDP. This applies particularly to the reference to Durieshill in the appropriately optimistic, aspirational and forward looking Vision section of the LDP.

13. Based on the above, Durieshill should not be deleted from the Vision section of the proposed LDP.

Reporter's recommendations:

The local development plan should be modified by:

1. Replacing bullet point number 2 at the top of page 13 with the following:
 - "Local food production – more allotments, community orchards and other local food production enterprises."
2. Replacing the last bullet point at the bottom of page 13 with the following:
 - "More recreational activity and facilities.
 - Community orchards and other local food production enterprises."
3. Adding the following new bullet point to 'villages and smaller towns' on page 13 and to 'countryside' on page 14:
 - "Transport infrastructure that improves and encourages a modal shift from motor vehicles to other means, such as walking, cycling and public transport, via an improved, comprehensive and safe network."

Issue 3	Spatial Strategy	
Development plan reference:	Spatial Strategy (Chapter 5, pages 15 – 19) Primary Policy 2: Supporting the Vision and Spatial Strategy (page 35)	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Government (SLDP_188) Jehovah's Witnesses (SLDP_856) Kippendavie Development Company (SLDP_723) Kippendavie Group Trust (SLDP_1314) Kippendavie Group Trust (SLDP_70) Graham's The Family Dairy (SLDP_327) Charles Connell & Co Holdings Ltd (SLDP_1251) Gloag Investments (01112) Scottish National Party Group (00711) Mactaggart & Mickel (Homes) Ltd (SLDP_346) Persimmon Homes East Scotland (SLDP_200) Wallace Land Investment & Management (SLDP_48)		Mactaggart & Mickel (Homes) Ltd (SLDP_669) Network Rail (SLDP_151) TACTRAN (SLDP_193) Cycle Stirling (01039) Judge Angus Stroyan (00707) Heather McArthur (00745) Kenneth & Diana Campbell (00269) Jayne & David Field (SLDP_01105) Strathblane Community Council (SLDP_102) East Dunbartonshire Council (SLDP_62) Walker Group (Scotland) Ltd (SLDP_103) Stewart Milne Homes (SLDP_272) Macdonald Estates plc (SLDP_1343) Allan Water Developments Ltd (01197) Story Homes (SLDP_1178) Omnivale Ltd/Taylor Wimpey plc (SLDP_729)
Provision of the development plan to which the issue relates:	Chapters of the Plan dealing with the approach to the Spatial Strategy and the supporting policy.	
Planning authority's summary of the representation(s):		
<u>Spatial Strategy - General Approach</u> Scottish Government (SLDP_188/001) – Objects to the Proposed Plan not having the core elements of its spatial plan for onshore wind set out within the plan but rather in Supplementary Guidance. Scottish Planning Policy (CD 1) (Para.189) requires planning authorities to set out in the development plan a spatial framework for wind farms of over 20MW generating capacity. A spatial framework for wind turbine developments >20MW is clearly a matter of more than local importance, given the economic and low carbon imperatives and the important landscape and environmental considerations. Jehovah's Witnesses (SLDP_856/007) - Considers that smaller developments are not adequately catered for beyond the major land uses of Housing, Employment and Retail. Any large community requires that the full range of developments be made possible by good planning. <u>Core Area</u> Kippendavie Development Company (SLDP_723/003); Kippendavie Group Trust (SLDP_1314/003); Kippendavie Group Trust (SLDP_70/002); Graham's The Family Dairy (SLDP_327/002); Charles Connell & Co Ltd (SLDP_1251/002); Gloag Investments (01112/002); Scottish National Party Group (00711/022) - Support for the vision and spatial		

strategy, however the forecast land requirement and allocations for new housing appears disconnected with the City Vision and Spatial Strategy. Scottish National Party Group (00711/022) also agree with the above objectors that new residential development falls largely outwith the city corridor and is underpinned by Durieshill and the expansion of the eastern villages. This approach to allocating over 80% of Stirling Council's future housing requirement within areas peripheral to the city corridor, within a single housing market area that historically failed to deliver the projected housing completions due to a combination of infrastructure constraints and weak market sentiment, results in an imbalance and is considered unviable and runs counter to the Vision. This is further complicated by the fact that traffic and education requirements have not been fully assessed. The lack of a development target in the Spatial Strategy runs counter to the policy provisions within Scottish Planning Policy. The larger allocations are unlikely to happen anytime soon due to the economic circumstances such as Plean, Cowie, Fallin and Bannockburn so this is really a plan for inaction and planning will be by appeal with all the attendant waste of time and resources.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/003, SLDP_346/004 & SLDP_346/005) - Agrees with the overall spatial strategy. Controls land that forms part of Airthrey Kerse between Bridge of Allan and Causewayhead and considers the Council's concerns relative to flood risk can be overcome. Objector's landholding is considered effective, has no planning or infrastructure constraints, is free from flood risk and can come forward for development in its own right or as part of a wider strategic development proposal.

Persimmon Homes East Scotland (SLDP_200/002) – Objects to the failure in the Plan to direct growth to Bridge of Allan.

Wallace Land Investment & Management (SLDP_48/003) - The Plan fails to accord with the aims and objectives, which underpin the terms of its Vision and Spatial Strategy. In relation to development within the Stirling Core Area, the approach is to allow for the controlled expansion of the City ('substantially', as noted within the Plan Vision statement) within the City Corridor, primarily to meet, amongst other things, future housing need. Considers Green Belt release should not be considered to the south of Stirling when other non-Green Belt sites are available e.g. Back O'Muir Farm. Considers the scale of development for the Eastern Villages and proposed time frame for deliverability is questionable and they have the potential to adversely impact upon the established character and amenity of the villages.

Mactaggart & Mickel (Homes) Ltd (SLDP_669/002) - Objects to the lack of housing opportunities identified in Dunblane - a medium sized settlement (Tier 2 within the Settlement Hierarchy) with Pressured Area Status and of a scale capable of accommodating significant further residential growth. This runs counter to the Vision and Spatial Strategy. There are no environmental constraints that would prevent Stirling Council meeting its housing requirement in full in Dunblane.

Scottish Government (SLDP_188/002 & SLDP_188/003) – Quotes Scottish Planning Policy (CD 1 Para.175). The Core Area Map, the Land Safeguarded for Infrastructure table on page 217 and map on page 220, show a reference to slip roads at a proposed new M9/A811 junction. This is in addition to a number of transport options which are currently subject to an ongoing transport appraisal. Until the appraisal has been completed, these slip roads should be clearly marked in the map as an aspiration of the Council, with no Scottish Government approval or funding. Should the outcome of the assessment indicate the proposals have merit, and receive Transport Scotland approval, it should be noted in the Plan, Supplementary Guidance and Action Programme that the responsibility for funding and delivering the slips will fall to the Council, developers or others.

Scottish Government (SLDP_188/006) – Comments on the Land Safeguarded for Infrastructure table on page 217 and that there is no station that could facilitate a rail park and ride at Bannockburn/Cowie. Transport Scotland has no plans to promote or develop proposals for providing a station at this location, and the Plan therefore is not co-ordinated with Transport Scotland's investment plans as required by Circular 1/2009 (CD 4). Retaining a rail park and ride in the Plan risks the Planning Authority blighting the land and misleading developers and others, as to the possibility of accessing a station at some point in the future. No evidence has been supplied to Transport Scotland to demonstrate that the points raised in Scottish Planning Policy (CD 1) Para. 176 have been considered regarding a railway station or to demonstrate that a station proposal at this location has resulted from any robust appraisal. No evidence has been supplied that these railway stations have robust business cases either. Furthermore, no evidence has been supplied to explain how the capital cost will be funded or whether there are ongoing revenue subsidy costs of operating the railway stations and any rail services using these locations, and if so, how these will be funded.

Network Rail (SLDP_151/003) - Objects to the inclusion of reference to a rail halt in the vicinity of Bannockburn, as it is not supported by any strategic transport document. This means that it is either not deliverable, or that its deliverability has not been tested. It can therefore not be relied upon to support the Preferred Spatial Strategy.

TACTRAN (SLDP_193/016) comments that the Transport Infrastructure paragraph of the Stirling Settlement Statement should include reference to infrastructure identified in the Regional Transport Strategy Delivery Plan (CD 31).

Cycle Stirling (01039/003 & 01039/004) – Objects to the lack of a map/plan of improvements to cycle networks showing regional and connecting routes from rural to urban and within urban core.

Rural Villages Area

Judge Angus Stroyan (00707/001) - Concerned that there is no reference to developments at either Killin or Callender. Killin is in desperate need for additional housing for local people and tourists alike in order to maintain a thriving local community.

Heather McArthur (00745/003) – Considers it more sense to build houses in Stirling City where there is existing infrastructure and public transport, and shorter travel distances to work and shops. Distributing a quota around rural villages spoils their character and encourages more vehicles.

Kenneth & Diana Campbell (00269/002); Jayne & David Field (SLDP_01105/004) - Considers Doune has played its role in the provision of new housing. Doune and Deanston are already bearing 32% of the total allocation for the current decade and this will have increased to 42% by 2034. In the rest of the rural area, it appears that only 45 of the 348 units designated for completion by 2024 have planning consent and the only later allocation is 30 units at Kippen. There are present infrastructure strains and even if these are resolved, any further large development would have the most adverse impact on the boundaries and rural character of Doune.

Strathblane Community Council (SLDP_102/001) - The Plan implies population growth in the Balforn/Killearn/Strathblane corridor and must give more consideration to the traffic implications for the A81 through the villages of Blanefield and Strathblane. The villages cannot be bypassed and therefore serious and effective measures must at last be taken to enforce the 30mph speed limit. Supports the allocation of housing need in the Rural sub-

area is spread across all rural settlements and the countryside, leading to better sustainability of local communities.

East Dunbartonshire Council (SLDP_62/001) - The 'Housing Development' symbol for Strathblane & Blanefield appears to be located within East Dunbartonshire. Whilst it is acknowledged that this is merely a drafting issue, it could potentially cause some confusion to some readers of the Plan.

Settlement Hierarchy

Walker Group (Scotland) Ltd (SLDP_103/003) - Durieshill should be ranked as a Tier 2 settlement rather than a Tier 3 settlement. Can the Council explain the basis for the categorisation of settlements? On size alone, Durieshill will be on a similar scale to both Bridge of Allan and Dunblane and will be 2 - 3 times the size of any of the other Eastern Villages.

Stewart Milne Homes (SLDP_272/001) - Objects that the Spatial Strategy no longer identifies Rural Centres as the focus for development outwith the City Corridor. Considers this more dispersed approach is unsustainable. The Vision states that, in the rural area, there will be small to medium sized infill peripheral housing developments and in a few locations outwith the City Corridor, there might be some locations where more substantial new housing could take place. However, this vision does not appear to have been taken through to the Spatial Strategy. The logic of this would direct development to locations with a range of facilities/services, promote the role of the centre in serving the general needs of the wider rural area, and protect the character, identity and setting of the villages. Considers Deanston and Doune together should be identified in the settlement hierarchy, as appropriate for a larger scale of development, than other Tier 4 centres such as Thornhill, Kippen and Fintry. They are better located in relation to the City Corridor and the wider rural area and accessible by a range of means of transport and together contain a wide range of facilities.

Retail Strategy

Macdonald Estates (SLDP_1343/001) - The Plan does not present a cohesive strategy in relation to the provision of a new convenience retail store in Stirling. The Spatial Strategy considerations as they relate to Stirling make no reference to the potential for convenience development at Crookbridge. The Proposed Plan does not seek to support convenience development at Crookbridge, however this does not square with the reference at paragraph 6.25 which indicates further convenience retail is anticipated at either South Stirling Gateway (R09) or at Crookbridge (R12). This is further compounded by reference to Appendix B which includes Convenience Superstore in the 'retail goods type' for Crookbridge. Allocation of the site at Crookbridge would conflict with the retail advice the Council has received which indicates that a location broadly in South East Stirling would serve the growth options and would be well placed to intercept leakage - a key consideration in the Spatial Strategy. Granting consent at Crookbridge would impact significantly on securing a store at Bannockburn/Pirnhall for market and capacity reasons and would impact on the Spatial Strategy as it relates to South Stirling Gateway.

Allan Water Developments (01197/006) - Under the 'Development Approach - Regeneration' section there should be explicit recognition for the need to regenerate existing centres, in particular, Local Centres.

Table 1: Spatial Strategy

Cycle Stirling (01039/002) - Requests text changes are made to the Table.

Story Homes (SLDP_1178/001) - Supports the development approach and aims for the Eastern Villages. However, paragraph 5.1 and Table 1 require to be amended to reflect the role which developer contributions has in meeting those aims outlined e.g. often critical improvements to transport networks required as result of development; provision of primary and secondary education facilities to ensure capacity for new development; improvements to open space; contributions towards new health care facilities. Considers the land allocation at Pleanbank (H069) does not fit with the Spatial Strategy in that the level of regeneration benefits promised by the planning application (CD 113) have not materialised and are increasingly unlikely to do so. A varied housing tenure mix is needed to help support, grow and retain the existing and growing community. A balanced level of housing provision bringing real tangible benefits to the local area must take place. The Pleanbank development has not progressed since Councillors were minded to grant consent, contrary to the recommendations of the planning department in January 2009. After nearly four years it clearly cannot be seen as an effective means to help deliver the vision for Plean. Development of land at East Plean/Cushenquarter should be identified as the option for meeting the proposed Plan's Spatial Strategy for Plean.

Primary Policy 2: Supporting the Vision and Spatial Strategy

Wallace Land Investment & Management (SLDP_48/007) - It is wholly illogical for the Policy to suggest that the early release of the second phases of such developments could assist in addressing effective land availability issues within the first phase of the Plan, given that as it is presently worded, the Policy has the effect of calling upon failing sites to solve their own problems. The wording of the policy should be expanded to make provision also for the identification, promotion and development of new sites, including those not presently identified within the development plan, this being achieved by way of the submission of planning applications in advance of the development plan cycle.

Mactaggart & Mickel (Homes) Ltd (SLDP_669/004) - Objection to Primary Policy 2 as there is insufficient land identified to meet housing development requirements in the Council area as a whole and, specifically, at Dunblane.

Omnivale Ltd/Taylor Wimpey plc (SLDP_729/004) - Where the owners of an allocated brownfield site demonstrate that the indicative capacity as set out in the relevant Settlement Statement can be exceeded and complies with the Overarching Policy, then the capacity of the site in the Plan should be amended accordingly. Full and effective use of allocated sites should take place in accordance with SPP. The development of allocated site H074/B01 should make full use of the site and not be constrained by an indicative capacity (380) which is too low.

Modifications sought by those submitting representations:**Spatial Strategy - General Approach**

Scottish Government (SLDP_188/001) - Reporters should request that Stirling Council finalises its spatial framework for onshore wind, and if this can be concluded before the Examination is complete, incorporate the core elements of this in the Plan taking cognisance of the approach laid out in Scottish Planning Policy, as supported by online renewables

planning advice.

Jehovah's Witnesses (SLDP_856/007) - Requests that the following principle be embedded in the Plan, "Mixed use sites may also be considered where the intended facility can sit comfortably within areas of employment land."

Core Area

Scottish National Party Group (00711/022) - A full reassessment of the housing land allocations is required.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/003, SLDP_346/004 & SLDP_346/005) - If the Council were minded to allocate an area at Airthrey Kerse for development as outlined in the Main Issues Report (CD41), then considers the logical site would be their landholding as this could form the first phase of a wider strategic development proposal for the North Stirling/Causewayhead area. Considers that references should be included within the Stirling Core Area under Table 1: column four 'Description of Approach' with regard to the future development of North Stirling/Causewayhead and the associated amendment of the Green Belt boundaries under the Strategic Development section. The Key Diagram should highlight the Strategic Development Area of North Stirling/Causewayhead for future development within the plan period.

Wallace Land Investment & Management (SLDP_48/003) - Reduce the extent of the proposed allocation of the Stirling South Gateway site. Within the terms of Table 1, make reference to the allocation of land at Back O' Muir Farm, Bannockburn for development purposes.

On the Key Diagram, show the site at Back O' Muir Farm as being allocated for development.

Kippendavie Development Company (SLDP_723/003); Kippendavie Group Trust (SLDP_1314/003) - Make significant allocations for residential, commercial and industrial development at the edge of existing settlements within the Core Area and in locations where there is real demand.

Scottish Government (SLDP_188/002 & 003) - Should the ongoing appraisal find that a new M9/A811 junction and associated slip roads form an option, and Scottish Government agree to the principle of the slips, the Plan should clearly identify that these are to be funded and delivered by those other than the Scottish Government. Should the ongoing appraisal not identify the new junction and associated slip roads as an option, these should be removed from the Plan, Supplementary Guidance and Action Programme. It is hoped that this issue will be resolved by the Council prior to any potential Plan examination and Transport Scotland will continue to engage with the Council on the appraisal. However, should this be identified as an unresolved issue and submitted to the Reporter, Scottish Government respectfully requests the Reporter to seek an update on this issue.

Scottish Government (SLDP_188/006) - Requests that the park and ride at Bannockburn/Cowie should be clearly marked as an aspiration within the Plan. The plan also needs to make clear that any potential station and associated park and ride would need to result from appropriate transport appraisal and that there is no approval for a station at this location nor funding to deliver one.

Network Rail (SLDP_151/003) - Remove reference to rail halt from Key Diagram.

TACTRAN (SLDP_193/016) requests the inclusion of a reference to infrastructure identified in the Regional Transport Strategy Delivery Plan (CD 31).

Cycle Stirling (01039/003 & 01039/004) - Add a map/plan of improvements to cycle networks showing regional and connecting routes from rural to urban and within urban core. Amend map to show NCNs and proposed cycle networks.

Rural Villages Area

Heather McArthur (00745/003) – Modify the Spatial Strategy to allow for more housing in Stirling City as opposed to the rural villages.

Kenneth & Diana Campbell (00269/002); Jayne & David Field (SLDP_01105/004) - On page 24 (Para. 6.14), delete reference to Doune.

East Dunbartonshire Council (SLDP_62/001) - Relocate the Housing Development symbol for Strathblane & Blanefield to the west of the label, as is the case for Buchlyvie, for example.

Settlement Hierarchy

Walker Group (Scotland) Ltd (SLDP_103/003) - Revise the status of Durieshill to a Tier 2 settlement having regard to its scale etc.

Stewart Milne Homes (SLDP_272/001) - The Spatial Strategy should be amended to identify Deanston/Doune and Balfron as key Rural Centres that are to be the focus for development within the rural area. Table 1 and the settlement hierarchy should be amended to show Deanston/Doune and Balfron as forming a separate Tier within the Rural Villages Centre. This should be carried over and recognised within Primary Policy 2: Supporting the Vision and Spatial Strategy.

Retail Strategy

Macdonald Estates (SLDP_1343/001) - The Plan must be clear about its retail strategy. The inclusion of a convenience superstore at Crookbridge (R12) does not appear to be supported by any of the supporting information or other policies, Supplementary Guidance and Settlement Strategies promoted as part of the Plan. Its inclusion is therefore unsupported or erroneous. This requires to be clarified by whatever means appropriate.

Allan Water Developments (01197/006) – Table 1, insert text after 'Redevelop existing regeneration area', delete text 'as well', and replace with “including vacant sites and premises located in existing centre including Local Centres identified in SG09 Network of Centres and also...”.

Table 1: Spatial Strategy

Cycle Stirling (01039/002) – Stirling Rural Villages Area add “Maximise potential for improved connectivity of these areas for public transport, walking and cycling. Opportunities to increase cycling tourism and link with national cycling routes.”

Story Homes (SLDP_1178/001) - Amend Table 1 and Paragraph 5.1 to reflect the role developer contributions has to play in delivery of the strategy as follows - "...And offers opportunities for enhancement and regeneration of these areas, also acknowledging that

these contributions are inextricably linked to timely delivery of sites."

Primary Policy 2: Supporting the Vision and Spatial Strategy

Wallace Land Investment & Management (SLDP_48/007) - Within part (a) of the policy make suitable provision for the possibility of totally new sites coming forward to meet any identified shortfall in the housing land supply.

Omnivale Ltd/Taylor Wimpey plc (SLDP_729/004) – Part (a) should be amended to recognise that sites which are allocated in the Plan may well be able to accommodate additional capacity compared with that indicated in the draft Plan. Such sites should be the first 'port of call' for additional units across the Core Area. Requests the inclusion of an additional sentence within part (a) as follows - "Should it be demonstrated that additional capacity can be accommodated on allocated effective sites and be in accordance with the Plan's Overarching Policy then the Council will give favourable considerations to such proposals."

Summary of responses (including reasons) by planning authority:

Spatial Strategy - General Approach

Scottish Government (SLDP_188/001) – The Council are agreeable to modifying the Plan to accord with Scottish Planning Policy and online renewables planning advice by incorporating the core elements of its spatial framework for onshore wind in the Plan. The Council considers this to be a non-notifiable modification.

Jehovah's Witnesses (SLDP_856/007) - Mixed use development is supported under Policy 2.8 in the following circumstances; on allocated sites where specified in the Plan; within the Network of Centres; within accessible locations in the Core Area; and on sites where it can enable the delivery of primary uses where specified in the Plan. Smaller developments (not comprising of the main housing, employment or retail allocations) would be supported in these circumstances subject to Criterion (b) in Policy 2.8, and within other locations where they meet the relevant policies in the Plan. This includes within areas of employment land where consistent with Policy 2.4 and the employment site is no longer required to maintain an effective supply of employment land. The Council does not support the modification requested as the safeguarding of employment land is a key objective of the Plan, and adequate policy exists to allow for other uses to be considered favourably in appropriate circumstances.

Core Area

There are various objections made to the proportion of new development allocated to the south of Stirling compared with the north (particularly at Bridge of Allan and Dunblane), which the objectors argue creates an imbalance and does not marry up with the Vision and Strategy set out within the Plan.

The Vision and Spatial Strategy considers the whole period of the Plan i.e. 20 years (to 2034). The Core Area, as indicated within the Settlement Hierarchy map (page 17) within the Plan, covers an area of land including Dunblane, Bridge of Allan, Stirling City, the Eastern Villages, and the Durieshill area. The Strategy aim over the 20 year period (as set out in Table 1 and highlighted in the Vision) is to deliver the majority of new development within the Core Area (substantially within the City Corridor) with a more modest approach to the Rural

Villages Area. In the short to medium term, Urban Consolidation will play a significant role but it is recognised that greenfield expansion of Stirling City is also required (this was also recognised early on and discussed in the Main Issues Report (CD 41). The new settlement at Durieshill is considered to play a key role in the longer term growth for the area. The programming of new development to 2024, relative to each of the strategic areas, is set out within Tables 4, 7, 9 and 10. As explained within Para.6.2 of the Plan, the Strategy is not 'development target led' – other factors have had a bearing on the overall scale and location of the allocations. This matter is further responded to in Issue 4 Housing Land Requirement – Housing Land Requirement Approach.

The expansion of Stirling City mainly within the City Corridor is identified in order to help strengthen the city edges (and the role of the Green Belt) and form strategic gateways to the north and south of the City – again this is to be considered over the whole period of the Plan. Further information on the Council's approach is outlined within the Vision and Spatial Strategy Background Report (CD49 – Page 19).

The imbalance referred to in the housing land allocations across the Core Area, is a reflection of the lack of suitable sites to the north of Stirling. The lack of any major strategic allocations within Bridge of Allan/Causewayhead and within Dunblane in Period 1 to 2024 particularly, is a reflection of the lack of suitable effective sites to identify for this period. Although these settlements fit with the Core Area approach, the strategy should not be one of allocating development in these settlements regardless, but making sure firstly, that any suitable sites can be identified that are consistent with 'placemaking' and secondly, are effective within the timescales. The suitability and effectiveness of the sites put forward by objectors as suggested sites in these locations are responded to separately in Issue 41 and Issue 42.

The suggestions made by Mactaggart & Mickel (Homes) Ltd therefore are not supported as "controlled greenfield expansion of the City" is already referred to in Table 1 and the specific identification of North Stirling/Causewayhead and the associated amendment to the Green Belt is not considered appropriate at this time as previously discussed. There are also considered to be both environmental and infrastructure constraints that prevent the identification of suitable sites for housing development in Dunblane. Dunblane also lies outwith the area defined by the City Corridor where the majority of development is preferred to take place in terms of the Spatial Strategy, and therefore will not contribute to the improvement of strategic gateways or the aims of the City Vision (CD 50).

In the period after 2024 and subject to a future review of the Plan which will consider the specific allocations for this period, the Plan (at Paras. 6.10 – 6.14, 6.21 and 6.26 and Tables 5 and 8) outlines what the scale and location of development might be in Period 2 up to 2034, but the Council does not consider that housing sites solely for this period should be allocated in the Plan. Scottish Planning Policy (CD 1) Para. 73 states that the Plan should provide an indication of the possible scale and location of housing land up to year 20 and the Council is considered to have been consistent with this approach.

With regard to the Scottish National Party Group's comments that traffic and education requirements have not been fully assessed, the Council has undertaken a review of the City Transport Strategy which was originally adopted in 2007 in parallel with the preparation of the Local Development Plan to help inform both the Plan and how the Council could address future transport issues via a City Transport Plan. The revised transport programme, the City Transport Plan (CD 73), takes account of the Plan's proposals and is being presented to the Council's Environment and Housing Committee in June 2013. Along with the Transport and Access Background Report (CD 71), these two pieces of work summarise how the traffic

implications of the spatial strategy have been assessed.

However, in short, the traffic modelling that has been undertaken to date assesses the cumulative impact of all development in the Stirling City area, and in particular identifies the key problem locations that would occur as a result of the cumulative development in the Stirling City area and to test potential solutions to these problems. This is suggested as appropriate to inform the principles of development scale and location in the development plan. Time and resources could not permit detailed assessments of all proposals and combinations thereof. However detailed assessments of all major development proposals will be undertaken as they are brought forward. In addition, work to refine the phasing of measures within the City Transport Plan (which will be reviewed every 3 years) will continue to be undertaken to continue to better inform members of which interventions could be brought forward and when within the context of the City Transport Plan to address current and future transport and access issues.

Wallace Land Investment & Management - comments about Green Belt release is not supported by the Council. Scottish Planning Policy (CD 1) (Para. 162) indicates that Green Belt boundaries should reflect the long term settlement strategy and ensure that settlements are able to accommodate planned growth – they clearly therefore have a role to play in the Spatial Strategy. The opportunity to review the Green Belt and establish the Council's approach in terms of the new Plan is set out in the Green Belt Review Background Report and dealt with under Issue 8.

The strategy for the Eastern Villages is one of regeneration, to these targeted areas. A combined physical, social and economic approach to regeneration will be required, which will require the participation of the business community, landowners, developers, community planning partners and local communities. The Council does not therefore agree to modify the Plan in response to this representation.

Scottish Government (SLDP_188/002 & SLDP_188/003) - The Council agrees to the modification suggested that the proposal for slip roads at a proposed new M9/A811 junction, should be identified as an aspiration of the Council, and that it is not being promoted by the Scottish Government. This will ensure that there is clarity over the Council's intentions and therefore the Council considers this to be a non-notifiable modification. However, as the Scottish Government response notes, there is currently an assessment which includes considering the desirability of a new junction between the A811/M9. As the assessment has yet to be completed the Council suggests that it remains premature to predict that there are no trunk road problems that the proposal may resolve, and hence make definitive statements about potential funding sources. The assessment is expected to be completed by summer 2013.

Network Rail (SLDP_151/003); Scottish Government (SLDP_188/006) - object to the inclusion of a rail halt in the vicinity of Bannockburn. The Council agrees with the modification being sought which is to retain the proposal within the Plan as an aspiration of the Council. This will ensure that there is clarity over the Council's intentions and therefore the Council considers this to be a non-notifiable modification. In January 2003, Scottish Executive agreed to develop a rail park and ride near Castlecary (Central Scotland Corridor Studies: Decisions). Following a report commissioned by Falkirk Council, the Minister for Transport in Oct 2006 accepted the conclusions of the study recommending a rail park and ride on this corridor would be better located at Bannockburn and commented: "I have decided that....an alternative facility at Bannockburn should proceed to the next stage of feasibility...", and committed his officers to continue to investigate the proposal. Despite the Network Rail 'Route Utilisation Strategy' Generation 1 (Mar 2007) stating that Network Rail

would liaise with Stirling Council on proposal, there was no liaison.

However, the practicality of accommodating a new stop on the line between Larbert and Stirling was considered by Transport Scotland/Network Rail within the Edinburgh to Glasgow Improvement programme (EGIP) project. In Nov 2008 EGIP Timetable Review of Infrastructure Requirement (which Identified projects to be progressed to GRIP stage 3) recommended that Bannockburn Station was not progressed. The only information that Transport Scotland were able to provide to Stirling Council on why the proposal was scoped out at this stage was the following statement: *“There is growing talk of a proposal to build a new station at Bannockburn; and this is likely to lead to the requirement for further re-signalling between Larbert and Stirling to reduce the headways to 3 minutes to maintain the capacity of this section of the route”* (from Edinburgh to Glasgow Improvements Programme (EGIP): Timetable Review of Infrastructure Requirements).

The following additional clarification has been received from Transport Scotland: “...re-signalling work between Larbert and Stirling was not required to meet EGIP’s core objectives ... the potential station at Bannockburn was thus excluded from.... EGIP because it necessitated additional work which would have increased the project cost without helping to deliver against its core objectives.” Hence, while there is no evidence from Transport Scotland to suggest that the additional costs of re-signalling would be prohibitive, we accept that this was sufficient for the proposal to be scoped out of the EGIP process.

However the Council does not believe that this constitutes undertaking a feasibility study into a station (i.e. all pros and cons of a new station) as we were promised, and would expect. The timetabling changes that have been made as part of the EGIP project, seems to be the only evidence on which the proposal has been dropped by Transport Scotland/Network Rail. Hence, Stirling Council would request that as a feasibility into a station has not been undertaken by Transport Scotland/Network Rail, we wish to continue to highlight the project as an aspiration of the Council to help meet the travel demands of south Stirling area in a sustainable manner – until such a time as the project has been shown to be unfeasible.

TACTRAN (SLDP_193/016) - It is unclear which additional projects in the Regional Transport Strategy Delivery Plan (which the RTP suggest will be reviewed shortly) that the Regional Transport Partnership are responsible for delivering and wish to see referenced in this paragraph. Recognising that projects may be referenced in local, regional and national strategies, reference to the Regional Transport Strategy is made in the ‘Infrastructure’ table on page 217. The Council does not therefore to agree to modify the Plan in response to this representation.

Cycle Stirling (01039/003 & 01039/004) - Object to a lack of a plan identifying improvements to cycle networks. The Council does not consider it appropriate to show this level of detail within the local development plan. The Proposed Plan highlights land which is required to be protected to enable necessary future infrastructure. Such protection is rarely required to enable the cycle network to be improved. The representation suggests that infrastructure projects (such as cycling) are being overlooked in the Plan compared with the indications in the Plan for land being reserved for large scale park and ride or road projects. This is not the case it is just that the development plan is not the appropriate document to set out the details of improvements to the cycle network. The supporting Transport and Access Background report (CD 71), and the draft City Transport Plan (CD 73), make it clear that encouraging a modal shift from motor vehicles to walking, cycling and public transport is essential to enable full build-out of the Plan proposals if congestion and its associated problems are to be avoided. The Council does not therefore to agree to modify the Plan in response to this representation.

Rural Villages Area

Judge Angus Stroyan (00707/001) – There is no reference in the Plan to developments at either Killin or Callander as these settlements are within the Loch Lomond and the Trossachs National Park who are the planning authority responsible for producing the Local Development Plan for that area. The Council does not therefore to agree to modify the Plan in response to this representation.

Heather McArthur (00745/003) – The Spatial Strategy allows for significant more housing in the Core Area as opposed to the Rural Villages Area. Only modest amounts of new development are allocated for the Rural Villages consistent with their role in the Settlement Hierarchy and as outlined within Table 1 of the Plan. The Council does not therefore to agree to modify the Plan in response to this representation.

Kenneth & Diana Campbell (00269/002); Jayne & David Field (SLDP_01105/004) -Scottish Planning Policy (CD1 – Para.73) requires the Plan to provide an indication of the possible scale and location of housing land up to year 20 and by identifying Doune at this early stage in the Plan process, the Council is considered to have been consistent with this approach. Reference to Doune is made in terms of having a possible long term role in the future provision of housing but this will still require be determined in a future review of the Plan. The Council does not therefore to agree to modify the Plan in response to this representation.

Strathblane Community Council (SLDP_102/001) – The enforcement of 30mph speed limit in the villages is not a matter for the Local Development Plan. The Council does not therefore to agree to modify the Plan in response to this representation.

East Dunbartonshire Council (SLDP_62/001) – The relocation of the housing development symbol for Strathblane and Blanefield on the Key Diagram is not considered necessary and would have to be repeated for all the other settlements shown on the diagram. The symbol is purely indicative and it is the village itself, not the position of the symbol which determines where development will take place – this is clearly set out within the Settlement Statements. The Council does not therefore to agree to modify the Plan in response to this representation.

Settlement Hierarchy

Walker Group (Scotland) Ltd (SLDP_103/003) – The Settlement Hierarchy approach is explained in the Vision and Spatial Strategy Background Report (CD 49 – Page 17). With regard to Durieshill, although in terms of the total number of houses proposed it is similar in scale to Dunblane and Bridge of Allan, it will not have the same level of historical evolution developed over many centuries. The site is due to be built out over 20 years. Its characteristics will therefore be very different, for example, it will not have the same level of social infrastructure that can develop over longer time periods and the variety of facilities and services that accompany this. For this reason the Council considers Durieshill to be more suited as a Tier 3 settlement. The Council does not therefore to agree to modify the Plan in response to this representation.

Stewart Milne Homes (SLDP_272/001) – The identification of Rural Centres was part of the strategy outlined in the Clackmannanshire and Stirling Structure Plan (CD 34). As explained within the Main Issues Report (CD 41) (Page 68), the strategy for the Rural Villages Area has altered with Callander now located within the National Park. The aim of the new strategy set out within the Vision and Table 1 of the Plan, is to help sustain local services and

facilities through new development. Balfron, Doune, Deanston were subject to housing allocations as part of the Structure Plan (CD 34), adopted Local Plan (CD 35) and subsequent Local Plan Alteration 1A (CD 36). Sites at Doune (H096 and H097) and Deanston (H093, H094) were carried forward into the Proposed Plan and are currently under construction, and it is now considered appropriate to focus attention on other villages also in need of affordable housing but not previously considered. Beyond these sites, both Doune and Deanston no longer have the services and infrastructure to support new housing development without significant investment (ref: Settlement Assessments CD 42 for Doune and Deanston). Any further growth of Deanston particularly, would adversely affect its character, identity and setting as a Conservation Area village.

The new strategy approach set out in the Plan is considered sustainable. Only modest amounts of new development are allocated to the Rural Villages area compared with the Core Area. All the new housing allocations are focused on the villages themselves where there are the requisite services and facilities to serve the development – no housing allocations are within the countryside. There is evidence (from the Local Housing Strategy) of the need for affordable housing across most of the villages within the Rural Villages Area and each village is considered therefore to have a role to play in this through new housing allocations and/or support for existing allocations.

Both villages are not ideally placed on the transport network to be a truly sustainable location to accommodate a substantial amount of housing required as part of the strategic housing requirement, and they are located too far away from the Core Area to contribute to the City Corridor strategy. The villages are not considered to present any advantages over other villages in the Rural Villages Area and their capacity for future development is further environmentally constrained with regard to their proximity to the River Teith Special Area of Conservation. The Council does not therefore to agree to modify the Plan in response to this representation.

Retail Strategy

Macdonald Estates (SLDP_1343/001) - The strategy for new retail development is considered to be clear and consistent with Scottish Planning Policy (CD 1) (Paras. 53-55). A Network of Centres is identified (Supplementary Guidance SG09 – CD 176) setting out the role of each centre in the network. Any gaps and deficiencies in provision are highlighted in Paras. 6.22-6.26 and Tables 9 and 10 of the Plan and the need for new development identified in Appendix B. On the matter of convenience retail provision, both South Stirling Gateway (R09) and Crookbridge (R12) are considered to have a role to play, but only one could accommodate the need for one additional superstore with the other site satisfying more local convenience needs. There is therefore an error in Appendix B in that both sites R09 and R12 should only refer to convenience retail rather than convenience superstore in the 'Retail Goods Type' heading as both could not accommodate the superstore. The respective Key Site Requirements for these sites also require to be amended to refer to 'convenience retail' only in both cases. This should help clear up the matter of confusion referred to by Macdonald Estates (SLDP_1343/001). The Council does not consider that it needs to be prescriptive on the matter of identifying suitable sites for the superstore, as both sites are considered well placed to intercept leakage to the south east of Stirling which is the main justification for supporting the capacity for a new superstore. The Council does not therefore to agree to modify the Plan in response to this representation.

Allan Water Developments (01197/006) - The regeneration aims of the Spatial Strategy and that referred to in Table 1, are focused on the 3 recognised regeneration areas of Cornton, Cultenhove and Raploch referred to in the Council's Single Outcome Agreement (CD 76),

and the newly identified regeneration areas of Cowie, Fallin and Plean referred to in the Plan (Table 1) and the Local Housing Strategy (CD 62). These areas are the focus for regeneration and it would not be appropriate to direct limited resources to vacant sites and premises located in existing centres including Local Centres that are outwith the recognised regeneration areas. The Council does not therefore agree to modify the Plan in response to this representation. This issue is further discussed in Issue 56.

Table 1: Spatial Strategy

Cycle Stirling (01039/002) - The 'description of approach' in the Spatial Strategy Table 1 (p16), sets out the key issues guiding the spatial strategy in each of the strategic areas. Reference to maximising "potential for improved connectivity of these areas for public transport, walking and cycling" for settlement Tiers 1-3 is intended to highlight that development should be designed in these areas to help reduce the need to travel by motor vehicles. While access by a choice of modes in the Rural Villages Area (Tiers 4 and 5) is equally important, provided the development is within the settlement, then it is unlikely to be of a scale and in a location where we need to ensure it contributes to "improved connectivity" in the settlement. The Council does not therefore to agree to modify the Plan in response to this representation.

Story Homes (SLDP_1178/001) – Specific reference to developer contributions in Para.5.2 and Table 1 is not considered necessary as contributions are just one way in which infrastructure, services and other facilities may be provided which could enhance and regenerate existing settlements supporting the Spatial Strategy. Developer contributions are recognised in Policy 3.3 as having a key role in supporting new development, but a wider range of measures are also referred to in Primary Policy 3. The Council does not therefore to agree to modify the Plan in response to this representation.

Primary Policy 2: Supporting the Spatial Strategy

Wallace Land Investment & Management (SLDP_48/007) – Primary Policy 2 is consistent with Scottish Planning Policy (CD 1) Para. 75 which requires development plans to introduce triggers for the release of future phases of effective sites. The Council agrees that the Phase 2 release sites must also be effective if this is to have any effect but does not agree that provision for the possibility of totally new sites coming forward, should be added to the policy. The effectiveness of sites can be tested through the annual Housing Land Audit process and the land supply adjusted is required through a 5 yearly (or sooner) review of the Plan. This is consistent with the genuinely Plan-led approach advocated by Scottish Planning Policy (Para.8). The Council does not therefore to agree to modify the Plan in response to this representation.

Omnivale Ltd/Taylor Wimpey plc (SLDP_729/004) – The Council does not agree that specific text should be added to the Policy to allow for additional capacity to be supported on allocated sites. The capacities given in the Plan for the allocated sites are indicative – this is clearly indicated in the tables within the Settlement Statements. It is not possible to be exact at this stage until an application for full planning permission is approved on the site, but it is not expected that the number of housing units approved will be too different from that indicated in the Plan unless there are extenuating circumstances. Education provision, transport and other necessary infrastructure has been calculated on the basis of the figures indicated in the Plan and any changes to this may have implications for the forward planning and delivery of infrastructure to support future development. The Council does not therefore to agree to modify the Plan in response to this representation.

Mactaggart & Mickel (SLDP_669/004) – There is considered to be sufficient land identified to meet the housing land requirement identified within the Plan. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

Table 1

1. Fundamentally, Table 1 of the Spatial Strategy is about what the planning authority wants to achieve, not about how that will be delivered. Developer contributions aid implementation, but they are only one way of delivering the infrastructure that would be needed implement all of the proposed local development plan (LDP) provisions. Developer contributions undoubtedly have an important role in this, which is recognised in Primary Policy 3 and Policy 3.3. Issue 11 examines the application of these policies in more detail. As a result, Table 1 of the Spatial Strategy need not be altered to incorporate reference to the delivery role of developer contributions.

2. Specific concerns about housing site H069 at Pleanbank are detailed matters that are examined in the context of Issue 54.

Settlement hierarchy

3. The Visual and Spatial Strategy Background Report (CD49) explains the rationale behind the settlement hierarchy rankings and the logic of each settlement's placing within that. The report covers:

- the gradual process of consultation and engagement that led to the categorisations;
- the various options that were considered as part of that;
- key attributes, constraints and issues that were used in the settlement specific assessments (paragraph 7.7 and CD42); and
- how the planning authority defines each level.

The LDP would not be enhanced by repeating that detailed analysis, especially given the clear cross reference to the Background Report in the Spatial Strategy text (paragraph 5.2).

4. The concept of Rural Centres comes from the approved structure plan, which will be superseded by the LDP. As a product of the process of consultation on the new plan, the planning authority now wishes to depart from that previous approach, in part to take account of the characteristics of the Stirling Council area alone, as opposed to the wider structure plan area. Because of that intention, Rural Centres would no longer exist, whereby they cannot justify attracting more development. The LDP Spatial Strategy new settlement hierarchy is based on balancing available capacity and known constraints, to derive a ranking. The representations offer no quantifiable evidence to show why this approach is unjustified or why the Background Report and the LDP outcomes are wrong.

5. The Spatial Strategy is augmented by the Stirling specific settlement statement. Taken together, these show that as a Tier 1 settlement in the hierarchy, a significant amount of new development is to be focussed in and around the city. However, a number of constraints influence how much capacity is available, so that it is inevitable that some development must flow to the surrounding towns and villages. Planning for that also recognises that these locations will have their own inherent local need for new housing development, which the overall Spatial Strategy clearly recognises. To that extent, the Spatial Strategy is appropriate, although the details of specific numbers and allocations are looked at more

detail in this report under Issue 4, as well as in many of the settlement specific issues.

6. The Background Report also explains that Tier 2 settlements have existing potential to make a significant contribution to the local economy in support of Stirling City (CD49, paragraph 7.16). That assessment is based on existing population numbers and facilities. Clearly Durieshill has not yet reached anything like that stage.

7. The Spatial Strategy for Strathblane and Blanefield, which together comprise a Tier 4 settlement, only identifies a very limited potential for new housing so that the traffic implications for the A81 road are not likely to be of strategic significance. That said, the Key Site Requirements for site H106 mention the need for new urban speed limit signs. The detailed implications of H106 are considered in Issue 37.

8. Balfron, Doune and Deanston are also identified as Tier 4 settlements in the hierarchy. The representations provide no hard evidence to show that any of them have enough growth potential to merit an increased ranking to match the other Tier 3 settlements. That said, Doune and Balfron are each also identified on the Spatial Strategy Key Diagrams as "Settlement Network Centres". The LDP glossary links that description to supporting Supplementary Guidance SG09 (CD176), which sits alongside the LDP. Doune and Balfron are defined in that as local centres. While these are the lowest centres in the network hierarchy and the essential purpose of the designation relates to retail development, SG09 states that local centres have an important role in accommodating appropriate growth to support the function of all of the other network centres. The settlement specific sections of the LDP then identify future potential for housing development for each local centre. Given that, the process of assessing the LDP settlement hierarchy ranking takes account of the development potential of Doune and Balfron.

9. The settlement specific LDP text for Doune identifies potential for housing development, to satisfy the general need for the LDP to plan into the future. Three sites are then listed. These sites, along with all other detailed matters such as specific development constraints for Doune and Deanston are examined under Issues 4, 27a and 27b. Balfron is covered by Issue 31.

Key diagrams

10. The Spatial Strategy Key Diagrams are amongst several throughout the LDP that show where the Stirling Council area stops and the neighbouring authority areas begin. Given that, the planning authority has not explained why the representation that refers to Killin and Callander has been forwarded for examination when it relates to settlements that are not covered by the LDP and therefore cannot be part of this examination. The LDP makes no provision for either Killin or Callander simply because they are in the Loch Lomond and the Trossachs National Park, which is a separate development planning authority.

11. The annotations on the main Key Diagrams are clearly not intended to be anything other than indicative. The Spatial Strategy text uses words like 'set the context', 'broad indication' and 'opportunities for development' to underline this, and to show that detailed matters are not included. The Key Diagrams are also obviously intended to be read with the settlement plans. When the Key Diagram - Plan Area (Core & Rural Villages) is viewed with the settlement plan for Strathblane and Blanefield, no doubt remains about where the housing allocations annotated on the Key Diagram are to be located, and there is clearly no encroachment across the identifiable boundary into the East Dunbartonshire Council area. As a result, the LDP would not be enhanced or made substantially clearer by moving a diagrammatic housing symbol on the Key Diagram.

Core Area

12. The Core Area first emerges in the LDP in Table 1, followed by the Key Diagrams. As stated above, it is an expression of the assessment process that was undertaken for the settlements through the Main Issues Report (CD41), the Background Report (CD49) and then finally, into the LDP. The Background Report explains why development is to be focussed on Stirling City in the first instance, followed gradually by other settlements down the hierarchy. In the main, most representations support the general concept of a core area in the LDP, but they express concern about how that is then applied to particular sites and settlements. In other words, they question why particular sites may have been promoted in the LDP, or left out, seemingly in conflict with the Core Area concept.

13. These settlement specific concerns are examined separately in this report. For example, Bridge of Allan is Issue 40, Airthrey Kerse is Issue 41 and Dunblane is Issue 42. The various suggested sites are considered likewise, so that Back 'o Muir is SS51, which is considered in Issue 44, but also in Issues 51, 52 and 54. It follows that the same conclusions apply equally to this issue.

14. The representations also express a general concern about the lack of a target driven approach to the amount of housing land that the LDP aims to allocate. Scottish Planning Policy (SPP) expects that planning authorities will adopt a strategy that takes placemaking factors into account at the same time as addressing the need to maintain a forward supply of housing land. Accordingly, SPP then provides detailed advice on the location and design of new development, which identifies integration with landscape and services, efficient use of land and buildings, suitable density and reduced servicing costs, amongst the range of important factors to be considered in urban capacity studies (paragraphs 77 to 85). The evidence to this examination shows that the planning authority has tried to balance a requirement for housing land with a placemaking agenda that identifies the best opportunities to consolidate settlements and give them distinctive and defensible urban edges. For example, the various site and settlement assessments (CD42, 45 and 46), the report on the visioning process (CD50), and the development frameworks set out in the proposed supplementary guidance to accompany the LDP, all cover these kinds of matters. Further, Issue 4 examines and broadly endorses the overall outcome in the LDP, in terms of the amount of housing land to be allocated. For these reasons, the LDP accords with SPP because it maintains a transparent and appropriate balance in the way that it addresses these competing factors.

15. SPP also expects that planning authorities will take the traffic implications of development into account along with the availability of necessary infrastructure such as education facilities. These specific implications are examined in detail throughout the site and settlement specific issues in this report. In general, the LDP is also underpinned by the various transport strategies and appraisals that sit alongside it, as well as by the intended supplementary guidance. In particular, the planning authority's Transport and Access Background Report considers the overall implications of the LDP allocations in considerable detail (CD71). Likewise, the Education Provision Background Report (CD75), the draft Supplementary Guidance on Education Provision (CD156), and the proposed Supplementary Guidance on Education Provision and Developer Contributions (CD179 and 180). Together, all of this shows adequate consideration of these particular knock-on implications of the LDP intentions, in accordance with SPP.

Green belt

16. SPP makes clear that the development plan is the proper place to review green belt

boundaries, as well as to adjust them as may be necessary to accommodate planned growth. SPP adds that where a release of designated green belt land is considered to be necessary, that should be identified as part of the settlement strategy in the development plan. The development plan should also set green belt boundaries, to reflect the long-term settlement strategy and to accommodate such planned growth. Policies should then be set out for future development within the green belt (paragraphs 161 and 162). In other words, designation as green belt is not a permanent embargo on all development and the LDP is the right place to provide for planned, necessary green belt land releases.

17. In this case, the planning authority has identified an in principle need for the LDP to release some green belt land to accommodate planned growth. The constraints that have given rise to that approach and the overall extent of the release is justified in the Vision and Spatial Strategy Background Report (CD49). The Background Report and the Main Issues Report (CD41) also show that this strategic release of green belt land is necessary and that it has followed an extensive and generally supportive public consultation exercise. Given all that, and the above SPP context, it is entirely relevant and appropriate for the LDP Spatial Strategy to provide for the release of some green belt land and to show indicative locations on the Key Diagrams. Policy 1.4, supported by SG03 Green Belts (CD160), then details the planning authority's restrictive approach to subsequent development in the green belt. Taken together, this shows that the LDP accords with SPP and need not be modified.

18. The validity of the LDP Vision and of the growth that flows from the Spatial Strategy planned green belt land releases, are examined elsewhere in this report, such as in Issues 2 and 8. Specific land requirements are addressed in more detail in Issues 4 and 5. Concerns about boundaries, about the specific size and shape of the proposed green belt, and about land releases from it, are assessed in detail in the Green Belt Review Background Report (CD55). Exact boundary outcomes are then shown on the settlement specific proposals maps and examined in this report under the settlement specific issues.

Primary Policy 2

19. The concerns raised in the representations about housing land supply in general are examined in detail under Issue 4 of this report. The conclusions for that issue largely endorse the planning authority's approach and they confirm that in broad terms, enough housing land has been identified in the LDP to satisfy the requirements of SPP. In addition, the conclusions for Issue 4 accept the degree of flexibility offered by Primary Policy 2 to bring sites forward from later phases for development, should a shortfall of land supply emerge in future. It follows that all the same conclusions apply in respect of this issue. Similarly, the site specific representations attributed to Issue 3 are addressed under those relevant issues. For example, Issue 42 covers Dunblane and Cowie is considered under Issue 51.

20. Otherwise, Primary Policy 2(a) establishes that the LDP priority is to support and enable the major developments of the Spatial Strategy. SPP confirms that planning authorities may direct development to particular locations on a plan led basis, and to achieve desired policy outcomes (paragraphs 8 and 70). However, if sites and allocations prove to be ineffective, Primary Policy 2 allows for later sites to be advanced, to make up the shortfall. Policy 2.1(b) establishes that the mechanism for identifying any shortfall is to be the annual housing land audit process. SPP states that housing land audits should be used to monitor the continuing availability of effective sites, including for example by recording take up rates. From there, it is for development plans to identify the trigger for the release of future phases of effective sites, including where the audit reveals that the 5 year supply is not being maintained (paragraph 75).

21. The planning authority believes that the site capacity numbers set out in the settlement specific existing and future land supply tables throughout the LDP are reasonably realistic. These numbers also form the basis of the infrastructure assumptions that flow from the size of the collective allocations across the whole LDP. Accepting a major variation to that overarching set of calculations would have knock-on implications for services and infrastructure, which have not been factored in and accommodated by the LDP. That said, the site capacity numbers are all clearly marked as indicative, so that there is no doubt that some flexibility can be applied. These numbers will also inevitably be refined and defined gradually via subsequent planning applications, and site variations can be accepted where these are set out in specific design proposals that accord with all of the relevant LDP policies and the planning authority's other expectations and requirements. From there, the revised numbers will inform subsequent housing land audits and influence the speed of later land releases.

22. Given all of this, no modification is justified because the approach taken by Primary Policy 2 is plan led, with sufficient in-built flexibility that accords squarely with the expectations of SPP.

Employment land

23. The Spatial Strategy identifies and enables major developments that include elements of economic growth and the Key Diagrams show the locations where these are directed. The Spatial Strategy is not intended to micro-manage or to anticipate and allocate every form of development that the planning authority may accept. It is normal, proportionate and appropriate for such detailed possibilities to be considered on their specific, individual merits in the context of the targeted topic or settlement specific policies, which permeate the LDP. That said, the Spatial Strategy also provides a framework within which these detailed issues can be considered. From that overarching level, Primary Policy 2 establishes a sequential approach to development, including economic development, albeit with a degree of flexibility. Other policies could then allow small scale mixed uses of the kind mentioned in the representation, subject to satisfying the specified criteria. Examples of these policies are:

- Policy 2.4, which relates specifically to employment land and sets criteria for the consideration of non-conforming proposals; and
- Policy 2.8, which addresses where mixed uses would be acceptable, i.e. where allocated or where the other policy criteria are satisfied.

Some of the employment land allocations in the settlement specific parts of the LDP also already offer flexibility to accommodate a range and mixture of different types of use, for example, those around Stirling. In these cases, the potential range includes traditional business type uses, along with leisure and hotels.

24. The above shows that employment land is properly safeguarded as a specific resource and as a key objective of the LDP, but with inbuilt flexibility to cater for small-scale mixed uses in areas of employment land. Further, the Spatial Strategy would be weakened by the change that the representation requests because that would imply a greater degree of flexibility in the allocated employment areas than the planning authority intends. On that basis, the LDP Spatial Strategy should not be modified.

Retail

25. Application of the retail part of the Spatial Strategy and the role of retail in regeneration is examined in more detail in Issues 6, 46, 48 and 49.

26. The representations relevant to this aspect of the Spatial Strategy appear to link the specific Spatial Strategy approach for the defined 'regeneration areas', with a general wish to regenerate centres. Additional words are suggested for the Development Approach column of Table 1 that would cover the need to regenerate the local centres included in that table, plus a general recognition of the value of reusing vacant sites and premises, and reference to SG09 (CD176).

27. As stated above, the overarching top level of the Spatial Strategy creates a hierarchy of settlements, which is different to the Network of Centres. The LDP glossary, Policies 2.6 and 2.7, Figure 7 and SG09 all show that local centres are classified in that network primarily for their retail function and purpose, which is not the same as the regeneration reference in Table 1 for the settlement hierarchy. That table cross refers with the regeneration areas that are identified on the Key Diagram - Core Area. From that, Cornton, Raploch and Cultenhove are existing regeneration areas. However, Cornton and Raploch are also local network centres within Stirling City, which is Tier 1 in the settlement hierarchy. Cultenhove is in Stirling City too, but it is not a distinct local network centre. New regeneration priority areas are also identified on the Key Diagram, and these are mentioned in Table 1 as the Eastern Villages of Cowie, Fallin, Plean and Throsk. Each of these is a Tier 3 settlement in the hierarchy and, with the exception of Throsk which is not a network centre, they are also defined local centres.

28. Based on the above assessment, there is no direct correlation in the Spatial Strategy between the regeneration centres, the settlement hierarchy, and the network of centres. The differences and the relevance of each one of these strands is not made sufficiently clear in the Spatial Strategy, so that confusion is inevitable. In response to a further information request on this, the planning authority has offered to add an explanatory footnote to emphasise and explain the essential differences. While that change would be an undoubted improvement to the Spatial Strategy, it should be accompanied by a parallel change to the LDP glossary, to define and describe each category in a similar way to Network Centres.

29. On the more general regeneration issue, the LDP incorporates Sustainable Development Criteria, with which part (a) of the Overarching Policy expects compliance. Criterion 9 then specifies "..... re-use and/or regeneration of previously used land and property, including derelict and contaminated land". In addition, Primary Policy 1: Placemaking, states at part (c) that developments "should utilise vacant and under-used land and buildings within settlements at higher densities where appropriate". Taken together, these show that the LDP need not be altered because it already incorporates a favourable attitude to regeneration.

30. The remaining retail strategy representations seek the incorporation of a cohesive strategy for new convenience retail in Stirling into the Spatial Strategy, including with reference to specific allocations at Crookbridge and in the South Stirling Gateway. As stated above, the purpose of the Spatial Strategy is to provide a top level framework for the LDP, from which detailed matters flow. Retail in general, and the convenience sector in that, is a detail that is covered extensively in the LDP via Policies 2.6 and 2.7, as well as in each settlement statement and in supplementary guidance SG09. Crookbridge and South Stirling Gateway in particular are described in the Stirling settlement section of the LDP. Suffice to say here that adding another retail reference into the Spatial Strategy would not suit its essential overarching purpose. Further, given these other references, it would burden the LDP with unnecessary duplication.

Cycling and general transport

31. Cycle matters are mentioned in the overarching plan Vision, albeit subject to the inclusion of additional references to cover broad cycling aspirations in the LDP, as is recommended in the conclusions for Issue 2.

32. The Spatial Strategy sets out high level intentions and gives a framework from which a range of detailed policies and proposals then flows. These cover such matters as transport infrastructure commitments and specific cycle routes. Table 1 of the Spatial Strategy under 'Description of Approach' for Tier 1, 2 and 3 settlements also highlights maximising cycling, and the planning authority advises that this responds to the need for the major developments allocated for these settlements to reduce the need for car travel. Cycling is not mentioned for settlements in Tiers 4 and 5 of the hierarchy, probably because development opportunities in these smaller settlements are less likely to have such a significant impact on car travel, whereby cycling would not make such a significant contribution to modal shift.

33. Cycling is also covered in many other places throughout the LDP, including in the various settlement specific Key Site Requirement tables, the background transport strategies and the LDP related supplementary guidance. For example, the Stirling Council Local Transport Strategy (2006) mentions several cycle route completions in the context of core paths (page 23, CD74) and includes as sub-objective SO10 "Continue to maintain and extend a network of paths and facilities accessible to all including cycle users" (page 26). The action plan then commits to "Maintain and manage the condition, accessibility and personal safety aspects of cycle paths" (page 31). In addition, the draft Stirling City Transport Plan (CD73a) includes in Appendix A the delivery theme of maximising the ability of Stirling's residents to cycle and, to that end, the plan commits funds to the improvement of the city's cycle network from 2013 to 2019/20.

34. From the above, Stirling Council is clearly committed to delivering the kinds of cycle infrastructure improvements that the representations seek, and it would not be necessary or appropriate for the LDP Spatial Strategy to incorporate a map showing a network of improvements for cycle specific infrastructure. In any event, to do so would incur an equivalent need to treat other related matters similarly. In total, that would burden the Spatial Strategy with an unsuitable amount of extra detail. The Spatial Strategy also would not be enhanced by repetition of cycle references that in any event, better suit the overall Vision and the settlement specific allocations.

35. The Spatial Strategy for Stirling specifically, is covered firstly in section 5 of the LDP, along with Table 1. Spatial Strategy considerations for Stirling are then augmented in the settlement statement, where the specific infrastructure requirements arising are also listed. Together, these references clearly incorporate relevant aspects of Tactran's Regional Transport Strategy Delivery Plan for 2011/2012 (CD31). On that basis, adding a reference to specific infrastructure items into the top level of the Spatial Strategy would amount to unnecessary duplication. Further, the settlement section of the LDP is the most logical place to cover these highly detailed and arguably Stirling specific requirements.

Motorway junction/slip road

36. The Key Diagram - Core Area, the Stirling specific "Land Safeguarded for Infrastructure" table and Stirling Central Map 2 propose a new slip road/motorway junction where the M9 passes underneath the A811 road overbridge. SPP says that new junctions onto the motorway network are not normally acceptable, but that they will be considered where significant economic growth or regeneration benefits can be demonstrated (paragraph

175). In this case, the planning authority has not clearly specified or identified these benefits. However, discussions with the Scottish Government are on-going and have not failed, so that at this stage, the possibility of the new junction should not be removed entirely from the LDP.

37. The related Scottish Government representation wants the LDP to show this junction proposal as no more than an aspiration, because it is not planned, approved or funded. On that basis, the Scottish Government will not commit to implementing the proposal. Further, it is likely that the Scottish Government would never implement it, so the junction could only ever be formed by agreement between Stirling Council and developers. The planning authority states that the Key Diagram - Core Area, and the Stirling specific "Land Safeguarded for Infrastructure" table and Stirling Central Map 2, have been altered to clarify that the proposed new M9/A811 slip road/motorway junction is a Stirling Council aspiration that is not being promoted by the Scottish Government. Because the change has been made as a non-notifiable pre-examination modification, no further recommendation is required on this particular matter.

Rail halt and park and ride

38. The Spatial Strategy Key Diagram - Core Area shows a new or improved park and ride facility by Bannockburn and the Pirnhall Roundabout junction, between the M9 and M80 motorways. The infrastructure considerations discussed in the Stirling settlement section also propose park and ride facilities to the south of the city and the related table of "Land Safeguarded for Infrastructure" includes a rail park and ride at Bannockburn/Cowie. That intention is also annotated on Stirling South Map 3, near Greenyards, on the east edge of Bannockburn.

39. The representees state that the possibility of a rail halt/park and ride facility should be removed entirely from the LDP or should at least be clearly marked as a Stirling Council aspiration. As it stands, the LDP Spatial Strategy is misleading and potentially blighting, because there is no station link nearby for the park and ride and there are no plans to provide one. The intention is also not supported in any transport strategy. On that basis, the representees argue that the LDP approach has also not been coordinated as is required by Circular 1/2009 (now superseded by Circular 6/2013: Development Planning) and SPP (paragraph 176). The planning authority has also made no proper business case to support the proposal, nor shown it might be funded.

40. The planning authority wishes to keep the intention in the plan because of a basic need to meet the travel demands of South Stirling in a sustainable way. South Stirling includes the urban expansion areas planned in the LDP. Lastly, the authority states that the proposal stems from conclusions drawn by the Minister for Transport in October 2006, that a rail park and ride would be better located at Bannockburn and that its feasibility should be investigated.

41. From the submitted evidence, the extensive history of the proposal seems to be as follows:

- a. In 1999, the adopted local plan incorporated possible sites for additional stations at Bannockburn. The proposals map then shows STIR.T10, BANN T1 and T3 as a reserve station site, with parking. The adopted local plan also refers to Policy TPO.10 from the then approved structure plan, which safeguards a site for a possible station with park and ride at Bannockburn (CD35).
- b. In 2002, the key diagram and the community infrastructure diagram from the next approved structure plan each shows a rail link symbol by Cowie and a park and ride by

Bannockburn (CD34).

- c. By 2006, the second alteration to adopted local plan incorporates Policy MGH8, which is for a new village that should provide for the opening of rail halt to serve an area that includes Bannockburn, with funding and phasing to be advised. Proposal HP2 then safeguards an indicative site on the proposal map (CD39).
- d. The Stirling Council Local Transport Strategy (2006) refers generally to the improvement of public transport options and specifically in the action plan to the intention to “develop further park and ride schemes at appropriate locations” in the short to medium term (CD74).
- e. The next transport strategy that was published in 2007 (CD72), plans for Stirling City for the period until 2020. The strategy includes the following key elements:
 - KE5 - “Identify further opportunities for the development of a Park and Ride on the south side of Stirling”; and
 - KE9 - “Develop a new Rail Park and Ride facility to the south”.

In addition, the strategy elements specify new rail park and ride and a new station at Bannockburn under the ‘Do Something’ strategy. The Appendix II Action Plan provides for this in the medium term of 5 to 10 years, with the estimated cost given as £12 million. That potential station is also shown on the City Transport Strategy Implementation diagram.
- f. Tactran’s own Regional Transport Strategy, which covers the period 2008 to 2023, supports the introduction of a new park and ride station at Bannockburn (CD32). Tactran’s Regional Transport Strategy Delivery Plan for 2011/2012 projects, which is dated June 2011, then shows as G18, a new park and ride facility at South Stirling with an estimated capital cost of £1,350,000 (CD31).
- g. In September 2012, the planning authority published the Transport and Access Background Report for the LDP (CD71), which refers to a strategic park and ride at South Stirling Gateway, based on the Transport Strategy and Transport Scotland’s “Strategic Transport Projects Review”. The report also concludes that the LDP should keep the council’s aspiration for rail based park and ride near Bannockburn as critical to:
 - the general need for a significant modal shift to walking, cycling and public transport;
 - addressing the consequences of increased development overall; and
 - realisation of the South Stirling Gateway expansion.
- h. The draft Stirling City Transport Plan, which is dated March 2013 (CD73a), notes that delivery of the overarching aims depends in part upon:
 - supporting Transport Scotland’s Strategic Transport Projects Review for a strategic park and ride at Bannockburn, served by either rail or bus; and
 - maximising the attractiveness of the rail network to reduce car trips by “..... investigating the potential for new or relocated stations”.

The plan programme is set out in Appendix A, and it identifies the Southern Park and Ride as a major project to be delivered between 2016 and 2022. Table 1 shows that Stirling Council would commit £3,450,000 to this project. Otherwise, for the period 2013 to 2016, the plan commits to investigating options to maximise access to the rail network in the Bannockburn area.

42. All of this places beyond doubt that there is a significant historic emphasis on and acceptance of park and ride to the south of Stirling, as well as to the importance of linking that to the rail network. As a result, the rail halt/park and ride facility has been an integral element of many plans and strategies since 1999 and no detailed case has been made with quantifiable evidence to show how or why the linked aspiration is no longer appropriate. The history also shows that the intention to develop the facility is clearly supported in several transport strategies, including Tactran’s own. In each of these strategies, the project is

described as being of critical importance to achieving modal shift, which is also a central theme of current Scottish Government policy, including as set out in SPP (paragraphs 165 to 180). Lastly, the history renders any possibility of future significant planning blight caused directly by the designation in the LDP most unlikely.

43. SPP links planned growth to the need for transport infrastructure, and it states clearly that it is for development plans to identify where this might be necessary (paragraph 170). Where appropriate, SPP also recognises that a new station may merit consideration where there could be high levels of demand, and use of the existing rail network is being optimised. The LDP makes a clear link between delivering the rail halt/park and ride facility, and the other significant growth aspirations. The LDP also links the facility with the consequential need to offset the environmental and traffic congestion implications of those development aspirations.

44. As a result of all this, the rail halt/park and ride facility is an important strategic element of the LDP and it stems from an extensive history. As a result, it would be wrong to delete the aspiration entirely from the LDP, especially when so much other future development is contingent upon it. The planning authority may have made no detailed business case to support the LDP proposal, but fundamentally, it is not for the Spatial Strategy to flesh out the LDP's aspirations to that kind of detailed extent. That said, substantial indicative costs are identified in the above history summary and the most recent transport strategy indicates the likely contribution that Stirling Council would make. Therefore, while a final business case may still need to be refined, cost has been considered, and funds appear to have been committed.

45. The planning authority has again made a non-notifiable pre-examination modification to the LDP to show the proposal as an aspiration of Stirling Council. I assume that this modification includes the necessary and consequential changes to:

- the Spatial Strategy Core Area Key Diagram;
- the infrastructure considerations in the Stirling settlement section;
- the Stirling specific "Land Safeguarded for Infrastructure" table; and
- Stirling South Map 3.

Onshore wind

46. The Scottish Government representation, SPP, the Ministers' letters of 19 June and 6 August 2012, and Scottish Government guidance for onshore wind turbines updated in July 2013, all establish that development plans should contain a spatial framework for wind energy generation. In the absence of an overlying strategic development plan, the LDP must therefore embody this framework.

47. SPP states that a spatial framework should identify:

- areas requiring significant protection because they are designated for their national or international landscape or natural heritage value, are designated as green belt or are areas where the cumulative impact of existing and consented wind farms limits further development;
- areas with potential constraints where proposals will be considered on their individual merits against identified criteria; and
- areas of search where appropriate proposals are likely to be supported subject to detailed consideration against identified criteria (paragraph 189).

48. LDP Policy 12.1: Wind Turbines states amongst other things that proposals for wind turbines will be considered "against 'Areas of Significant Protection' and 'Areas of

Search', as detailed in SG33". The LDP List of Policies and Related Supplementary Guidance reveals that SG33 is "Wind Farms and Wind Turbines" and the examination documents include a proposed version of this (CD190). SG33 contains maps and information that could be regarded as covering some of the core elements of a spatial framework as that is defined in SPP. Circular 6/2013: Development Planning confirms that such supplementary guidance will become part of the development plan, in this case because it is hooked in via Policy 12.1 (paragraphs 81, 135 and 138).

49. Next, the Scottish Government representation argues that because the wind energy spatial framework is of more than local importance, it ought not to be regarded as a detail that is suitable for supplementary guidance.

50. Section 22(2)(b) of the Planning Act (as amended) remits it to regulations to specify the matters that may be dealt with in supplementary guidance. Regulation 27(2) from the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 describes that supplementary guidance may only deal with the provision of further information or detail in respect of the policies or proposals set out in the plan. Circular 6/2013 adds that:

- detailed policies may be removed to supplementary guidance, especially where there is no significant change from the previous plan (paragraphs 81 and 135); and
- supplementary guidance can include detailed policies where the main principles are already established and where local policy designations do not impact on the spatial strategy of the wider plan area (paragraph 139).

Matters that should not be in supplementary guidance include departures from national planning policy and "development proposals of more than local impact" (paragraph 139).

51. Against this context, the evidence for this examination shows firstly that the approach to wind energy development has changed from the approved structure plan and these changes are significant. Next, while the spatial framework may not be a specific development proposal as that is precisely worded in Circular 6/2013, the mapped areas in SG33 undoubtedly have more than just local significance. In the main, this is because they address the distribution of potential wind farm developments across the whole LDP area and they have cross boundary implications, including for the adjoining National Park.

52. The LDP Vision also refers to other designations and growth areas, which are then shown on the Spatial Strategy Key Diagrams. In addition, the Vision specifies climate change adaptation and mitigation, along with managing and utilising local resources such as renewable energy, as important issues for the LDP. The Vision for the countryside adds an expectation of more renewable energy generation at appropriate scale. From there, the Spatial Strategy contains "what the council considers to be the appropriate types and scales of significant development in the rural areas". The Spatial Strategy also addresses the spatial implications of change, and especially opportunities for development. A spatial framework for wind farm proposals is connected strongly to all of this, whereby it also has implications for the whole LDP essential Vision and Spatial Strategy. Because of this close connection, it is important that the mapped framework areas do not conflict with other aspirations of the LDP or with other designations on the Key Diagrams. The relevant information that has been presented raises the strong probability that in this case, the spatial framework from SG33 conflicts with other elements and aspirations of the LDP, such as green belts, planned new settlements and urban growth areas.

53. The representations submitted in the context of Issue 21 and Policy 12.1 then argue that SG33 would depart from national planning policy in a number of significant ways.

Without looking in detail at its content, it is immediately obvious that SG33 departs at least for the lack of a category in the spatial framework that identifies Areas with Potential Constraints. While the extent of these areas may be inferred from the maps in SG33 as being the balance not designated for either protection or search, inference alone is not enough to make certain that the proposed framework fulfils the explicit requirements of SPP (paragraphs 189 and 190). In part, this is because none of the particular criteria detailed in SPP for consideration are mapped in SG33.

54. The examination evidence also reveals that the Areas of Significant Protection maps in SG33 seem to follow an approach that was recommended in Planning Advice Note 45, but that was later withdrawn entirely by the current SPP. Instead, SPP now favours the use of specific national and international designations as part of the basis for defining Areas of Significant Protection. Landscape features of local significance, such as the Local Landscape Areas designated on the “Key Diagram – Plan Area (Core & Rural Villages)” ought to be potential constraints mapped in the above missing middle category (paragraphs 189 and 190). Reliance on this out of date approach represents another significant departure from national policy.

55. Lastly, because the main body of the LDP does not set out and explain the main spatial framework principles for its approach to wind energy developments, SG33 cannot be regarded as setting out matters of ancillary detail that flesh out the framework’s bones.

56. Taken together, the above shows that a spatial framework for wind energy is not suited to being removed to supplementary guidance, as that is envisaged by the above regulations and circular. Further, in addition to the existing link in Policy 12.1, there is strong justification for incorporating core elements from SG33 into the overarching LDP Spatial Strategy and mapping the spatial framework with the Key Diagrams.

57. The planning authority accepts this position and states that it has addressed the Scottish Government’s representation and has fulfilled the above requirement by putting “core elements” from SG33 into the LDP Spatial Strategy as a non-notifiable pre-examination modification. Aside from the fact that the planning authority’s commitment is not worded precisely enough to allow it to be taken forward, such a modification would change the Spatial Strategy that underpins the LDP. That strategy is extremely important and the change would be significant, so the intention to modify should at best have been publicised in accordance with section 18(5) of the Planning Act (as amended), regulation 15 of the above Regulations, and Circular 6/2013. The planning authority’s approach is not therefore appropriate. That said, under the terms of section 19(10) of the Act, this examination could conclude that “core elements” from SG33 should be transferred into the LDP Spatial Strategy. In other words, that the planning authority should be required to make the changes as an outcome of this examination.

58. In response to a further information request, the planning authority states that the “core elements” from SG33 that would transfer to the Spatial Strategy would comprise:

- Areas of Significant Protection maps 1 and 2;
- Areas of Search maps 1 and 2;
- cross-references to LDP Policy 12.1(a)(iii); and
- paragraph 3.2.1, again with cross-references.

59. While SG33 is undoubtedly very comprehensive and this proposed transfer appears comparatively simple and superficially attractive, examination of these specified parts of SG33 reveal several significant difficulties. In addition to those difficulties discussed above,

the rationale behind and criteria that underpin the Areas of Significant Protection and Areas of Search maps are not made clear in the information to be transferred. The representations also indicate that there are parts of international designations at Firth of Forth Special Protection Area and Wester Moss Site of Special Scientific Interest in the search areas that ought properly to be in an Area of Significant Protection, as that is defined in SPP. The search areas also include:

- existing and proposed green belts (in SPP for significant protection);
- local landscape area designations (in SPP as potential constraints); and
- existing and proposed settlements, including new settlements and expansion areas such as Fallin, Cowie, Throsk, Durieshill, South Stirling Gateway and the Eastern Villages (in SPP as potential constraints).

60. The cross-references that the planning authority proposes to insert into the Spatial Strategy would also not cover many of the related expectations and specified matters from SPP or the related Scottish Government guidance, which development plan policies should address. Examples of particular shortcomings in this regard include:

- a lack of explicit support for wind energy developments of all scales;
- nothing to show that renewable potential would be maximised by the spatial framework and the LDP;
- no substantive information, including for applicants, on cumulative impact and decommissioning and an implicit reliance on cumulative background information from a landscape capacity study of November 2007 (CD81), which must have changed and seems now to be significantly out of date; and
- a lack of coverage of important viability issues such as wind speed, ground suitability and flooding.

SPP suggests that viability issues should not necessarily be used as development constraints (paragraph 191). But guidance on the “Process for preparing spatial frameworks for wind farms” recommends that they should still be taken into account as ‘other considerations’ not to reduce areas of search, but to indicate how developable the search areas are.

61. The planning authority justifies the SG33 approach with reference to the uniqueness of the local landscape, as well as to a statement in the Scottish Government’s online guidance on preparing spatial frameworks that “variations to reflect local circumstances may be compatible with SPP”. However, without resolving the above, the SG33 spatial framework does not accord with SPP, or with Scottish Government guidance for onshore wind and the preparation of spatial frameworks. As a result, the proposed transfer of the specified information from SG33 into the Spatial Strategy would not enable the LDP to achieve the 3 essential purposes for a spatial framework for wind farms, which are to:

- guide wind turbine developments to appropriate locations;
- maximise renewable energy potential; and
- minimise wasted effort on inappropriately located developments.

62. Drawing these matters together, elements of a spatial framework are in Policy 12.1 of the LDP via SG33, albeit in the wrong place and as modified by the conclusions for Issue 21. Because of that, it can be argued that the LDP is not fundamentally deficient. However, the shortcomings discussed above are significant and they cast substantial doubt on the suitability of the planning authority’s approach to a spatial framework for wind energy.

Further, it is not possible for this examination to rectify the shortcomings because the full content and background of SG33 has not and cannot be examined. These circumstances combine to prevent a straight transfer of information from SG33 across into the LDP Spatial Strategy.

63. As an expediency to resolve this impasse, and thereby to let the LDP proceed without incurring further delay, a cross reference to Policy 12.1 and SG33 must be inserted into the Spatial Strategy along with a commitment to prepare and bring forward a refreshed spatial framework for wind farms within no more than one year. In turn, that spatial framework must meet the requirements of the Scottish Government's planning policy and advice, which includes SPP and the guidance for onshore wind turbines, as well as the "Process for preparing spatial frameworks for wind farms". The spatial framework must also demonstrably and fully engage the entire range of stakeholders, including the Scottish Government, other key agencies, the development industry and the wider public. The refreshed spatial framework must then be approved and brought into the LDP Spatial Strategy at first review.

64. In the meantime, for all the reasons set out above, the planning authority's pre-examination modification that places "core elements" from SG33 into the LDP Spatial Strategy will not be included in the adopted plan. In addition, the LDP remains heavily flawed for the lack of a spatial framework in the Spatial Strategy that complies with SPP and related guidance.

Reporter's recommendations:

The local development plan should be modified by:

1. Adding an explanatory footnote to the Spatial Strategy to emphasise and explain the essential differences between the regeneration centres, the settlement hierarchy, local centres and the network of centres.
2. Adding definitions to the plan's glossary for regeneration centres, the settlement hierarchy and local centres, to describe each category in a similar way to the existing reference to the Network of Centres.
3. Omitting the planning authority's pre-examination non-notifiable modification for onshore wind, which places "core elements" from proposed supplementary guidance SG33: Wind Farms and Wind Turbines (CD190), into the plan's Spatial Strategy.
4. Inserting a cross reference to Policy 12.1 and SG33 into the Spatial Strategy along with a commitment to prepare and bring forward a refreshed spatial framework for wind farms within no more than one year. That spatial framework must meet the requirements of the Scottish Government's planning policy and advice, which includes SPP and the guidance for onshore wind turbines, as well as the "Process for preparing spatial frameworks for wind farms". The spatial framework must also demonstrably and fully engage the entire range of stakeholders, including the Scottish Government, other key agencies, the development industry and the wider public. The refreshed spatial framework must then be approved and brought into the local development plan Spatial Strategy at first review.

Issue 4	Housing Land Requirement	
Development plan reference:	Chapter 6: (page 20–24) Setting the Housing Land Requirement Policy 2.1 – Housing Land Requirement (page 35)	Reporter: Iain G Lumsden
Body or person(s) submitting a representation raising the issue (including reference number):		
Homes for Scotland (SLDP_165) Hallam Land Management/CEG Land Promotions Ltd (01179) Tom Cox (SLDP_704) Gloag Investments (01342) Kippendavie Group Trust (SLDP_70) Graham's The Family Dairy (SLDP_327) Charles Connell & Co Holdings Ltd (SLDP_1251) Gloag Investments (01112) Mansell Homes Ltd (00682) Wallace Land Investment & Management (SLDP_48)		Mactaggart & Mickel (Homes) Ltd (SLDP_346) John Logan (SLDP_1329) Allan Water Developments Ltd (SLDP_342) Stewart Milne Homes Ltd (SLDP_272) CALA Homes (West) (SLDP_230) Persimmon Homes East Scotland (SLDP_200) Mactaggart & Mickel (Homes) Ltd (SLDP_669) Story Homes (SLDP_1178) BDW Trading Ltd/Elphinstone Land Ltd (01172)
Provision of the development plan to which the issue relates:	Chapter setting out how the housing land requirement has been determined (in terms of approach and in numerical terms), and the policy that is used to monitor this.	
Planning authority's summary of the representation(s):		
<u>Housing Land Requirement Approach</u> Homes for Scotland (SLDP_165/001); Hallam Land Management/CEG Land Promotions Ltd (01179/002); Tom Cox (SLDP_704/001); Gloag Investments (01342/002); Kippendavie Group Trust (SLDP_70/003); Graham's The Family Dairy (SLDP_327/003); Charles Connell & Co Ltd (SLDP_1251/003); Gloag Investments (01112/003); Mansell Homes (00682/001); Wallace Land Investment & Management (SLDP_48/004); Mactaggart & Mickel (Homes) Ltd (SLDP_346/017); John Logan (SLDP_1329/001); Allan Water Developments Ltd (SLDP_342/001); Stewart Milne Homes (SLDP_272/002); CALA Homes (West) (SLDP_230/012); Persimmon Homes East Scotland (SLDP_200/002); Mactaggart & Mickel (Homes) Ltd (SLDP_669/002) - In order to properly inform the level of provision required, the Housing Need and Demand Assessment (CD 66) should provide the evidence base for defining housing supply targets in local housing strategies and allocating land for housing in development plans. The scale, nature and distribution of the housing requirement for an area identified in the local housing strategy and in the development plan should be based on the outcome of the Housing Need and Demand Assessment, the requirements from which, in effect, should be planned for in full unless there are specific reasons otherwise. All the objectors consider the methodology for the housing land requirement in the Proposed Plan is fundamentally flawed and in direct conflict with Scottish Planning Policy because its starting point for establishing the housing requirement is based on the anticipated supply of housing rather than the need and demand established in the Housing Need and Demand Assessment. The failure to provide for the levels of housing need identified in the Housing		

Need and Demand Assessment is predicated on the view that the Plan, via the spatial issues being tackled through appropriate land use and development, then appropriate future growth is met for the Stirling City Area. The objectors consider it unreasonable to promote any development plan on the basis of establishing what you want to do in advance of gaining any understanding of what it is you need to do. The Plan is seeking to set the future requirement based upon the output of a highly subjective assessment of the desirable/optimum carrying capacity and ability of the land falling within the Plan area, to accommodate future development. This approach opens up the possibility that the identified scale of development will not be met in full.

The objectors' suggested approach is:

- A. Establish the Housing Requirement
- B. Identify the Effective Housing Supply
- C. Allocate new effective housing sites to meeting the shortfall (A minus B)
- D. Allocate additional new effective sites to ensure a generous supply.

Related to the above, the objectors consider the housing land requirement identified in the Plan does not provide for a "*generous supply*" as required by Para.71 of Scottish Planning Policy. Generous land supply should be arrived at by first identifying a robust and justifiable housing requirement, and then allocating 'more than enough' (Scottish Government's views in representations to the SESplan Examination – CD 238) land to meet this. Therefore it should be associated with housing land supply and not with the housing requirement. Plentiful sites are therefore needed in the Plan area to enable new housing to deliver financial contributions for such items as affordable housing. Given the range of housing growth in the Housing Need and Demand Assessment, it would be better to plan for higher levels of growth.

The assessment of housing need and the related land supply set out to meet legitimate needs, is considered inadequate and will fail to meet (as far as practicable) the needs of the Stirling Council area. The housing targets are set below reasonable expectations (as per the Housing Need and Demand Assessment) and the rationale for adopting a lower need requirement is unclear. Object to the use of interventions outwith the Housing Need and Demand Assessment process and the lack of evidence for the numbers used – also question the outcomes of such interventions.

Story Homes (SLDP_1178/002) - Supports the approach in setting the land requirement for the area, and considers that there are wider socio-economic objectives which have to be considered – this is line with Scottish Planning Policy and 'placemaking'. However, questions whether the preferred approach, catering for a medium level of housing growth in the Plan area will ensure a generous supply of housing in the future. There remains significant doubt regarding the timescales surrounding the deliverability of some of the larger 100+ unit sites, including Durieshill. Paragraph 6.3 notes that the "timely release" of land is all-important, yet this remains at odds with many of the proposed housing land allocations set out in the proposed Plan.

Supports the Plan strategy to determine how to tackle spatial issues through appropriate land use and development rather than beginning with a development target however in doing so the development locations must be appropriate and fit for the role and purpose the Plan has set out for them. Greater flexibility in the housing land supply will ensure that the future demand for housing will be met and compensate for the constrained nature of a significant proportion of the identified housing land supply, specifically at Durieshill and at other such locations as Pleanbank.

Supports the outlook that the need and demand for housing land in the Stirling area will remain strong beyond 2024 and this Plan should continuously look forward and plan accordingly.

5 Year Effective Land Supply

Homes for Scotland (SLDP_165/001); Hallam Land Management/CEG Land Promotions Ltd (01179/002); Tom Cox (SLDP_704/001); Gloag Investments (01342/002 & 01342/003); Kippendavie Group Trust (SLDP_70/003); Graham's The Family Dairy (SLDP_327/003); Charles Connell & Co Ltd (SLDP_1251/003); Gloag Investments (01112/003); Mansell Homes (00682/001); Mactaggart & Mickel (Homes) Ltd (SLDP_346/017); John Logan (SLDP_1329/001); Allan Water Developments Ltd (SLDP_342/001); Stewart Milne Homes (SLDP_272/002); Wallace Land Investment & Management (SLDP_48/004); Taylor Wimpey UK Ltd (SLDP_263/003); Story Homes (SLDP_1178/002 & SLDP_1178/003); Mactaggart & Mickel (Homes) Ltd (SLDP_669/002) - Scottish Planning Policy requires that the housing land allocations within the Plan provide for both the provision and maintenance of a generous and effective 5 year housing land supply which is capable of delivering actual completions within the prescribed periods. Object on the grounds that the lack of sufficient allocations to meet legitimate need and to address the stated Scottish Planning Policy requirements for a generous land supply and an effective 5 year supply at all times, is further compounded by reliance on output from sites that have not been properly 'tested' in the present market. Too many of the 'effective' sites have been in the supply chain for a number of years and have delivered little or no units. A number of the housing allocations in the Plan show an over ambitious and unrealistic programme for delivery. It is fundamental that all sites to be relied upon to meet needs/targets are fully and properly assessed in terms of the stated requirements set out in Planning Advice Note 2/2010 (CD 10). Considers the Plan's assumptions on housing supply is in direct conflict with advice issued from Scottish Ministers in 2010 and PAN 2/2010 outlining what constraints can make a site non-effective. Concerned that a thorough examination of these sites against the 7 effectiveness criteria has not been carried out. The Plan relies too heavily on early completions from Durieshill and other sites which have questionable effectiveness.

The objectors also question the significant changes made to the housing land allocations from the Draft Plan. Wallace Land consider the supply to be more like 1229 units as opposed to the 1882 set out in the Plan. They question the changes made to certain sites from the Draft Plan:

- H023 Braehead, which has been brought forward despite being non-effective in the 2011 Housing Land Audit.
- H080 Throsk, which has been placed within Phase 1 of the Plan despite not being in the 2011 Audit.
- Forthside (Audit Reference SC160), removed from the Plan with a loss of 36 units.
- H065 Area 4 Glendevon Raploch, which is retained within Phase 1 despite all other sites within Raploch being pushed back.
- H072 Touchill Farm, which has been brought forward into Phase 1 despite objections raised by Homes for Scotland and there is no developer attached to the site.
- H057 Durieshill, Period 1 increased by 150 units without the agreement of the developer.

The objectors question why no new sites have been put forward to replace those removed from the Draft Plan i.e. removal of Airthrey Kerse or Kildean (1040 units) or those sites within the Raploch pushed back into the Period 2. Consequently, the overall supply of land has fallen. Notwithstanding this, the Plan indicates an increase, achieved by simply pulling forward the phased output from certain sites. The housing requirements of the Plan over a twenty year period cannot simply be compressed into a shorter period. The objectors

consider these changes and the allocation of new housing land do not reflect the agreed 2011 Housing Land Audit. They object to the manipulation of the agreed Audit as the basis for the land requirement in the Proposed Plan and the lack of agreement with Homes for Scotland and interested parties.

A strong emphasis is placed in the Plan on the two strategic sites at South Stirling Gateway and Durieshill which seriously undermines the housing supply chain in terms of these sites providing such a significant amount of the Council's housing land. Whilst these sites may well deliver housing units in the future, in the short term, by programming sites pre-2019, it does in fact lead to a significant shortfall in the effective supply for Stirling. Action is required to augment this supply with further effective housing sites. The 2012 Housing Land Audit should be used as a baseline for the Plan.

Story Homes consider certain allocations are very optimistic and could ultimately fail to ensure a 5-year effective land supply is maintained. These include H049 (Ministry of Defence site - 200 units over Period 1 and 2), which is considered unlikely to deliver 100 units in Period 1 due to school capacity issues requiring to be addressed; H057 (Durieshill - 1,100 units in Period 1 and 1,400 units in Period 2) is considered unlikely to deliver 1,100 units in Period 1 due to funding, market demand and infrastructure requirements. Given the already strong possibility of delays in the delivery of some of the other larger sites (100+ units), it is critical that the Plan allocates sites which are wholly effective and deliver the right benefits to local communities in a reasonable timescale. Pleanbank (H069) is included as being capable of delivering 500 units in Period 2. The Section 75 Agreement attached to the application remains outstanding cannot be overlooked. This is a clear example of non-effective sites being held as effective. That this site remains allocated in Period 2 of the Plan poses significant risks to providing effective land supply and undermines the aim of regeneration.

The conclusion from the objectors is that the assumptions in the Plan, related to the level of the present effective land supply, appear overly optimistic. The annual target is unlikely to be achieved in any single year and there is a total shortfall of c.2,400 homes. There is no prospect of maintaining a generous 5 year land supply and many more housing sites in a variety of marketable locations that are capable of delivering house completions in the short, medium and longer term need to be allocated.

BDW Trading Ltd/Elphinstone Land Ltd (01172/002) - Objects to the inclusion of non-effective housing sites in the Plan and referred to in the overall housing numbers e.g. the delivery of Durieshill, in particular, during the early years of the Plan period, is significantly in doubt. As a result, Stirling Council is not in a position to remove the Kildean allocation, which will deliver 250 residential units in the early years in a location consistent with the Vision and Spatial Strategy. The Council's decision to delete the mixed use allocation and allocate the site for business use only is without any justification or explanation. Deletion of the housing component of the subject site allocation would be contrary to Scottish Planning Policy's requirement for a 5 year supply of effective housing land.

CALA Homes (West) (SLDP_230/007) - The Council has not had regard to the future development of sites and has not consulted on the proposed programming. CALA highlight a range of site (totalling 471 units) which they put forward as non-effective and which should not be counted in the supply. Argues that sites in too many instances are programmed over all of the Plan periods which is not how house builders develop sites - once a development has commenced on site, construction needs to be a continuous process. The effect of the Council's proposed programming, if enforced, will render many sites as non-effective. An understanding of the delivery of housing completions on an annual basis as set out in the

Housing Land Audit is required to be demonstrated in the policies and allocations in the Plan. This will allow a clearer examination of the effectiveness of the expected effective housing land supply.

Housing Land Requirement Figures

Homes for Scotland (SLDP_165/001); Hallam Land Management/CEG Land Promotions Ltd (01179/002); Tom Cox (SLDP_704/001); Gloag Investments (01342/002); Kippendavie Group Trust (SLDP_70/003); Mansell Homes (00682/001); Graham's The Family Dairy (SLDP_327/003); Charles Connell & Co Ltd (SLDP_1251/003); Gloag Investments (01112/003); Allan Water Developments Ltd (SLDP_342/001); Stewart Milne Homes (SLDP_272/002); Mactaggart & Mickel (SLDP_669/002) - The Proposed Plan housing requirement to 2024 (5,927 homes), and supply targets are significantly lower than actual need and demand identified in the Housing Need and Demand Assessment and do not accord with Scottish Planning Policy. Given that the delivery of affordable housing will increase proportionately in relation to the delivery of market housing, there is a strong case to set the market housing requirement at the top end of the range identified in the Housing Need and Demand Assessment i.e. 5,320 homes (380 per annum). At 25% affordable housing, this would deliver 1,330 units, added to the supply from the Council, National housing Trust and Registered Social Landlord's as 44/annum (total 616), this results in 1,946 affordable homes. Although lower than the Housing Need and Demand Assessment, this seems a reasonable target in the circumstances. The overall housing requirement should therefore be 7,266 homes (5,320 + 1,946) plus 15% 'generosity allowance' - a total annual supply of 597 homes (8,358 homes over 14 years). This equates to a housing shortfall of 4,240 new houses within the plan period to 2024 and taking off the proposed land allocations within the Plan, an additional requirement of 2,431 new houses needing to be allocated.

Persimmon Homes East Scotland (SLDP_200/002) - Support the view taken by Homes for Scotland on the specific issue of housing land supply in that the proposed plan does not provide a sufficient number of new homes. The plan requires to provide an additional 1529 units (over 14 years, equating to an additional 109 units per annum) or in the event that a 15% flexibility allowance be re-introduced to compensate for sites not coming forward as planned, land for an additional 145 units per annum be planned for.

Wallace Land Investment & Management (SLDP_48/004 & SLDP_48/008) - Questions the maintenance of a generous supply of housing land and considers there is a significant shortfall of 1256 units.

John Brisbane & Son (SLDP_1139/006) - As a result of the non-effectiveness of Durieshill (see submission on Spatial Strategy and H057) there is a consequential shortfall in output from 2014/24. This amounts to 750 units up to 2024 using the programming figures indicated in the 2011 Housing Land Audit. Additional sites are required in excess of South Stirling Gateway and the sites identified in the Eastern Villages.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/017) - Considers the Council should provide a land requirement figure that reflects the range advocated in the Housing Need and Demand Assessment i.e. 7,030 - 9,550 units from 2014-2024. The Plan proposes only 5,927 units over a longer period of 14 years. The total requirement of 5,927 housing units for the entire Council area fails to meet even the lower threshold of the Stirling Council shortfall of 7,030 units, before beginning to get into a debate of providing for a generous supply of effective sites. It is considered that the Council are not meeting the housing land requirement at even its lowest level of provision.

CALA Homes (West) (SLDP_230/012) - Past build rates confirm what has been delivered in the past but could have been higher if land supply had not been constrained. The Structure Plan target was 7,847 homes over the period 1998 to 2017 (19 years) or 413 homes per annum. From 2001/02 to 2010/11 a housing land shortfall of 801 homes has emerged. The Council's assumption of private demand is pessimistic and factors in economic constraints contrary to Scottish Planning Policy. The Proposed Plan should adopt a minimum requirement of 353 market homes per annum, as derived from the Housing Need and Demand Assessment. Acknowledges that the affordable requirement of 700 homes per annum may be unachievable but with partnership working with the private sector, this additional provision can be met by unsubsidised affordable homes as well as subsidised. Through adopting a higher level of market housing, a greater number of affordable homes can be delivered or commuted payments exercised. Suggests an affordable housing land requirement of 118 homes per annum. Suggests the total housing land requirement should be a minimum of 471 homes per annum or 6,594 homes over the Plan period (2010 to 2024). Generosity also requires to be added which relates to the aspirations of the Council for sustainable growth. Suggests a generosity allowance can be an arbitrary assumption.

John Logan (SLDP_1329/001) – The Plan should ensure that sufficient land is provided in order to meet the full range of community, locational and property requirements including rural locations.

Policy 2.1 – Housing Land Requirement

Kippendavie Group Trust (SLDP_70/003); Graham's The Family Dairy (SLDP_327/003); Charles Connell & Co Ltd (SLDP_1251/003); Gloag Investments (01112/003) - Monitoring of the housing land audit is endorsed and the provision that should the effective land supply drop below an effective 5 year provision, then sites identified in later phases of the Plan should be brought forward. [Note: this is a minimum of 5 years supply at all times and not a maximum]. However, the nature of Stirling's infrastructure requirements combined with the scale of new housing land required within the city corridor requires advanced planning of the infrastructure and amenity provision in order to ensure the deliverability of housing sites. Scottish Planning Policy considers the scale and location of the housing land requirement in Development Plans should be well ahead of the land being required in order to enable an alignment of investment decisions by developers, infrastructure providers and statutory bodies.

CALA Homes (West) (SLDP_230/007) - Proposes modifications to Policy 2.1 and a new Policy "2.1a: Delivering Sustainable Development" to provide an essential mechanism to assist in the provision of sustainable development particularly where the Council is not maintaining an effective 5 year land supply at all times in accord with SPP. The proposed policy enables the effective land supply to be topped up rather than addressing substantial housing shortfalls at the end of the Plan period. The criteria suggested will guide the development sector on what constitutes an appropriate proposal in sustainability terms. If the proposal meets the requirements of Policy 2.1a it should be approved, irrespective of whether the site is greenfield or brownfield.

Homes for Scotland (SLDP_165/002); Hallam Land Management/CEG Land Promotions Ltd (01179/003); Tom Cox (SLDP_704/002); Gloag Investments (01342/003) - Given the shortfall, the annual target for housing is unlikely to be achieved in any single year. There is therefore no prospect of maintaining a generous 5 year land supply. The only way to resolve this is for the Plan to allocate many more housing sites in a variety of marketable locations that are capable of delivering house completions in the short, medium and longer term. Suggests that development management policy criteria be added to Policy 2.1 to allow for

sites to come forward if a 5 year land supply is not being maintained.

Wallace Land Investment & Management (SLDP_48/008) – Objects to part (b) of the Policy in that it fails to make adequate provision for the promotion of new sites, which are not presently identified within the terms of the Plan.

Story Homes (SLDP_1178/003) - Deliverability is not mentioned in the Policy and remains central to the housing land supply. With reference to PAN 2/2010 (Paragraph 55) and in light of the comments made to the effective land supply, then it is held that a section requires to be added to address the importance of deliverability in the overall process.

Modifications sought by those submitting representations:

Housing Land Requirement Approach

Homes for Scotland (SLDP_165/001); Hallam Land Management/CEG Land Promotions Ltd (01179/002); Tom Cox (SLDP_704/001); Gloag Investments (01342/002); Mansell Homes (00682/001); John Logan (SLDP_1329/001) - The Proposed Plan needs to be amended to provide a strategy that meets the full housing need and demand of the Stirling area so far as possible.

Kippendavie Group Trust (SLDP_70/003); Graham's The Family Dairy (SLDP_327/003); Charles Connell & Co Ltd (SLDP_1251/003); Gloag Investments (01112/003) - The Proposed Plan should remove the 3 staged phasing programme for the development sites in the period 2010 to 2024, in order to enable all projects to be advanced at a pace commensurate with investment decisions and as such enable a generous supply of appropriate and effective sites being available at all times.

5 Year Effective Land Supply

Homes for Scotland (SLDP_165/001); Hallam Land Management/CEG Land Promotions Ltd (01179/002); Tom Cox (SLDP_704/001); Gloag Investments (01342/002) - Requests that the Council prepares housing supply programming information that will allow proper assessment of the Proposed Plan in respect of maintaining a 5 year land supply. Moreover, recommends that this incorporates Homes For Scotland's revised Housing Requirement.

Hallam Land Management/CEG Land Promotions Ltd request that their site at Polmaise Road, Cambusbarron be allocated for housing to help make up the shortfall in land supply.

Gloag Investments request that their sites at Hillside, Anchorscross and Stirling Road, Dunblane are allocated for housing to help make up the shortfall in land supply. Taylor Wimpey request that their site at Broadleys Farm be allocated for housing as an effective site.

BDW Trading Ltd/Elphinstone Land Ltd (01172/002) – Requests the re-phasing of the delivery of housing from the Durieshill allocation to at least post-2018 which is justified on the basis of the effectiveness 'tests' at para. 55 of PAN 2/2010. The Kildean site should be reinstated as a residential-led mixed use development in the Proposed Plan as a matter of urgency.

Story Homes (SLDP_1178/002) – Considers Table 2 and Table 3 are flawed, given that several of the contributing sites have known constraints which mean they are increasingly

unlikely to be developed in a timely manner. The Council should use this opportunity to review the programming of proposed development sites and acknowledge that the number of non-effective sites is significantly greater than identified and certain allocations should be reduced to a more realistic figure. Requests that their site at East Plean (Cushenquarter) be allocated for housing the Plan instead of or in addition to that at Pleanbank.

Wallace Land Investment & Management (SLDP_48/004 & SLDP_48/008) - Allocate additional, effective and deliverable land for residential development purposes, including the land at Back O' Muir Farm, Bannockburn in order to ensure that an effective and generous 5 year housing land supply can be maintained at all times.

CALA Homes (West) (SLDP_230/007) – Submits a revised table (Annex 1) demonstrating the effective land supply to be 2,837 homes from 2011 to 2024 rather than 3,254 in the Proposed Plan. They also suggest a further deduction is made for the over supply of 471 homes on sites categorised as non-effective (Annex 2). This results in an effective land supply of 3,230 (2,366 + 344 completions 2010/11 + 520 small sites allowance) as opposed to 4,118 (3,598 + 520) in the Proposed Plan.

Mactaggart and Mickel (Homes) Ltd (SLDP_669/002) – Other sites must be brought forward as a stop gap in the event that Durieshill does not produce housing in the short to medium term.

Housing Land Requirement Figures

Homes for Scotland (SLDP_165/001); Hallam Land Management/CEG Land Promotions Ltd (01179/002); Tom Cox (SLDP_704/001); Gloag Investments (01342/002); Allan Water Developments Ltd (SLDP_342/001); Stewart Milne Homes (SLDP_272/002) - Modify the Housing Land Requirement section of the Proposed Plan (paragraphs 6.3 - 6.14) to reflect the suggested revised Housing Requirement and the need to bring forward sufficient housing sites to meet this requirement in full and ensure the maintenance of a continuous 5-year effective land supply.

Tom Cox requests that the allocation at Manor Powis (B24) be extended to identify a range of uses including housing (c.120 units) to help meet an identified shortfall in the rural area of around 1,075 units.

Allan Water Developments Ltd request that their sites at Dunblane (Braeport and Perth Road) be allocated for housing to help make up the shortfall in land supply.

Stewart Milne Homes request that their sites at Deanston House and south of the B8032, Deanston be allocated for housing to help make up the shortfall in land supply.

Persimmon Homes East Scotland (SLDP_200/002) - The plan requires to provide 1529 units (over 14 years, equating to an additional 109 units per annum) or in the event that a 15% flexibility allowance be re-introduced to compensate for sites not coming forward as planned, land for an additional 145 units per annum must be planned. They request their site at Westerlea, Bridge of Allan be included in the Plan for housing.

Kippendavie Group Trust (SLDP_70/003); Graham's The Family Dairy (SLDP_327/003); Charles Connell & Co Ltd (SLDP_1251/003); Gloag Investments (01112/003) - The effective land supply and projected future requirements should be adjusted to reflect the figures quoted by Homes for Scotland along with Tables 2, 3, 4 and 5. Furthermore, development phasing should be removed and all sites treated within the single plan period of 2010 to 2024.

Kippendavie Group Trust request that the site at Kippendavie, Dunblane (c.300 units) is allocated for housing to help make up the shortfall in land supply.

Graham's The Family Dairy request that the site at Airthery Kerse (H056) is allocated for housing for c.650 units to help make up the shortfall in land supply.

Charles Connell & Co Ltd request that the site at Campsie Road, Strathblane be extended to 50 units to help make up the shortfall in land supply.

Mansell Homes (00682/001) - Additional land allocations in sustainable and deliverable locations (preferably with developer support) need to be specifically identified within the final Plan. This should include the site at Wester Cornton, Stirling.

Wallace Land Investment & Management (SLDP_48/004) - Within the terms of Table 4, make provision for the allocation of additional housing land capable of accommodating, as a minimum, an additional 1,256 units.

John Brisbane & Son (SLDP_1139/006) - The Plan requires to be modified to remove the new settlement at Durieshill or, at least, compensate for its non-effectiveness by adding a further 750 unit capacity east of Bannockburn (at Gartclush Farm), to deal with the shortfall. The total land requirement in Tables 2 and 4 requires to be altered to enable additional allocations to compensate for the non-delivery of Durieshill.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/017) - Suggests their landholding at Causewayhead could contribute to the land requirement and maintain a 5 year land supply. Table 4 - Stirling Core, each phase of the 'Strategic Development' can be increased by 400 units to provide 800 units up to 2024 to reflect the inclusion of H056. The comments relative to flood risk are not impediments to the development of their land holding and the wider area. It is not considered that resolution of flooding matters should wait a future review of the Plan - these can be resolved in a matter of months.

CALA Homes (West) (SLDP_230/012) – Table 3 should be removed and Table 2: Housing Requirement (year 10): Housing Units, is required to be modified to include the following information:

	<u>LDP Period (2010 - 2024)</u>
Market Housing	4,942 homes
plus Affordable Housing	1,652 homes
equals Housing Land Requirement	6,594 homes
minus Effective Housing Land Supply	3,230 homes
equals Housing Land Shortfall	3,364 homes
plus Generosity Allowance (20%)	673 homes
equals Homes to Allocate in LDP	4,037 homes

CALA Homes (West) also request that their site at H075 (Cowie) can accommodate 100 units not the 50 allocated, and two further sites be identified at Glasgow Road and at Lower Milton, Bannockburn for a total 135 units, which will assist the Council to meet its housing land requirement to 2024 and maintain a 5 year land supply at all times.

John Logan (SLDP_1329/001) – A more pragmatic assessment of housing levels to be planned for through the Local Development Plan process has to be set out. This should include a more detailed assessment of the potential for additional development in smaller settlements in order to support these settlements and to contribute positively towards meeting legitimate housing targets/needs while also increasing choice in the housing market.

Additional land allocations in sustainable and deliverable locations, including within the rural area, need to be specifically identified within the final Local Development Plan. This should include the site being promoted at Blairmains Farm, Blairlogie.

Policy 2.1 – Housing Land Requirement

CALA Homes (West) (SLDP_230/007) - Part (b) to be reworded as follows: "The housing land supply will be monitored annually through the Housing Land Audit and reviewed biennially as the Action Programme is updated. Where a 5-year supply of land for housing is not being maintained at all times, additional land will be released in accord with the criteria set out in Policy 2.1a Delivering Sustainable Development". Insert new Policy "Policy 2.1a: Delivering Sustainable Development" which allows Planning permission to be granted for a development proposal including greenfield sites, which is in accord with the principles set out in paragraphs 37, 38, 39 and 80 of SPP as long as it complies with a range of suggested criteria.

Homes for Scotland (SLDP_165/002); Hallam Land Management/CEG Land Promotions Ltd (01179/003); Tom Cox (SLDP_704/002); Gloag Investments (01342/003) - Modify Policy 2.1(b) to add an extra sentence at the end, as follows:

"If there are insufficient allocated sites to ensure the maintenance of a continuous 5-year effective land supply, additional land should be brought forward for development through the development management process."

Wallace Land Investment & Management (SLDP_48/008) - The terms of part (b) of the Policy should be amended so as to make specific reference to the role of windfall housing sites.

Story Homes (SLDP_1178/003) - Policy 2.1 requires to be amended as follows: - Part (a), second sentence to read as follows: - "The housing land requirement must constantly allow for a generous supply".

Part (b), first 2 sentences to read as follows: - "The housing land supply will be monitored annually through the Housing Land Audit and through the use of deliverability statements from site developers/owners. The housing land supply should be reviewed biennially".

Summary of responses (including reasons) by planning authority:

Housing Land Requirement Approach

There is no prescribed format established by Scottish Government for setting the housing land requirement within development plans. Scottish Planning Policy (CD 1) advises (Para. 70) "The scale, nature and distribution of the housing requirement for an area identified in the local housing strategy and development plan should be based on the outcome of the housing need and demand assessment. Wider strategic economic, social and environmental policy objectives should also be taken into account when determining the scale and distribution of the housing requirement and the housing supply target for an area. Planning authorities may, as part of the development plan settlement strategy, direct development to particular locations to achieve desired policy outcomes. In such circumstances the planned level or direction of growth may not reflect past trends."

The method adopted by the Council in setting the land requirement is as follows which is discussed in the Housing Land Requirement Background Report (CD 61 – Chapter 5):

- 1) Produce the Housing Need and Demand Assessment (CD 66).
- 2) Set the Housing Supply Targets in the Draft Local Housing Strategy (CD 62) - establish the base year – 2010 is the year which the population projections used as basis to inform the Housing Need and Demand Assessment.
- 3) Determine the level of existing housing land supply by using the latest Housing Land Audit as a basis for this. The 2011 Audit was used for the Proposed Plan with some adjustments on the grounds of securing particular policy outcomes (the adjustments are explained in the Housing Land Requirement Background Report (CD 61) – paras. 5.4 and 5.5). This approach is considered consistent with SPP Para.70 (CD 1).

[The supply figures have since been updated using the agreed 2012 Audit – see Revised Assessment CD 65].

- 4) Make an allowance for small sites that may come forward to contribute to the land supply. No windfall assumptions beyond small sites have been included in the calculation and the Council is not aware that this approach is being disputed.
- 5) Allocate additional allocations in accordance with the Vision and Spatial Strategy. The Housing Supply Targets were used at this stage to enable an appropriate scale of additional allocations to be identified to meet the specific area targets set by the Draft Local Housing Strategy (Table 3 of the Proposed Plan).

[The additional allocations have now been programmed on an annual basis alongside the existing supply as at 2012 Audit – see Revised Assessment CD 65]

The approach suggested by the objectors where you establish the housing requirement first, take off the effective housing supply which leaves a shortfall to be newly allocated, is not dissimilar from the approach taken by the Council. It appears to be a presentation issue that has caused the dispute in this area. Presented a different way and similar to that suggested by the objectors the Plan's housing land requirement to 2024 would look like this:

A: Housing Requirement – 5,927

B: Effective Housing Supply – 3,598 (includes completions 2010/11)

C: Small site allowance - 520

D: New effective housing sites to meeting the shortfall (A minus B & C) – 1,809

The figure of 1,809 is that shown in Table 4 of the Proposed Plan. The key point to make about the approach used by the Council is that the availability of suitable sites (a bottom-up approach) has informed the land requirement as opposed to starting with a target figure that is unrelated to the circumstances of the area.

The other main difference in the approach suggested by the objectors is the addition of further effective sites (15%) to ensure a generous supply - this is responded to further below. They also dispute the effective housing supply figure and the overall housing requirement figure, both of which are responded to below under the headings '5 Year Effective Land Supply' and 'Housing Land Requirement Figures'.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/017) also dispute the 2010 base year for the land requirement. The baseline model for the Housing Need and Demand Assessment and the resulting annual housing supply targets are based on a 10 year calculation (2010 to 2020) resulting in an annual figure of 416 units per annum. This figure has then been used annually from 2010 up to 2024 (the 14 years of the Plan) resulting in 5824 as the total housing supply target for Period 1.

In establishing the housing requirement the Council has considered the need and demand identified in the Housing Need and Demand Assessment. The evidence for this is in the Local Housing Strategy and includes recommendations in terms of the levels of affordable housing need, the need for cheaper market housing and ensuring the urban and rural dimension is reflected. These issues have all influenced the housing supply targets (and resulting land requirement) for particular areas and also particular policy areas such as the new affordable housing policy.

What is in dispute is the suggestion by the objectors is that the requirements from the Assessment should be planned for in full, unless there are specific reasons otherwise (of which they consider none are presented). Scottish Planning Policy (CD 1) Para.74 states: *'Planning authorities should ensure that sufficient land is available to meet the housing requirement for each housing market area in full, unless there are serious local environmental or infrastructure constraints which cannot be resolved to allow development within the life of the plan'*. The Council considers that it is the housing requirement that is to be met in full i.e. ensure sufficient effective land is allocated within the development plan capable of meeting the housing requirement set within the Plan, not that the Housing Need and Demand Assessment results themselves are to be met in full. This is further clarified with reference to Scottish Planning Policy Para.67 which states that *'The Housing need and demand assessment provides the evidence base for defining housing supply targets in local housing strategies and allocating land for housing in development plans'*.

It is the understanding of the Council, that the Housing Need and Demand Assessment does not set the land requirement; there is a further stage in translating the Housing Need and Demand Assessment outcomes into a housing supply target to be set out in the Local Housing Strategy, and then translating that target into an actual housing land requirement. The Local Housing Strategy considers the housing system as a whole and quite correctly looks at other factors and interventions which may influence the supply of new housing, before the actual land requirement for new housebuilding can be determined.

It has been argued that the other factors or interventions that have been used to adjust the housing supply target should not have taken place outwith the Housing Need and Demand Assessment process and that these are in dispute and should not be taken account of. The Housing Need and Demand Assessment essentially provides figures for the number of households requiring or likely to require market housing and affordable housing. Neither through the Housing Need and Demand Assessment guidance (CD 25) or the Local Housing Strategy guidance (CD 24), does Scottish Government provide substantive guidance to local housing authorities on the setting of housing supply targets. In setting the housing supply targets through the Local Housing Strategy, the Council needs to assess all reasonable ways in which the housing needs of those households might be met; new build being just one approach. Some needs will be met by existing empty houses being brought back into use (the Council recently appointed an Empty Homes Officer to undertake initiatives of this type); some by existing large houses being sub divided. These are just two of the housing market interventions that the Council looked at – others were considered but not included for a range of reasons.

In establishing the housing requirement the Council has clearly considered the need and demand identified in the Housing Need and Demand Assessment. The issues raised in terms of affordable housing need, the need for cheaper market housing and the urban and rural dimension, are all discussed in the Local Housing Strategy and have influenced the housing supply targets (and resulting land requirement) for particular areas and also particular policy areas such as the proposed affordable housing Policy 2.2.

The Council considers it entirely legitimate to plan for the future development of the area on the basis of trying to tackle some of its spatial implications. These are well documented within the Vision and Spatial Strategy Background Report (CD 49) and the approach to setting the land requirement is considered consistent with the Vision and Spatial Strategy set out within the Plan.

The social and economic changes facing the Plan area both now and in the future along with the recognised environmental constraints is challenging, and has a direct influence on the locations for development and therefore also the scale of future development for the area. At the outset of preparing the new Local Development Plan, through the City Vision exercise and the publication of the Main Issues Report, the Council has consistently stated that 'placemaking' would have an important influence on the vision and strategy for the new development plan for the Stirling area. The area and its settlements have a distinctive character worthy of consideration in any future development strategy.

The City visioning exercise was highly commended by those directly involved and by others since, and there was a degree of acceptance that the new development plan for Stirling should not be purely 'numbers led'. The approach therefore has been to locate development where there is available infrastructure and limit the demands for new infrastructure – this is a sensible and sustainable approach. Significant recognition is also given in the final approach to environmental factors, including flood risk and the historic environment, and reflecting the particular characteristics and 'place' of the Stirling area. In order to take a long term strategic view consistent with Scottish Planning Policy, certain Green Belt areas have been considered and put forward for development but not at the expense of other important placemaking objectives such as the protection of settlement character and the key features of the historic environment.

All these considerations have inevitably affected the land requirement for housing but the Council considers this is appropriate given the particular circumstances of the area and this is consistent with Scottish Planning Policy (CD 1) (Para.70). The Housing Land Requirement Background Report (CD 61 – Chapter 5) details the specific process of identifying the housing land requirement in the Plan.

With regard to allocating a generous supply of land for housing, the Council agrees that this is essentially to do with the supply of land, if the effect of generosity is to be flexible and effective as intended by Scottish Planning Policy. Although the recent SESplan Examination decision sheds more light on Scottish Government's interpretation of a generous land supply, the Council is of the view that as 'generous' is not specifically defined, each authority can still take its own view of the scale of generosity relative to the circumstances of the Plan area and the Housing Need and Demand Assessment conclusions. The method used by the Council to establish the land requirement in the Plan considers the overall land supply through identifying the existing supply and new allocations. As discussed in the Background Report (para.5.21), the Council adopts a slightly higher overall supply of land than the housing supply target and the supply target for market housing (and resulting land supply), is set at the upper end of the range put forward in the Housing Need and Demand Assessment. All of these factors point to a more generous supply in addition to the housing land requirement and a degree of flexibility if unpredictable changes occur (consistent with Scottish Planning Policy CD1 Para. 71).

Some respondents have suggested that the delivery of affordable housing is reliant on a cross subsidy from market housing. In reality, affordable housing contributions from developers have delivered relatively little and most of the affordable housing provided continues to be that produced by the Council and Registered Social Landlords with Scottish

Government subsidy. Indeed the exact opposite could be said to be true in that Stirling Council's innovative programme of 200+ homes for mid market rent is now being used to assist developers to kick start projects that had stalled due to difficulties raising bank funding. The Council's Strategic Local Programme is also being used to keep moving one large market housing site in Stirling.

The use of a staged phasing programme for the development sites in the period 2010 to 2024 is considered appropriate. There is a need for developers and infrastructure providers to programme infrastructure investment and ensure development comes forward at the appropriate time. Primary Policy 2 allows for adjustments to the phasing to be made to maintain an effective land supply. A phased approach is also generally supported by Scottish Government in their representations to the Draft Proposed Plan (CD 234) in which they ask that a clearer indication of the likely phasing of development be given in the first period of the Plan, to give greater strategic direction to the potential infrastructure investment required to support development.

5 Year Effective Land Supply

The agreed 2011 Housing Land Audit was used as a basis for the supply figures set within the Proposed Plan although it is acknowledged that changes were made to the supply figures before the Proposed Plan was published to reflect particular policy outcomes. The changes made to particular sites are highlighted and explained in the Housing Land Requirement Background Report (CD 61). The 2012 Housing Land Audit has now been published (CD 64) and agreed with the house building industry. The Council considers it now more appropriate to follow the 2012 Audit as this provides the most up to date picture of the housing land supply to 2019.

The objectors' dispute the changes made to the 2011 Housing Land Audit (CD 63) in relation to particular sites (discussed in the Background Report (CD 61 – paras.5.4 and 5.5) and also question the effectiveness of certain sites in the existing supply and new sites allocated in the Plan up to 2024. The Council considers that all the existing supply sites intended for delivery during the 7 year period to 2019 are considered to meet the tests of effectiveness as set out within PAN 2/2010. Further information on this is provided in the Updated Site Assessment (2012) (CD 45) which considers the sites' deliverability over the timeframe of the Plan. The specific sites cited by the objectors as non-effective are (Site Assessment reference in brackets) (*Housing Land Audit reference in italics*): -

- Forthside (CITY05) (*SC160*) – The removal of this site from the Plan is due to the recent planning permission granted for a hotel on the site (CD 144). The site is therefore no longer considered to be an effective housing site. Homes for Scotland do not dispute the removal of this site from the Audit (CD 217).
- H057 Durieshill (DURS01) (*SC074*) – This site is a major allocation carried forward from the current Local Plan Alteration 2 (CD39) and was originally due for completion by 2017 but due to various issues including funding, market demand and infrastructure requirements, has been significantly delayed. Homes for Scotland's position in respect of strategic sites [such as Durieshill], is set out in their letter to the Council in October 2012 (CD 217). They indicate that such sites with a maximum of 3 builders active in any single year would produce a maximum 72 units unless there was direct evidence otherwise. They estimate that 100 units per annum (including an allowance for 25% affordable housing) is reasonable to plan for on such sites. The agreed 2012 Housing Land Audit therefore programmes 825 units in Durieshill for completion by 2024. This is a revision to the 1,100 units programmed in the Proposed Plan, but is considered to reflect a more accurate position for the proposed development.

- Durieshill contributes significantly to overall strategy, is a major infrastructure provider in terms of new schools, roads etc. and requires to be delivered timeously in order that other parts of the development strategy can come forward. The role of Durieshill is further discussed in the Vision and Spatial Strategy Background Report (CD 49), the Education Provision Background Report (CD 75) and Transport and Access Background Report (CD 71). The site is supported by a house builder and its proposed programming is considered to be effective in the period under consideration.
- H072 Touchill Farm (PLEA02) (SC041): - This is now considered to be an effective site given that full planning permission was granted in June 2012 (CD 112). Part of the site is considered effective to 2019 with the remainder coming forward up to 2024. Although there is no house builder attached to the site, as part of agreeing the 2012 Housing Land Audit, Homes for Scotland agreed the site could start in 2017/18 with a build out of 24 units per year up to 2024. The site is also subject to marketing particulars, Sept 2012, (CD 241).
- B06 Kildean (WSTI01, WSTI03, WSTI05, WSTI07) (SC126) – This site is considered to be more suited to business uses, in association with the other commercial uses proposed for the site and the existing college building. The site was not previously allocated within the Local Plan and any residential development here was to be counted as windfall should a suitable location be determined. Please note: Kildean still features in the 2012 Audit in the period after 2018/19 as the decision not to allocate the site in the Proposed Plan was made after the Audit date of 30th June 2012. The site is currently subject to a planning application (CD 151) and Proposal of Application Notice (CD 152).
- H023 Braehead 1, Broom Road (SC047) – This site is an allocation from the current Local Plan Alteration 1A (CD 36). The site features in the 2011 Housing Land Audit, programmed for the period post 2017/18. This position has been reflected in the Plan and the site is programmed to come forward between 2019 and 2024. The site is Council owned and although constrained by education capacity at Braehead Primary School, it is anticipated that this constraint within the Core Area will be resolved by the provision of a new primary school to the north of Stirling and a school catchment review. Further details of how this is contained within the Education Provision Background Report (CD 75).
- H080 Throsk (THRS03) – Planning permission was approved for part of this site (CD 107, allocated as H081 - East of 39 Kersie Road) (SC109). Although the permission has now expired, there are not considered to be any significant constraints affecting the delivery of the remainder of the site (H080), the site has an active land agent promoting it and it is therefore now considered effective to 2019.
- H065 Area 4 Glendevon, Raploch (RAPL01) (SC144) – This site is retained within Phase 1 as it is programmed to deliver within this period in the 2012 Housing Land Audit. Although other Raploch sites have been pushed back, this is one of the main sites being taken forward for development and is considered effective to 2019. Part of the site is currently subject to a planning application (approved 30th April 2013 – CD 153) for the construction of 88 units and the remainder of the site is also due to come forward in the period to 2019.
- H028 Riverbank Works (SC054) - Homes for Scotland do not dispute the changes made to the density of this site on the grounds of flood risk (CD 217).
- H055 South Stirling Gateway (BANN08, BANN17, BANN18, BANN19)– This site features in both Period 1 and Period 2 and is recognised that it will take some time to build out. However it is represented by a house builder and the constraints can be overcome within the period under consideration.
- H049 Ministry of Defence (CITY03) – This site, programmed for Period 1 and 2, is similar to H023 by being subject to the Core Area school constraints which will be overcome in the period under consideration. A recent letter (CD218) received from the Ministry of Defence confirms that the site will be available for development within the 2014/2020 timeframe and the site is therefore considered partly effective (50 units) up to 2019.

- H069 Pleanbank (PLEA01) (SC168) – This site is not allocated for development within the current Local Plan Alteration 1A (CD 36) and no longer features in the 2012 Housing Land Audit (CD 64). The proposed development, although subject to a planning application which the Council was minded to grant subject to a S75 Agreement in January 2009 (CD 113), has not progressed and the site is not considered effective. For Period 2 of the Plan, some development within Plean is indicated (to the west or the east) but it will be for a future review of the Plan to determine this.

In response to CALA Homes (West) (SLDP_230/007) suggestion that in too many instances, sites are programmed over all of the Plan periods which is not how house builders develop sites, the Council contends that there is not the capacity in the house building industry to deliver large numbers of new housing annually even on individual strategic sites (this view is supported by Homes for Scotland (CD 217)). The proposed programming reflects this by appropriately spreading the allocations over a longer period.

CALA Homes (West) (SLDP_230/007) also contend that the effective supply should be reduced by a total 471 homes on the basis that such sites are non-effective and will not revert to being effective. Many of the sites listed in their Annex 2 have now been adjusted in the 2012 Housing Land Audit. The Council does not agree that the suggested 471 units should be removed from the existing supply. Many of the sites, although not be effective to 2019, are programmed for the latter part of Period 1 and should still feature in the period up to 2024.

Based on the 2012 Audit, the Council presents a revised assessment of the housing supply programmed to year 2024 (CD 65). The effective land supply to year 2019 (Phase 1 of the Plan) put forward is more accurately 2,180 units. This comprises of the completions for 2010/11 (344) + completions for 2011/12 (306) + the anticipated supply from 2012/2019 (1,530). Up to year 2024 (whole Period 1 of the Plan), the total supply is anticipated to be 3,300 units (2,180 + 1,120). The new Plan allocations have also been programmed to year 2024 amounting to 1,809 units. These figures have been used to calculate a revised housing land requirement (see below).

Housing Land Requirement Figures

The objectors put forward a range of different figures for the housing land requirement based on varying assumptions.

Homes for Scotland et al suggest that the overall housing requirement to 2024 should be 597 homes per annum (380 + 139 + 15% generosity allowance) which equates to 8,358 homes over 14 years and a housing shortfall of 4,240 new houses – this would require an additional 2,431 new houses needing to be allocated from that shown in the Proposed Plan. Persimmon Homes East Scotland (SLDP_200/002) suggests this figure should be 2,030 and Wallace Land Investment & Management (SLDP_48/004 & 008) suggest it should be 1,256. All these suggested additional requirements are disputed by the Council.

Homes for Scotland et al suggest the market housing target be set at 380 homes per annum (5,320 over 14 years). This does not however take account of interventions (discussed above), which the Council considers reduced the overall figure to 355 per annum for the Council area (328 for the Stirling Local Development Plan area). The objector's suggested figure of 380 also includes 67 market houses per annum for the Loch Lomond and the Trossachs National Park, which the Stirling Local Development Plan has no remit for.

Homes for Scotland et al suggest that the affordable housing figure is calculated from their

proposed market housing figure (i.e. 25% of 5,320) and then added to the supply from others at 44 units per annum (total 616), resulting in 1,946 affordable homes (139 per annum). The Council's supply target of 88 affordable homes per annum for the Stirling Plan area was based on the previous completion rates for affordable housing (this is discussed in the Housing Land Requirement Background Report (CD61) (Paras. 3.9-3.13) and is therefore a justifiable approach. The actual proposed land requirement put forward by the Council in terms of affordable housing is 1,369 (1,175 + 194) as set out in Table 2 within the Proposed Plan and therefore ultimately higher than the 88 per annum.

CALA Homes suggest a different figure of 471 homes per annum (6,594 over 14 years) – 4,945 market homes/1,652 affordable homes (equivalent to 25%). This is significantly lower than that suggested by Homes for Scotland et al but CALA Homes also suggest a lower estimate in terms of the existing supply (3,230 as opposed to 3,598 in the Proposed Plan) and a total shortfall of 4,037 homes - this would require an additional 2,228 new houses needing to be allocated from that shown in the Proposed Plan.

The addition of a generosity allowance is discussed above in relation to the Housing Land Requirement Approach. It is not considered appropriate to add an arbitrary figure of 20% (as suggested by CALA Homes) to the supply if that extra supply (in terms of sites) cannot deliver effectively. The Council does not consider that there are sufficient suitable sites within the Stirling area that can achieve the levels of development suggested by Homes for Scotland and others. The land requirement put forward is based on an extensive assessment of suitable sites in the area starting with numerous expressions of interest assessed through a Site Assessment process (CD 45). The proposed land requirement is considered realistic and gives due consideration to the local environmental or infrastructure issues which constrain the development of the Stirling area – this is consistent with Scottish Planning Policy.

Adopting the approach to the calculation layout suggested by the objectors and taking the Council's revised existing supply figure (based on the 2012 Audit) and discussed above, the Council's suggested housing land requirement is as follows:-

A: Housing Requirement to 2024 – 5,927

B: Effective Housing Supply to 2024 – 3,300 (includes completions 2010/11 and 2011/12)

C: Small site allowance – 520

D: New effective housing sites to meeting the shortfall to 2024 (A minus B & C) – 2,107

This results in an increased shortfall of 298 units (2,107 minus 1,809) from that put forward in the Proposed Plan. The Council does not consider that any modification to the Plan is required to reflect this shortfall as allocating further sites for delivery within the short-term will not improve the current land supply situation.

Policy 2.1 – Housing Land Requirement

The Council does not support the suggested additions to this policy by CALA Homes & Homes for Scotland et al, which would allow for the land supply to be 'topped up' in an ad hoc way through 'windfalls', rather than addressing any shortfall in the 5 year land supply through the Plan review process. Scottish Planning Policy (Para.71) requires development plans to allocate a generous supply of land which will give the flexibility necessary for the continued delivery of new housing even if unpredictable changes to the effective land supply occur during the life of the plan. Para. 75 indicates that planning authorities should manage land supply through the annual housing land audit and the development plan should identify triggers for the release of future phases of effective sites in instances where the housing

land audit or development plan action programme indicates that a 5 year effective land supply is not being maintained.

The Proposed Plan identifies a generous land supply, at a scale and location consistent with the Vision and Spatial Strategy for the area. The Strategy relies significantly less than previous plans on the contributions from windfalls – this approach was actually supported by some house builders in their representations to the Main Issues Report.

Primary Policy 2 allows for sites from later phases to come forward to help maintain a 5 year effective land supply if certain sites prove ineffective. Policy 2.1 indicates that the land supply will be monitored through the annual housing land audit process and through the Action Programme, consistent with Scottish Planning Policy. The Council considers that the most appropriate method to maintain the effective land supply is through the 5 yearly (or sooner if required) review of the Local Development Plan. This would ensure that any sites requiring to be removed from the Plan and any new sites requiring to be newly allocated, are considered as part of the overall Vision and Strategy and the necessary infrastructure to support the development can be planned for. This is consistent with the genuinely plan-led approach advocated by Scottish Planning Policy (Para.8).

Story Homes suggestion that the importance of deliverability and the use of ‘deliverability statements’ is specifically addressed in the Policy, is not supported by the Council. Such matters will be considered in the annual housing land audit process, with reference to all the tests of effectiveness criteria in PAN 2/2010, not just to deliverability. The Council also does not support reference to a suggested ‘constant generous land supply’. As generous is not defined, such a statement would not be measurable and therefore capable of being monitored. Policy 2.1 part (a) already refers that the land requirement in the Plan itself allows for generosity.

Reporter’s conclusions:

1. In dealing with Issue 4, the Housing Land Requirement, there are a number of matters which require to be considered separately. It is intended to attempt to deal with each of these in turn before drawing any overall conclusions. As the issues associated with the estimation of the plan’s housing requirement and the subsequent calculation of the housing land requirement are complex and involve bringing together figures derived from a variety of different sources and relate to differing time periods, it is proposed firstly to go through the process which the council has undertaken to enable it to arrive at its conclusion regarding the housing requirement. In dealing with this matter in some detail a proper context should be provided for the consideration of the representations that have been made on this issue.

Identifying the Housing Requirement

2. The first matter that requires to be addressed is the approach which the council has taken in the local development plan (LDP) to the identification of the housing requirement for the plan area. A number of representations, primarily from those involved in the house-building sector, have suggested that the approach taken by the council to estimating the housing requirement and the calculation of the need for additional housing land in the plan is flawed and should be reviewed. On this point, it should be noted that the Scottish Government does not prescribe a single methodology that local authorities are required to follow in establishing the housing land requirement in development plans. Circumstances can vary across Scotland and the specific response from a local authority to this matter requires to be tailored to reflect the particular situation in the plan area.

3. In this context it is worth noting that Scottish Planning Policy (SPP, CD1) at paragraph 70 states: *“The scale nature and distribution of the housing requirement for an area identified in the local housing strategy and development plan should be based on the outcome of the housing need and demand assessment. Wider strategic economic, social and environmental policy objectives should also be taken into account when determining the scale and distribution of the housing requirement and the housing supply targets for an area.”*

4. Although no detailed methodology is prescribed, guidance and advice on the general approach which authorities should adopt in calculating the housing requirement and the need for additional housing land is provided in SPP and Scottish Government Planning Advice Note 2/2010 (PAN 2/2010, CD10). These documents both indicate that the most appropriate starting point for the process is the undertaking of a housing need and demand assessment for the area. At paragraph 67 SPP states that housing need and demand assessments provide the evidence base for defining housing supply targets in local housing strategies and for allocating land for housing in local development plans.

The Housing Need and Demand Assessment

5. In March 2011 Stirling Council produced a Housing Need and Demand Assessment (HNDA) for the whole of its administrative area. As part of this exercise, studies were undertaken to determine the extent of the local Housing Market Area (HMA). The HMA is defined as a geographical area which is relatively self-contained in terms of housing demand, i.e. a large percentage of the people moving house or settling in an area would seek to find a dwelling only within that area.

6. The studies demonstrated that, although there was a degree of overlap with the adjoining Clackmannanshire Council area and to a lesser extent with the Falkirk Council area, for the purposes of the HDNA and projecting the amount of additional housing that is likely to be required, it was acceptable and appropriate to deal with the Stirling Council area as an independent and separate housing market area. However, it is also important to note that within the Stirling Housing Market Area there are two independent planning authorities; the Loch Lomond and the Trossachs National Park Authority and Stirling Council which produce their own individual local development plans. Consequently, the overall housing need and demand figures contained in the HNDA relating to the entire Stirling Council area need to be disaggregated to reflect the position as it relates to each of the two distinct local development plan (LDP) areas. Therefore in order to arrive at the information that is relevant to the Stirling Local Development Plan area, it is necessary to deduct from the overall totals for the entire Stirling Council area the contributions which are predicted to arise within the area covered by the Loch Lomond and the Trossachs National Park Plan. This is a matter that will be dealt with in more detail later.

7. The results of the Stirling HNDA are set out in CD66. This document indicates that the approach adopted by the council was consistent with the methodology recommended in SPP. In support of this position, the council points out that the Scottish Government's Centre for Housing Market Analysis has confirmed that the process and methodology used in the HNDA were considered to be robust and credible. SPP states at paragraph 67 that where the Scottish Government has assessed an HNDA as being 'robust and credible', the approach it has used will not normally be considered at a development plan inquiry. It is considered that this is the situation with regard to the Stirling HNDA. On that basis, no further discussion or debate is required with regard to the methodology or the merits of the key findings and conclusions set out in the HNDA.

8. In terms of the document, the starting point for the HNDA is the provision of an estimate of the projected future number of households within the area. As a result of the inherent uncertainties involved in this process, the estimate of the number of households that should be planned for within the Stirling Council area is expressed as a range rather than an actual number. With respect to 'market' or private housing, the HNDA considered 2 main scenarios which were based on differing sets of assumptions. The first scenario, referred to as the 'baseline model', is based on what the council considered to be a realistic set of assumptions regarding household formation and the likely rate of recovery of the local housing market in the Stirling Council area. Under this 'realistic' scenario it is estimated that between 1,900 and 2,600 'market' houses could be needed in the 10 year period to 2020. This equates to the construction of between 190 and 260 dwellings per year. It is indicated in the HNDA that this level of growth would be similar to the level of building experienced within the Stirling Council area in recent years.

9. The second scenario, which was based on suggestions put forward by Homes for Scotland, adopts a series of more optimistic assumptions about household formation and the likely rate of recovery in the housing market. Under this 'optimistic' scenario it was projected that anything from 2,300 to 3,800 additional dwellings could be required over the 10 year period up to 2020. This is equivalent to the construction of a further 230 to 380 dwellings per year over that period.

10. Turning to affordable housing, the HNDA indicates that in the base year of 2010 the affordable housing shortfall within the Stirling Council area is estimated to be in the range of 465 to 660 units depending on the assumptions used regarding the level of new household formation. The report considered that this shortfall, if left unchecked, could grow to between 5,130 and 6,950 units by 2020. The report also noted that this does not necessarily mean that the requirement is to build between 465 and 660 affordable homes each year, as a proportion of this need can be addressed through the pursuit of other forms of housing market interventions, such as making better use of surplus or empty properties, the sub-division of larger properties or encouraging greater use of houses in multiple occupation. In addition, it is pointed out that a high proportion of the need for affordable housing derives from the need to provide accommodation for 'homeless people' who make a major contribution to the overall projected total for affordable housing. Until recently such needs could only be met by measures taken in the social or private rented sectors. However, the report notes that recent changes in the approach being taken with regard to the prevention of homelessness may help to reduce the affordable housing need figures.

11. As indicated at paragraph 67 in SPP, the figures set out above in Stirling's HNDA provide the evidence base for calculating the housing supply targets in the local housing strategy and in identifying the appropriate scale of land that requires to be allocated for housing in a local development plan. The various figures set out in the HNDA therefore constitute key inputs to the process of achieving a better understanding of the operation of the local housing market. However, the output of the HNDA represents only the first step or starting point in the process. In this context, the assertion contained in a number of the representations that the figures set out in the HNDA have to be met in full without any further analysis is not accepted. The estimates in the HNDA of the projected levels of need and demand for housing in an area do not in themselves represent an end product that can simply be adopted for use in the development planning process without further analysis, consideration and adjustment. The HNDA provides the evidential basis on which the subsequent stages, involving the preparation of a local housing strategy and the LDP, are grounded.

The Local Housing Strategy

12. Moving on to the next stage of the process, the Housing (Scotland) Act 2001 places a statutory requirement on local authorities to prepare a local housing strategy (LHS) to provide: (i) a framework which indicates the strategic direction an authority proposes to take in tackling housing need and demand; and, (ii) the context for future investment in housing and related services in an area. Informed by the output from the HNDA, the LHS is also required to include housing supply targets for all housing tenures. PAN 2/2010 indicates that the housing supply targets should deal with both affordable housing as well as market/private housing. The housing supply targets are expected to take account of matters such as the supply of new housing, replacement housing, measures to bring empty properties back into use and the conversion of larger properties into smaller units. To assist with the preparation of the housing policies in development plans, the LHS is expected to consider the situation over a period of at least the following 5 years. In the case of the Stirling Council area, the Local Housing Strategy (CD62) covers the period 2012 to 2017.

13. As with the HNDA, the Stirling LHS seeks to provide the housing strategy framework for the whole of the Stirling Council area. It therefore deals with the areas covered by the Stirling Local Development Plan and the Loch Lomond and the Trossachs National Park Plan. At paragraph 1.10 in the LHS (CD62), it is indicated that the desired outcome of the strategy, in terms of the need and demand for housing, is to achieve an improved supply of houses of all types and tenures which are affordable, particularly to households on low and middle incomes, as well as meeting the needs and aspirations of households and communities across the council's area. In coming to a view on the appropriate scale and distribution of future housing in the area, the LHS also takes account of the council's wider strategic, economic, social and environmental objectives.

14. The LHS indicates that the Registers of Scotland estimate that the population of the Stirling Council area will increase from 90,800 to 104,300 over the next 25 years and that the number of households in the area will increase from 38,300 to 49,400 within the same period. It also notes that in 2012 the area contained approximately 39,000 houses of which 67% were owner occupied; 19% were in the social rented sector; and 14% were in the private rented sector. The report points out that in the preceding 10 years the combined efforts of private developers, the council and housing associations had produced an average of 345 new market/private and affordable houses each year across the whole of the Stirling Council area.

Housing Supply Targets

15. Turning to the question of the housing supply targets, the LHS states at paragraph 1.17 that one of the roles of the document is to review the findings of the HNDA and develop housing supply targets for both market/private housing and affordable housing. These supply targets will then be used to inform the LDP process.

(a) Market/Private Housing:

16. The LHS notes that the HNDA indicated that on the basis of the 'baseline' scenario some 2,600 market/private houses for the 10 year period 2010 to 2020 (or 260 houses per year) were likely to be required within the Stirling Council area. However, by using the more optimistic assumptions regarding the rate of recovery in the housing market put forward by Homes for Scotland, this figure would increase to approximately 3,800 private houses in the Stirling Council area for the same period (an average of 380 units per year). Therefore, in deciding to use a figure of 380 units per year as the starting point for the calculation of the

land supply target for market/private housing in the LHS, the council has adopted the figure provided in the HDNA which relates to the top end of the range of projections under the 'optimistic' scenario.

17. In calculating the final land supply targets in the LHS, the council considers that it is appropriate to take account of the contribution to meeting the identified need which can be achieved through measures to ensure that the existing housing stock (in both the market/private and affordable housing sectors) is utilised more effectively. This would involve taking measures which are termed by the council as 'interventions' or initiatives to improve the utilisation of the existing stock. These 'interventions' could include measures such as: taking action to bring more empty properties back into use; the subdivision and conversion of larger dwellings; addressing the issue of the under occupation of public sector houses; taking steps to reduce homelessness; and increasing the number of dwellings which are in multiple occupancy. In the council's opinion, a combination of such measures could contribute to meeting the housing needs of some 25 households per year in the market/private sector and 40 households in the social rented sector.

18. A number of the representations (see for example Homes for Scotland and Cala Homes (West) Ltd) have expressed concerns regarding the likely effectiveness of the various 'interventions' by the council to achieve the outcomes predicted. It is pointed out that there is no guarantee that such interventions will deliver the equivalent of 25 units per year. The representations also note that the measures proposed do not require the allocation of any additional land in the plan for housing and do not involve private house builders in their delivery. Homes for Scotland argue that it is wrong to introduce these interventions outwith the HDNA process and that no credible evidence has been produced to justify the council's estimate of 25 units per year. In my view, however, there is scope for the delivery of additional housing units from measures such as bringing back unoccupied properties into residential use or the subdivision of larger dwellings into a number of smaller units. These are measures which are already in common use throughout the country and which have a record of delivering additional housing units, albeit on a modest scale. I am also not persuaded that it would have been appropriate for such measures to have featured in the HDNA process. In these circumstances, I consider that it is acceptable and appropriate for the council to take account of this source of provision in its calculations.

19. By including the potential output from the measures to improve the efficient use of the existing stock, the council believes that the market/private housing land supply target for the Stirling Council area can be reduced from 380 units per year to 355 houses. In an effort to provide a context for his figure, the report notes that over the previous 10 years within the Stirling Council area private house developers had completed an average of 277 houses per year. The LHS also indicates that, out of the total estimated supply target figure of 355 private/market housing units in the Stirling Council area, only some 328 units would be required within the area that is covered by the Stirling LDP. The remaining 27 units being located within the part of the Stirling Council area that is covered by the Loch Lomond and the Trossachs Local Plan.

20. It is clear from the above that the planning authority has undertaken a disaggregation of the supply figures for the Stirling Council area to arrive at the figures which apply to the smaller area covered by the Stirling Local Development Plan. However, this is not necessarily the case in respect of the calculations presented in support of some of the representations. The representations submitted on behalf of Homes for Scotland for example include a calculation of the housing land requirement that would appear to be based on the assumption that the plan's housing requirement for market/private housing is 380 units per year for each of the 14 years of the plan period of 2010 to 2024 i.e. a total, of

5320 units in the plan period. As indicated above, the figure of 380 units per year relates to the situation in the Stirling Council area as a whole and not to the more limited area covered by the Stirling Local Development Plan.

21. The 5,320 figure used by Homes for Scotland would appear to be derived from the figure of 3,800 units contained in the HNDA (CD66, page 92), which relates to the unmet requirement for market/private housing for the Stirling Council area for the 10 year period 2010 to 2020. By using the figure for the Stirling Council area rather than the one for the LDP area, Homes for Scotland has over estimated the market/private housing requirement by some 378 units. The situation is further compounded by the fact that the Homes for Scotland calculation of the affordable housing requirement is also based, at least in part, on the assumption that the market housing requirement of 5,320 units applies and that it should generate 1,330 new affordable units (i.e. 25% of 5,320). It is noted that a number of the other parties who have made representations challenging the council's approach to the calculation of the plan's housing requirement also base their representations on the figures that have been put forward by Homes for Scotland.

22. It should also be noted that the council has emphasised that it took a conscious decision to adopt generous land supply target figures in the LHS which were based on the upper end of the range of the projections produced under the 'optimistic' scenario suggested by Homes for Scotland. This was in preference to the range of figures produced under the 'baseline' scenario which the council considered to be a more realistic reflection of the emerging housing situation in the local area. This decision was made in an effort to ensure that the housing land supply targets included in both the local housing strategy and the LDP could not be said to hinder or constrain the recovery of the private house building sector. Consequently, having taken account of the intervention measures referred to above, which are designed to secure better use of the existing housing stock, the LHS concluded that the market/private housing supply target in the Stirling LDP area should be set at 328 units per year (i.e. 380 minus (25 plus 27), which equals 328). This total figure is split between the plan's two sub areas as follows: Stirling Core 288 units; and Rural Stirling 40 units.

(b) Affordable Housing:

23. The LHS acknowledges the findings of the HNDA that the present shortfall in affordable housing provision could, if left unchecked, grow to almost 7,000 units over the next 10 years. Based on an analysis of the information contained in the LHS, the council considers that the annual need for affordable housing is in the order of some 700 units. As a result of market interventions, such as measures to prevent or reduce homelessness and more imaginative use of affordable housing contributions, the council believes that this overall figure can be reduced by some 40 units which would leave an outstanding need for up to 660 units each year. However, in terms of past performance, it is indicated that in the Stirling Council area between 2001 and 2011 an average 84 affordable units were completed each year. The comparable figure for the period 2006 to 2011 was 94 affordable units per year. The LHS also points out that given recent completion rates and the reduced level of public expenditure available for the provision of affordable housing, the HNDA had assumed that only some 64 affordable units would be built each year within the Stirling Council area. The LHS concluded that in the period since the HNDA was completed there had been nothing to suggest that this estimate was inappropriate or required to be increased.

24. Nevertheless, in order to ensure that everything possible was being done to achieve or exceed this historic rate of development, the LHS indicates that the supply target figure for affordable housing in the Stirling Council area should be set at 100 units per year. Based on an assessment of the overall distribution of the shortfall of affordable housing across the

whole of the council's area, the LHS concluded that the supply target for affordable housing in the Stirling LDP area should be set at 88 units per year. This is made up of 62 units per year in the Stirling Core area and 26 units per year in the Rural Stirling area.

25. The council emphasises that wide consultations and discussions took place regarding the methodology used in the LHS to estimate the housing supply targets for affordable housing in the Stirling Council area. These discussions involved the local Housing Market Partnership, the Loch Lomond and the Trossachs National Park Authority, the Scottish Government, local Registered Social Landlords, representatives of the private rented sector, Homes for Scotland and representatives of other private house building interests. The council therefore indicates that the approach that has been adopted in the LHS to the setting of the affordable housing supply target for the plan area has been the subject of detailed discussion and wide consultation. It is therefore believed to be consistent with Scottish Government advice on the matter and the relevant provisions of SPP.

The Local Development Plan

26. The information provided in the HDNA and the LHS provides the basis for the council's decisions on the setting of the housing requirement and the housing land requirements in the LDP. As such, the LDP represents the final part of the process of establishing the scale of the additional housing provision that requires to be met in the plan area and the vehicle for allocating sufficient sites to meet the identified housing requirement. In the LDP, Table 3 sets out the housing land requirement and the annual and cumulative housing supply targets for the period 2010 to 2024. The figures in Table 3 are taken directly from the LHS (CD62, Chapter 1). In summary, Table 3 indicates that during the period 2010 to 2024 provision should be made for a total of 5,824 additional houses in the plan area. This total is comprised of 4,592 market/private housing units and 1,232 affordable housing units or, on an annual basis, 328 market/private housing units and 88 affordable housing units per year. These figures are based directly on the comparable figures included in the LHS discussed above and the supply targets have not been amended or altered in any material way.

27. Once the housing supply targets for market/private housing and affordable housing have been established, the next stage in the process is to determine how many of these units are expected to be delivered from the existing housing land supply and then to calculate how much additional land requires to be allocated in the LDP to meet any identified shortfall. In this case, the details of the exercise carried out by the planning authority are set out in Table 2 in the LDP. In terms of the extent of the existing housing land supply, the starting point is the information contained in the 2011 Housing Land Audit (HLA). However, in an effort to provide a more up to date picture, in September 2012 the planning authority reassessed the sites it proposed to include in the LDP's housing land supply using the information that had been gathered during the 2012 HLA process. The council indicates that as a result of this exercise, some of the sites initially proposed for inclusion in the plan as contributing to the land supply have been reassessed as being no longer effective while other sites are now regarded as effective.

28. The council's adjustments to the land supply are considered in more detail later in this section of the report. However, the sites at Kildean (HLA reference SC126; see also Issue 43) and Forthside East (HLA reference SC160) have now been deleted from the effective land supply. In addition, changes have been made to the capacities or programming of the sites at Riverside Works (H028; see also Issue 44) and Durieshill (H057; see also Issue 52) with an additional site at Touchill Farm, Plean (H072; see also Issue 54) being added. As a result of these adjustments, it is indicated in Table 2 of the LDP that it is expected that a total of 3,254 units would be delivered from the existing housing land supply in the period up to

2024. The detailed breakdown of these figures and the sites involved are set out in Appendix F in the planning authority's Background Report on the Housing Land Requirement (CD61) and in Appendix B in the plan.

29. In calculating the plan's housing land requirement account must also be taken of a number of other factors. Firstly, the housing land supply calculations set out in Table 2 of the LDP relate to the period 2010 to 2024 and these are derived from the projections used in the LHS, which had a base year of 2010. In these circumstances, it is necessary to take account of the number of houses that have been completed within the plan area during the year 2010 to 2011. The planning authority indicates that in total the completions for that year came to 344 houses, out of which 253 units were market housing and 91 were affordable housing. In calculating the plan's housing land requirement, it is necessary for the total number of units completed in 2010 to 2011 (344 units) to be added to the land supply figures (see Table 2 in the plan). It is noted that none of the representations seek to challenge either the actual figures for completion or the approach the council has adopted to this matter.

30. Secondly, the planning authority indicates that that an allowance should be made for the output from small sites that have a capacity of less than 4 units, which because of their scale are excluded from the annual housing land audit process. As indicated in Table 2 in the plan, on the basis of past completions on such sites, it is expected that during the period 2011 to 2024 small sites will contribute some 40 units per year to the supply or a total of 520 units in the plan period. The plan assumes that all of these units would be in the market/private housing sector. None of the representations have indicated that the council's assumption on the scale of the small sites allowance is inappropriate or erroneous. It is also noted that PAN2/2010 recognises that completions on small sites can make a significant contribution to the land supply.

31. The council has indicated that, following discussions with Homes for Scotland and others (and in a departure from previous practice) no allowance is made in the plan for the potential output of houses from so-called 'windfall sites'. These are sites which arise unexpectedly and can offer opportunities for new housing through the reuse or redevelopment of previously developed land. By definition, such sites are not allocated in the development plan. Based on past experience and practice, such sites could have made a material contribution to the housing land supply in Stirling.

32. The last step in the process is the identification of sufficient additional land to meet any shortfall between the existing sources of supply and the housing land requirement or housing supply targets identified in the plan. Taking the various contributions referred to above into account (completions; the small sites allowance; and the expected output from the existing land supply), Table 2 indicates that in the period up to 2024 the council considers that land which can accommodate a total of 4,118 units will be available to the meet the future housing requirements in the plan area. In terms of the requirement for additional houses, Table 3 indicates that the total housing supply target for the plan in the period 2010 to 2024 (the housing requirement) is 5,824 units. When the total figure for the estimated output from existing sites of 4,118 units is compared to the housing land supply target of 5,824 units it is apparent that there is a shortfall of some 1,706 units.

33. To meet this deficit, the LDP identifies 35 additional sites, with a capacity of some 1,809 units, which the council states have been selected to deliver a range and choice of housing types and tenure across a wide area, in conjunction with the existing land supply. The additional sites have also been chosen to accord with the Vision, Spatial Strategy and Settlement Hierarchy set out in the plan. As a result, most of the new housing is directed to

the Stirling area. However, in recognition of the limited opportunities for new housing on brownfield sites within the city and to provide a greater range of choice of sites within the Core Area, an allocation is made in the proposed Strategic Development area to the south of the city at Stirling Gateway. New sites are also identified in the regeneration areas of Cornton and Culterhove (which are expected to provide primarily affordable housing) and in the Eastern Villages of Cowie, Fallin and Throsk where they would assist in meeting both the wider housing need of the area and be supportive of the social, economic and environmental regeneration of these settlements.

34. The additional allocations which total some 1,809 units, when combined with the sites in the existing housing land supply, provide the capacity to accommodate a total of 5,927 houses (see Table 2 in the plan). Out of this total, some 3,803 of the units are considered by the council to be either effective or capable of becoming effective in Phase 1 of the plan (2010 to 2019) and 2,124 units in Phase 2 (2019 to 2024). The council provides a detailed breakdown of these figures in Table 4 of the plan.

35. The council points out that the plan's overall housing land supply of 5,927 units exceeds the housing supply targets of 5,824 units. Looked at annually, the land supply provides an average of 423 units per year and this exceeds the supply target of 416 units per year. Furthermore, within the plan's Core Area the land supply at 358 units also exceeds the housing supply target for the area of 350 units. In these circumstances, the council considers that based on its view of the effectiveness of sites the housing land allocations in the LDP form a reasonable basis for forward planning for the 10 year period of the plan. It is emphasised that the sites included in the housing land supply in the plan were identified following extensive and detailed consideration of all the suitable opportunities in the area. The range of opportunities assessed by the council included those sites put forward in the numerous expressions of interest submitted by the house builders and other land owning interests. All the sites were subject to a detailed site assessment exercise, the outcome of which is reported in the main, in CD42 and CD45.

36. In response to the representations made by Cala Homes (West) Ltd, the council has undertaken a further exercise to assess the housing land supply using the results of the 2012 HLA. Using the 2012 HLA figures rather than those in the 2011 HLA for comparative purposes, the effective supply falls from 3,598 units in 2011 to 3,300 units in 2012. The 2012 figure of 3,300 units, which includes completions for the two years 2010 to 2012), when combined with the 1,809 units estimated to arise from the new allocations proposed in the plan and an allowance of 480 units for small sites allowance (12 years at 40 units per year) gives a total land supply capable of accommodating some 5,589 units. When this figure is compared to the housing land supply target of 5,824 units set out in Table 3 in the plan, a shortfall of some 235 units emerges. If the figure of 5,589 units is compared to the plan's total housing land supply of 5,927 units, set out in Table 2 in the plan, then the decrease in the land supply over the year would amount to some 338 units.

37. Although the council acknowledges that there would appear to be slight shortfall in the effective land supply if the 2012 HLA figures are used, it considers that the HLA process is not the correct way to address such a shortfall. It is submitted that the HLA process is designed to monitor the number of house completions and the availability of effective sites as well as the progress of sites through the planning process. The audit therefore provides a snapshot of the effective supply at a particular point in time and this picture will change from year to year.

38. In the council view, the audit does not replace the development plan process, but simply provides evidence to justify future land releases once the plan is adopted. In support

of this position, the council makes reference to PAN 2/2010 at paragraph 45 which states: *“Annual housing land audits are the established means of monitoring housing land. They have two key functions: to demonstrate the availability of sufficient effective land to meet the requirement for a continuous five-year supply; and to provide a snapshot of the amount of land available for the construction of housing at any particular time. This information is vital to the preparation of the development plan and the audit process enables adjustments to the supply to be made in response to issues identified.”* Consequently, the council is not persuaded that the emergence of a modest shortfall in the effective land supply as a result of applying the 2012 HLA figures justifies a modification to the plan.

Assessment of the council's approach to defining the plan's housing requirement

39. A number of representations indicate that the approach the council has adopted to the definition of the plan's housing requirement and land supply targets is flawed and significantly underestimates the amount of additional land that requires to be allocated. As such, those making the representations submit that the plan does not comply with the relevant requirements of SPP. The approach which the council has adopted is set out above in some detail because the issues involved in the calculations are not straightforward and require reference to a range of disparate figures, many of which do not relate to the same base years, projection periods or geographic areas. Having examined the various steps in the process, it is considered that the council has fundamentally followed the appropriate and accepted approach although its presentation and explanation of the exercise undertaken and the terminology used can at times be somewhat confusing. In addition, the results of the exercise have not necessarily been set out plan in the most logical or understandable way.

40. For example, it would assist the user of the plan to better understand the process involved if the findings of Table 3, which sets out of the plan's housing requirement and supply targets, had been produced in the document as the first step in the exercise. It would then be more rational to move on to Table 2, which relates to the second stage of the process, i.e. the setting out of the various elements of the housing supply that contribute towards meeting the housing land requirement. The clear logic of the process is to first establish the figures for the housing requirement and the land supply targets which flow from it, before undertaking the exercise of considering whether the land available from various sources, including any new land allocations, is or is not sufficient to satisfy these supply targets. Because it is presented in the reverse order to this in the plan, the council is open to the criticism that has been made in a number of the representations that the housing land supply targets have been set to accord with the scale of the land allocated in the plan.

41. Following the detailed assessment set out above of the exercise that the council has undertaken to establish the housing requirement and supply targets, I do not believe that this is in fact the case. Nevertheless, this presentational issue could have been avoided if the text and tables in the plan had been better ordered and the terminology used was more precise. In this context, it would also be better if the title of Table 2 and the heading of its final column were amended to make it clear that the contents of the table are intended to set out the various elements of the housing land supply which make a contribution to meeting the plan's Housing Land Requirement. Table 3 would also benefit from being re-titled “Housing Requirement/Land Supply Targets” to more clearly distinguish its purpose.

42. A number of the representations also question the relationship between the findings of the HNDA and the housing requirement set out in the plan. As indicated above, I do not consider that there is any explicit indication in SPP that the findings regarding housing need and demand contained in the HNDA require to be imported directly and unaltered into the LDP. On the contrary, SPP and PAN 2/2010 recognise that the HNDA provides the

evidential base for the further work that is required in the LHS and the development plan to establish the housing requirement and housing land supply targets which are to be used for land use planning purposes. Further analysis and refinement of the information contained in the HNDA is therefore a necessary and essential part of the process.

43. In this case, with respect to market/private housing, the HNDA sets out a range of possible projections of the unmet requirement for market/private housing across the Stirling Council area. In considering which of the projections to use, the council has applied the highest figure from the range relating to the most “optimistic” scenario that is based on assumptions regarding high rates of household formation. This is a scenario that was suggested to the council by Homes for Scotland. As a result, in relation to market/private housing, the HNDA suggests a high end figure of 380 units per year. It should be noted that this is significantly greater than the figure of 260 units per year for market/private housing that would be derived from the use of what the council has referred to as its ‘realistic’ scenario. The ‘realistic’ scenario is the projection that the council has indicated more closely reflects what has actually taken place in the plan area in recent years and also what is likely to happen in the next 10 years within the Stirling Council HMA area. The council has however chosen to apply the figure of 380 market housing units per year and it is this figure which is in turn used in the LHS as the housing land supply target for the Stirling Council area.

44. When it comes to the LDP, the figure of 380 units requires to be disaggregated as the plan area does not cover the whole of the Stirling Council area. As indicated above, this disaggregation involves the deduction of the 27 units per year which are expected to be delivered from within the Loch Lomond and the Trossachs Local Plan area. In addition, the council has decided to deduct a further 25 units per year which it believes will be the contribution made by the various “interventions” associated with making more effective use of the existing housing stock. I note that this is a matter that was fully considered and discussed during the preparation of the LHS. As a result of taking these factors into account, the housing requirement for market/private housing in the LDP area is set at 328 units per year. A figure which can be directly traced back to the findings of the HNDA. The council has also indicated that the adoption of such a relatively high figure was made specifically to ensure that a generous housing land supply would be available within the plan area which would meet even the ‘optimistic’ projections of demand put forward by the house builders. In so doing, the council considered that this would ensure that the availability of housing land could not be portrayed as placing any restraint on new house building within the plan area.

45. Several of the representations submitted on this issue query the use of the proposed interventions to reduce the housing requirement figure and indicate that this is a matter that should have been taken account of in the HNDA. However, in the HNDA it is recognised that the impact of various housing market interventions can have an effect and may help to reduce the number of units the development plan requires to make provision for, particularly but not exclusively in the affordable housing sector. Consequently, it is one of the matters that require to be considered further as part of the on-going process of setting the housing requirement through the LHS and the preparation of the LDP. It is therefore considered to be appropriate and acceptable for the council to adjust the overall figures for housing need and demand established in the HNDA to take account of these interventions. In any event, the scale of the contribution from this source is relatively modest in comparison with the overall figures involved. Furthermore, it should be recognised that all of these matters have been considered and agreed by the Stirling Housing Partnership, which included representatives from the house building sector, as part of the preparation of the LHS.

46. Turning to the projections of the requirement for affordable housing, the HNDA indicated that the affordable housing shortfall is presently in the order of 660 units and if left unchecked this could grow to almost 7,000 units over the next 10 years. In the LHS the annual need for affordable housing is considered to be in the order of some 700 units. As a result of market interventions, such as measures to prevent or reduce homelessness and more imaginative use of affordable housing contributions, the council believes that this overall figure can be reduced by some 40 units which would leave an outstanding need for up to 660 units each year. However, given the levels of finance likely to be available in the next few years to deal with issues associated with affordable housing, both the HNDA and the LHS find that providers are unlikely to be able to provide more than some 64 new units per year. Nevertheless, in order to try and ensure that this target is achieved, the LHS concludes that the council should set a supply target of 88 affordable units per year for the Stirling Local Development Plan area.

47. Most of the representations consider that the affordable housing supply target in the LDP is too low. Homes for Scotland and others who rest on the figures it has produced, submit that the supply target for affordable housing should be set at 25% of the market/private housing target plus the projected output of such dwellings from the registered social landlords, the national housing trust and the council. This would give a target of some 1,946 units, or 139 units per year. It should be noted that this figure is incorrect because, as discussed previously, it is based on the supply target figure for market/private housing for the whole of the Stirling Council area and not the more limited area covered by the LDP. Cala Homes (West) Ltd recognise that the issue of providing significantly greater numbers of affordable houses is challenging, but consider that the council should seek to maximise the output of such dwellings by being more proactive.

48. In its submissions, Cala suggests that the supply target for affordable housing should be set at 25% of a minimum market/private housing supply target of 353 units per year. This Cala indicate would provide 118 affordable units per year. However, it should be noted that the formula suggested by Cala would more correctly produce 88 units (25% of 353, which equals 88), which is exactly the figure the council has used in the plan. It would appear that the figure of 118 units is in fact derived from taking 25% of the figure for the total housing requirement of 471 units per year put forward by Cala. However, this figure already includes an allowance of 118 units for affordable housing and to include it again would involve double counting.

49. The issue of increasing the supply of affordable housing is a complex and difficult one that is highly unlikely to be resolved within the timescale of a single LDP period. The backlog of need for additional affordable housing units has been built up over a long number of years and it is both unrealistic and impractical to expect that the problem can be quickly or easily resolved in this LDP. In the present financial climate, with local authorities and other providers experiencing substantial reductions in the funding available to them to tackle the issue of affordable housing, it is particularly difficult to envisage how this backlog and the growing need for additional affordable housing can be substantially reduced. It is also unlikely that this funding situation will change materially over the next few years. In these circumstances, it would be unreasonable to expect the plan to include supply targets for affordable housing that were designed to meet the full extent of the need for such units identified in the HNDA.

50. The council through the LHS has considered this matter in great detail. On the basis of the information available, it is therefore considered that the authority has adopted a pragmatic and proportionate approach to this issue, which is based on ensuring that the target set in the plan provides sufficient scope to enable a modest increase in the existing

levels of affordable housing provision should increased funding become available. The council's approach and its conclusions have been discussed and agreed by the Stirling Housing Market Partnership, which represents a wide range of housing interests in the area. It is therefore considered that the supply target for affordable housing set by the council in the LHS and the LDP represents a reasonable and appropriate response to the issue given the scale of the problem and the limited resources that are likely to be available to address the matter.

51. On a more general point, the representations from Cala also indicate that previous local plans have failed to deliver in full the housing requirement set out in the Clackmannanshire and Stirling Structure Plan for the period 1998 to 2017. It is submitted that this has resulted in a housing land shortfall or backlog of some 800 units which requires to be addressed. In support of this assertion it is indicated that a shortage of effective sites during this period has resulted in a reduction in the number of houses that were built each year. However, I am not persuaded that any shortage of sites that may or may not have existed in the past is the principal or indeed a significant cause of the downturn in the annual number of house completions which has taken place, particularly in the last 5 or 6 years.

52. The current prolonged period of economic recession has had a serious detrimental effect on the output of the house building sector across Scotland since 2007. This situation, when combined with the substantial tightening of controls over the availability of finance for mortgages for residential properties, is much more likely to have had a significant detrimental impact on the output of houses. This can be seen in the general downturn in the output of house building across the country where the supply has not necessarily been constrained and by the number of residential sites where development had commenced but which have been left uncompleted. It is not therefore considered that any failure to meet past housing targets is relevant or should be carried forward to the present plan or indeed influence the calculation of its housing requirement figures. For similar reasons, the alleged historic shortfall should also not influence the level of the so called "generosity allowance" being sought by Cala.

53. Drawing all the above matters together, it is not accepted that the assertions made in the various representations that the council's approach to the identification of the plan's housing requirement is fundamentally flawed or that it substantially under estimates the scale of the housing need or demand. The plan and the supporting technical notes could have been presented in a clearer and more logical fashion, but the underlying methodology is considered to be sound and to generally accord with the related guidance in SPP and PAN 2/2010. The claim that the housing supply targets have been manipulated to accord with the available housing land supply is also found to be unsubstantiated. The origin of the land supply targets included in the plan can be traced directly to the work done in the HNDA and the LHS, both of which have been the subject of extensive consultation and discussion with a wide range of housing interests. It is noted that the Scottish Government has also indicated that the methodology and approach used by the council in preparing the HNDA is sufficiently robust and credible. Consequently, I find that the housing requirement and land supply targets established in the LDP form a reasonable and an appropriate basis on which to plan for future housing in the LDP area over the next 10 years.

Consideration of the council's position relative to the Effective Housing Land Supply

54. As indicated in the LDP, the total amount of land that is identified for housing in the plan period from 2010 to 2024 is 5,927 units (see Table 2, page 22). Table 3 in the plan indicates that, in the council's view, the total housing requirement for the plan period, both market and affordable housing, is projected to be 5,824 units. The council points out in CD61 that the

overall land supply identified in the plan exceeds the housing requirement by some 103 units (i.e. 5,927 minus 5,824, which equals 103). In addition, it is noted that the housing requirement in the plan's Core Area also exceed the requirement for that area by 8 units (i.e. 358 minus 350, which equals 8). While it is acknowledged that the relative mix and balance between market/private and affordable housing output from the land supply cannot be confirmed until detailed proposals are made for individual sites, the council considers that what is known about the effectiveness of the sites included in the plan provides a reasonable basis for planning for the first 10 years of the plan up to 2024.

55. In terms of Scottish Government policy and guidance, SPP indicates that the delivery of housing through the development plan depends on a generous supply of appropriate and effective sites being made available to meet demand and on the timely release of allocated sites. It also states that the scale, nature and distribution of the housing requirement should be based on the outcome of an HNDA although wider strategic, economic, social and environmental policy considerations can be taken into account in setting the housing requirement and supply targets. For the reasons set out above in relation to calculations of the housing requirement, I consider that the methodology adopted by the council with regard to this matter is generally in accord with the approach recommended in SPP.

56. SPP also emphasises that allocating a generous supply of housing land in an LDP will provide necessary flexibility for the continued delivery of new housing even if unpredictable changes to the effective land supply occur during the life of the plan. SPP then adds that local development plans should identify the housing land requirement for their area and allocate a range of sites which are either effective or capable of becoming effective to meet the requirements up to 10 years beyond the predicted year in which the plan will be adopted. In addition, planning authorities have to ensure the plan provides for a minimum of 5 years effective land supply at all times. It is explained that the maintenance of a 5 years effective land supply will ensure that a continuing generous supply of land for house building will always be available.

57. A number of the representations submit that the council has not allocated sufficient land within the plan to provide and maintain a generous and effective 5 year land supply which is capable of delivering house completions within the plan period as required by SPP. In addition, the representations indicate that the plan is too reliant on the output from sites which the house builders consider not to have been properly tested under current market conditions. It is asserted that too many of the sites being relied upon by the council have been identified as part of the housing supply for a number of years and have so far delivered few if any dwellings. Furthermore, it is considered that a number of the allocations have been programmed on an over optimistic and unrealistic basis. It is argued that the effectiveness of all the sites identified in the plan requires to be tested against the criteria set out in PAN 2/2010. In particular, the output from the major sites at Durieshill and South Stirling Gateway are questioned. The representations submit that too great a reliance is being placed on early completions from such sites.

58. Concern is also expressed about the changes the council made to the housing land supply figures between the Draft Plan and the Proposed Plan, which is currently the subject of this examination. Questions are also raised about why the council has not sought to replace the sites at Kildean and Airthrey Kerse, which have been removed from the plan, with additional new sites. In summary, the representations submit that the council's assumptions regarding the effectiveness and programming of the land supply are overly optimistic and that the plan's housing land supply targets are therefore unlikely to be achieved in any single year. Consequently, the representations argue that there is no prospect of maintaining a 5 year effective land supply and that a significant number of

additional housing opportunities should be identified in the plan that are capable of delivering houses in the short and medium term.

59. Dealing firstly with the comments regarding the effectiveness of the land supply identified in the plan, the council has indicated that the starting point for the identification of the sites was the 2011 HLA. It is noted that the figures in that HLA were agreed with representatives of the private house builders, including Homes for Scotland. Given the passage of time between the completion of the 2011 HLA and the preparation of the Proposed Plan, the council considered it necessary and prudent to update the housing land supply figures using the work undertaken in the preparation of the 2012 HLA. As a result, adjustments were made to 5 sites which had been included in the effective land supply figures contained in the 2011 HLA. Two of these five sites are Kildean (HLA reference SC126, see also Issue 43) and Forthside East (HLA reference SC160), which although they had been include in the 2011 HLA, are no longer included in the proposed plan. These adjustments remove some 324 units from the effective supply figures set out in the 2010 HLA.

60. The developable area at another site (Riverside Works, H028, see also Issue 44) has been reduced to reflect concerns expressed over the potential flood risk on part of the site and the balance of the site with a reduced capacity of 80 units (down from 164 units) is now expected to become effective in the period post 2019. The council also considers that a third site at Touchill Farm, Plean (H072, see also Issue 54), which was granted full planning permission in June 2012, should now be included as being effective in the period up to 2018, with a capacity of 167 units. Lastly, the programming of the major site at Durieshill (H057, see also Issue 52) has been revised with the plan indicating that 400 units were considered to be effective in the period up to 2018 with a further 700 units programmed for development in the period 2019 to 2024. Taking all of these adjustments into account, the council indicates that a total of 3,254 new units would be delivered from the sites included in the plan's housing land supply in the period up to 2024. It is this figure that has been included in Table 2 of the LDP.

61. Addressing each of these adjustments in turn, representations were made by agents acting on behalf of the receivers for Elphinstone Land Ltd against the exclusion of the site at Kildean. These representations are dealt with in detail elsewhere in this report (see Issue 43). However in terms of the assertion that the council has manipulated the figures to increase the land supply, the deletion of the site from the plan contributes nothing towards that end. Likewise, the grant of planning permission for a hotel on the land at Forthside East and the removal of the site from the housing land supply reduces the effective housing land supply. The addition of the land at Touchill Farm, Plean to the effective supply follows the grant of full planning permission in 2012. I note that Homes for Scotland and others question its inclusion in the effective land supply. However, although the site may not yet be in the hands of a house builder the criteria on ownership in PAN 2/2010 simply requires that the land should be in the ownership or control of a party which can be expected to develop it or to release it for development.

62. Although this matter is discussed in greater detail under Issue 54 of this report, I note the evidence that the site has been marketed for development for housing. I am also aware that the site is in the 2012 HLA as an effective site with an output of 24 units programmed for each of the years 2017/18 and 2018/19 and a further 119 units in period 2019 to 2024. It is also understood that representatives of Homes for Scotland agreed to the inclusion of these figures in the 2012 HLA. In these circumstances and in the absence of any substantive evidence to the contrary, I consider that it is appropriate for 48 units on the site at Touchill Farm to be included in the effective land supply for development before 2019.

63. Turning to Durieshill (H057), the site is identified in the adopted local plan as a strategic development opportunity intended to meet the longer term growth requirements of the area (see Issue 52). The site was originally intended to be substantially complete by 2017 but due to the depth of the current economic recession, funding issues and infrastructural requirements, the development of the site has been significantly delayed. In the present plan, the site is identified as a major growth area and a Tier 3 Centre in the Spatial Strategy. It is proposed that the site will accommodate what has been termed a new community or new village with some 2,500 houses together with the necessary educational, social and retail facilities to serve the local area and the provision of a number of improvements to the area's physical infrastructure in terms of schools, roads etc. The site therefore has a key role to play in the overall development of the wider Stirling area with the potential to make a major contribution to the economy of the area and provide a wide range of housing and other opportunities.

64. Durieshill is identified in the LDP as being capable of providing some 1,100 units in the plan period between 2010 and 2024. Of these 400 units are programmed for the period 2010 to 2019 with a further 700 units expected to be delivered between 2019 and 2024. The plan also indicates that the balance of 1,400 units would be developed between 2024 and 2034. These figures are greater than those set out in the 2011 HLA, which put the site's output within the plan period at 850 units. Of these, only 350 units were expected to be delivered before 2019. The council has explained that the increase in the output from the Durieshill site projected in the LDP was made, in part at least, as a response to the deletion of the housing site at Kildean from the plan.

65. In its responses to the representations and a further information request for this examination, the council has acknowledged that the figure included for Durieshill of 1,100 units within the plan period is perhaps optimistic. As a result, the council accepts that the programmed output from the site should be adjusted to more closely reflect the views of the house builders on the timescale for development and the likely rates of building that can be achieved on such a large site. Consequently, in the 2012 HLA, the programming of the site was adjusted and the expected output within the plan period was reduced to 825 units (i.e. 325 units in the period up to 2019, and 500 units between 2019 and 2024). The programming of the 325 units before 2019 comprises 50 units in 2015/16; 75 units in 2016/17, 100 units in 2017/18; and 100 units in 2018/19. In the period 2019 to 2024, the HLA projects that 100 units would be built each year. The council has stated that the amended programming of the site is considered to be a more realistic reflection of the current situation than the 1,100 units identified in the LDP.

66. The council has stressed that the emphasis placed on the delivery of houses at Durieshill in the period up to 2024 is to reduce pressure on more sensitive parts of the green belt around Stirling. The council also notes that the site is under the control of a house builder (Walker Homes) who have not raised any concerns over the suggested timescale for development or the proposed programming of the site. I note that Homes for Scotland in discussions on the housing land audit process have indicated that provided at least 3 house builders were involved in the development of this large site, it would be reasonable to assume that approximately 70 to 75 market housing units per year could be achieved from the site. Furthermore, they estimated that a total of 100 units per year could be delivered on the site if an allowance for 25% affordable housing was included.

67. Taking all the above matters into account, on the basis of the information available, it is appropriate for the council to include the site at Durieshill in the plan as an effective site, but with a programmed output less than that shown in the LDP. Adopting the programming set out in the 2012 HLA would reduce the effective capacity of the site of 75 units for the period

2010 to 2019 and a further 200 units between 2019 and 2024. In turn, this would reduce the effective land supply during the plan period by some 275 units.

68. Homes for Scotland and Cala Homes (West) Ltd have indicated that the changes made to the housing land supply between figures in the 2011 HLA and those in the LDP are manipulated to artificially inflate the housing land supply. However, as indicated above (see paragraph 27), the changes made by the council were introduced in an effort to ensure that the LDP provides as accurate reflection as possible of the situation at the point in time that the proposed plan was issued for consultation. Significant changes occurred to the land supply between the conclusion of the 2011 HLA and the publication of the proposed plan. The changes involved the deletion of sites and the addition of a site recently granted planning permission. Furthermore, changes required to be made to reflect the fact that the effective capacity of some sites needed to be updated or the programmed output revised following changes in circumstances. The representations express concern that the changes made were not fully discussed with those involved in the house building industry. It is noted that the changes made by the council were based on the work undertaken in the preparation of the 2012 HLA and that the final decision on the inclusion of sites in the plan must ultimately remain one for the council.

69. Cala's representation also includes a general review of those sites included in the land supply which have previously been classed as being ineffective but which the council considers should provide output in the period from 2018/2019 onwards. Cala submits that it is reasonable to assume that even with the passage of time sites which do not presently satisfy the tests of effectiveness set out in PAN 2/2010 will not become effective unless circumstances change significantly in the intervening period. It is indicated that sites not currently considered to be effective are expected to deliver 471 units in the plan period. In the opinion of Cala, all of these 471 units should be discounted from the land supply.

70. The list of sites considered to be non-effective includes several large sites such as Pleanbank Farm (500 units), Kildean (240 units) and Touchill Farm (167 units). However, the sites at Pleanbank Farm and Kildean Auction Mart are not allocated for development in the plan and are considered by the council to be non effective. The capacities of these sites do not therefore contribute to the total of the effective land supply used in the plan. In addition, the site at Touchill Farm was granted planning permission as recently as 2012 and is presently being marketed for housing. In these circumstances, I am not persuaded that it is inappropriate or wrong for the council to consider the site should form part of the plan's effective land supply. With respect to several of the other sites on the list that Cala believe to be non effective, virtually none of them are programmed by the council to produce houses before the year 2018/19. No detailed explanation or justification has been provided by Cala in support of its conclusion that all of the sites in its list must be considered to be ineffective. The only point which is emphasised is that these sites are currently considered to be non effective.

71. As indicated in SPP, the LDP should allocate land which is effective or capable of becoming effective within the plan period to meet the housing requirement. In this case, the sites included in the plan's land supply should therefore be effective or capable of becoming effective by 2024. The fact that some sites in the land supply may presently not be effective does not mean that they cannot become effective within the plan period. There is a lead in time of up to 10 years for such sites to become effective and for any constraints on development to be addressed. Furthermore, if market conditions for housing improve and demand is sustained, landowners and developers will have every incentive to bring forward development on such sites. The assessment of the effectiveness of individual sites and their programming is not an exact science it involves the exercise of professional judgement and

the use of local knowledge. The house builders have a role to play in informing this process, but ultimately in terms of the development plan it is for the council to come to a view on those sites which are considered to be either or likely to become effective within the plan period.

72. The council has pointed out that many of the sites referred to by Cala and listed in Annex 2 in the plan have had their programmed output and effectiveness reviewed in the 2012 HLA. Although a number of these sites may not become effective until 2019, they are in any event not programmed for development until the latter part of the plan period (i.e. Phase 2 between 2019 and 2024). The council therefore submits that these sites should be retained as part of the effective land supply. Drawing all these matters together, on the basis of the information available to me, I consider that no substantive case has been made which demonstrates that the sites with a capacity of some 471 units and listed by Cala as being non effective should be excluded from the plan's land supply.

5 year effective land supply

73. Several representations express concern that the council has failed to demonstrate in the plan and the supporting documents that the requirement in SPP to ensure a minimum of 5 years effective land supply is maintained at all times has been met. Furthermore, it is submitted that the council has failed to carry out any assessment of the effective land supply to test whether the 5 year supply requirement will be maintained. In response to these comments, the council has subsequently undertaken an assessment of the programming of the housing land supply based on the information that was included in the 2012 HLA. The council has stated that it is more appropriate to use the information in the 2012 audit as the basis for such an assessment as this provides the most up to date picture of the housing land supply for the period up to 2019. The results of this assessment are set out in CD65. In addition to the assessment of the effective land supply, CD65 also indicates the expected programming for the proposed additional new allocations which are made in the LDP. It is pointed out that these new sites would not normally be programmed until the 2013 HLA.

74. The Table in CD65 which deals with the 5 Year Land Supply indicates that in the early years of the plan period the land supply does not provide a 5 year supply. However, for the periods 2013 to 2018, 2014 to 2019, 2015 to 2020 and thereafter until the end of the plan period in 2024, the effective land supply exceeds the requirement to provide for a minimum of 2,080 units in each 5 year period (i.e. 416 units per year for 5 years, which equals 2,080 units). In the representations from Cala Homes (West) Ltd, Annex 5 sets out a table of their assessment of the 5 year land supply issue. This table indicates that the land supply would fail to provide a 5 year effective land supply in any of the 5 year periods covered by the plan. However this analysis is based on figures for the housing requirement, the housing land supply targets and the extent of the effective land supply which as indicated above I consider not to be well founded or to provide an appropriate basis for forward planning.

Flexibility allowance

75. The representations also seek the addition of a 'flexibility' or 'generosity' allowance to augment the land supply figures. The amount of this allowance varies between representations with Homes for Scotland suggesting 15% be added to the requirement for market/private housing (15% of 5,320 units which is the top end of the range of the projections in the HNDA for the whole of the Stirling Council area, i.e. 380 units per year). On the basis of the corrected position for the LDP area, Homes for Scotland's figure should be 15% of 4,942 (or 353 multiplied by 14), which equals 7,410 units. Cala on the other hand are seeking to add a somewhat arbitrary 20% (based on the figure used in the South

Ayrshire LDP) of their estimated housing shortfall of 3,364 units, which would require the provision of a further 673 units. In terms of the guidance in SPP there is no reference to the requirement to include any such 'flexibility' allowance. SPP at paragraph 71 simply states that allocating a generous supply of land in the development plan will give the flexibility necessary for the continued delivery of new housing even if unpredictable changes occur to the effective land supply during the lifetime of the plan. The approach should therefore be to ensure that provision is made for a generous land supply of appropriate and effective sites to meet the plan's housing requirement.

76. In this case the council has chosen to build in a degree of flexibility by basing the housing requirement on the figures at top end of the range of projections considered in the HNDA. These top end projections were based on the more optimistic assumptions regarding household formation put forward by Homes for Scotland, which at some 380 units per year for market/private housing in the Stirling Council area exceeded the council's estimate of need for that sector of 260 units per year by some 120 units. In these circumstances, the council has chosen to build in provision for what it considers a generous land supply through the demand side of the calculations. As a result the plan is seeking to allocate land to meet the more optimistic assumptions rather than adopting a more conservative view of demand and then adding further sites to provide the flexibility necessary to provide the required generous land supply.

77. The letter from the Scottish Government setting out its comments on SESplan indicates that *"a generous land supply for housing in the development plan is arrived at by first identifying a robust and justifiable housing land requirement and then allocating more than enough land to meet this. Generosity is therefore a concept associated with the housing land supply and not with the housing requirement."* I am not familiar with the exact details of the situation with respect to SESplan and I do not know whether there are any particular circumstances in that case which mean that caution should be exercised in apply this advice more widely across Scotland. However, it would seem that the key point is that local development plans should allocate more than enough land to meet the housing requirement. In the case of the Stirling LDP, as indicated above, the figure used for the housing requirement for market/private houses is at the very top end of the range. In my opinion this provides justification for the council adopting a more cautious and limited view of how much more, if any, additional land should be allocated in the plan over and above that required to meet the housing requirement in order that a generous land supply is provided. Consequently, I am not persuaded that the suggestions of providing land to accommodate 15% or 20% additional units over and above that required to meet the housing requirement are justified or appropriate in this case.

78. When the total housing requirement of 5,824 units, set out in Table 3 of the LDP, is compared to the figure for the total land supply available for development during the plan period of 5.927 units in Table 2, there is only a small surplus of some 103 units, of supply over demand. This surplus is equivalent to approximately 1.8% of the total housing requirement. Given the changes which the council acknowledges require to be made to the land supply figures to more accurately reflect the changes that have occurred relative to the effectiveness and programming of certain sites allocated in the plan, this surplus is marginal and would leave little scope to accommodate any unforeseen changes which may reduce the predicted output from the effective land supply. In these circumstances, and in order that the plan complies with the requirements in SPP to identify a generous supply of land capable of providing a range of housing provision across the local plan area, it is considered necessary and appropriate to allocate some further land to provide an appropriate degree of flexibility in the housing land supply.

79. As indicated above, the plan already includes a generous view of the need and demand for new housing in the area. There is also the possibility that sites currently within the established, but not the effective land supply, may come forward for development within the life of the plan. It is therefore considered that the identification of a modest amount of additional land, capable of accommodating a further 300 units or approximately 5% of the housing requirement, would be sufficient to provide the necessary flexibility in the land supply and ensure that the requirements of the SPP are satisfied. Any sites chosen to meet this figure would need to be either effective now or capable of becoming effective in the short to medium term so that the land can become available for development in the near future and thus contribute to the maintenance of a 5 year land supply. The additional land would also provide scope to address any issues arising from delays which may arise in bringing on stream the output from the larger sites allocated for development in the plan during Phase 1 in the period up to 2019. For the above reasons, it is considered that the allocation of a further 300 units, primarily in the Core Area, would assist in providing the appropriate planning context for providing a range of additional housing opportunities in the plan area in the next 10 years.

The proposed phasing of the release of the housing sites identified in the plan

80. The representations made on behalf of the Kippendavie Group Trust, Charles Connell & Co, Graham's Family Dairy and Gloag Investments indicate that the staged phasing programme for the development of the identified housing sites in the period 2010 to 2024 should be removed in order that all housing proposals can be advanced at a pace which is commensurate with the investment decisions made by developers. It is submitted that this would enable a generous supply of appropriate and effective sites to be available throughout the plan period.

81. Given the number of significant infrastructure constraints which exist within the plan area, there is a pressing need for developers and infrastructure providers to reach agreement on a detailed programme of investment which would allow such constraints to be overcome. In these circumstances, it is considered that the plan's phased programme for the release of the housing sites is justified and remains appropriate and the council's approach to the phased programme of releases should be supported and retained. Primary Policy 2 in the plan allows for consideration to be given to adjusting the phasing of the identified housing sites where this is necessary to ensure the maintenance of a 5 year effective land supply. The introduction of this limited degree of flexibility is an appropriate position for the council to adopt and is preferable to the complete removal of the phased programme of housing releases being sought in the representations.

Policy 2.1: Housing Land Requirement

82. Several representations, including those from the Kippendavie Group Trust, Homes for Scotland, Cala Homes (West) Ltd, Hallam Land Management and Gloag Investments, have indicated that Policy 2.1 should be amended to enable the effective land supply to be "topped up" in situations where it can be demonstrated that an effective 5 year housing land supply is not being maintained. It is suggested that additional text should be added to Policy 2.1 to include a series of development management criteria. These criteria would be used to assess applications for planning permission which seek the release of additional land for housing in situations where the council's annual housing land audit process fails to demonstrate that a 5 year effective land supply is being maintained.

83. As indicated above, Primary Policy 2 allows for consideration to be given to adjustments to the phasing of the release of housing sites that have been identified for

development later in the plan. Sites can therefore be brought forward in situations where elements of the effective land supply prove to be ineffective or the deliverability of sites is substantially delayed. In addition, Policy 2.1 indicates that the land supply will continue to be monitored through the annual housing land audit process and the plan's Action Programme. These policies are consistent with the general intent of SPP on this matter and I am not persuaded that the changes suggested in the representations are either necessary or appropriate.

84. In a plan led system, the LDP should ensure that sufficient land is allocated to enable a 5 year effective land supply to be maintained at all times. Following adoption of the plan, this position should be monitored through the annual housing land audit process for the life time of the plan. If any shortfall begins to emerge then it is for the planning authority to consider whether action is required to address the matter through an LDP review. Depending on the circumstances, this review could occur before the end of the plan's normal 5 year life span. Only in this way is there a realistic prospect of ensuring that the process of identifying any additional housing sites is undertaken on a planned basis and in a way that supports and is consistent with the development strategy for the area. Conversely, adopting the approach suggested in the representations would bring with it the danger that a number of ad hoc and unplanned releases would be made which may not necessarily be consistent with agreed programmes for the provision of new or improved infrastructure designed specifically to support the overall development of the area. As such, the approach suggested in the representations could undermine the plan's development strategy, which should be resisted.

Identification of potential additional housing sites

85. The representations grouped under this topic include a significant number of requests for the plan to include a variety of potential additional housing sites. Most of these sites are currently in the ownership or control of house builders, land owners or developers, and some may provide a resource to help address the short-term housing land supply shortfall identified above. However, because it is not appropriate to deal with the site specific merits of each with these general housing matters, these representations are dealt with separately elsewhere in this report, including under Issues 27, 37, 39 to 44, 47, 48, 50 and 54.

Meeting longer term housing requirements in Period 2 (2024 to 2034)

86. Concern has also been expressed that the LDP provides insufficient guidance on the longer term situation post 2024, i.e. in Period 2 of the plan. It is indicated that the omission of any detailed spatial guidance in the plan on the location for future housing developments during this later period will create uncertainty for infrastructure providers about their longer term investment decisions. On this point paragraph 73 in SPP simply states that local development plans for those areas, such as Stirling, which lie outwith city regions should provide an indication of the possible scale and location of housing land for the period up to 20 years beyond the predicted date of adoption of the plan. There is therefore no requirement for the council through the LDP to produce a specific estimate of the housing land requirement for the period between 2024 and 2034.

87. In response to this, the LDP indicates that it is expected that the need and demand for housing in the plan area will remain strong. In line with the long term Spatial Strategy set out in the plan, the plan indicates that the focus of growth in Period 2 is likely to be to the south of Stirling in the strategic development areas at South Stirling Gateway and Durieshill. In addition, the strategy of urban consolidation and the redevelopment of the remaining brownfield sites is expected to continue in a more limited form with scope also for the

delivery of additional houses as part of the regeneration proposals for Cornton, Cultenhove and Raploch and the regeneration initiatives in the Eastern Villages. Other possible locations, such as to the east of Dunblane and at Airthrey Kerse, are mentioned as possible locations which may be capable of contributing to addressing future housing requirements. However, these areas are not allocated in the present plan. Any future development in these areas beyond that on the allocated sites would therefore be subject to the outcome of a future LDP review. The scope for further growth in the Rural Area beyond 2024 is also discussed in the plan.

88. A broad indication of the likely scale of the future housing land supply is set out in Table 5 in the plan. The table indicates that, based on current information, land for some 3,720 additional units is expected to become available during Period 2. In all of these circumstances, it is considered that the LDP includes sufficient broad information of the future directions for growth to satisfy the general requirement in SPP to provide an indication of the possible scale and location of housing land for the period up to 2034.

Reporter's recommendations:

The local development plan should be modified by:

1. Renumbering Tables 2 and 3 on page 22 to better reflect the steps involved in calculating:

- (a) the housing requirement; and
- (b) the housing requirement/housing land supply targets.

The logic of the process is to establish the figures for the housing requirement and the housing land supply targets which flow from it first, before moving on to consider whether the land available from various existing sources is or is not sufficient to satisfy these targets. The order of the Tables 2 and 3 should therefore be reversed with Table 3 becoming Table 2 and vice versa.

2. Amending the title of the new Table 2 to read: "The Plan's Housing Requirement: Housing Land Supply Targets 2010–2024 (Housing Units)".

3. Altering the title of the new Table 3 to read "Components of the Housing Supply which contribute to meeting the Housing Requirement 2010-2024 (Housing Units)".

4. Changing the heading of the last column in the new Table 3 to read "Housing Land Requirement".

These changes are all to clarify the purposes of the two tables.

5. Including a "flexibility allowance", amounting to approximately 5% of the housing requirement identified in the plan should be included to provide an appropriate degree of flexibility in the housing supply and to ensure that the need to provide a generous land supply is satisfied. This 5% will entail allocating enough land to accommodate a further 300 units, primarily in the plan's Core Area to satisfy the Spatial Strategy. Any site chosen should either be effective now or be capable of becoming effective in the short to medium term so that it can become available for development in the near future and contribute to the maintenance of a 5 year land supply.

Issue 5		Employment Land Requirement	
Development plan reference:	Chapter 6: Setting the Land Requirement for Housing, Business and Retail (page 24-26) Policy 2.4 - Safeguarding Employment Land and Property (page 37) Policy 2.5 - Employment Development (pg37) Policy 2.9 - Economic Development in the Countryside (page 41)		Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):			
BDW Trading Ltd/Elphinstone Land Ltd (01172) Scottish National Party Group (00711)		Bluewater Scotland LLP (01317) Lady Stakis Executry (00710) Keir & Cawdor Estates Ltd (SLDP_707)	
Provision of the development plan to which the issue relates:	Chapter setting out how the employment land requirement has been determined (in terms of approach and in numerical terms), and the policies used to monitor this and deal with employment development proposals.		
Planning authority's summary of the representation(s):			
<u>Employment land requirement</u> BDW Trading Ltd/Elphinstone Land Ltd (01172/005) - Table 7 simply adds the 6 hectares deleted as mixed housing and business use at the Kildean site (B06) back into the employment land availability calculations, but in the later 2024-34 period. This adds to the already over-supplied employment land allocation of some 122 hectares for that period, and makes no contribution whatsoever to the effective employment land supply to serve the period of the LDP. As a result, reinstating Kildean as a mixed-use site would be entirely acceptable in terms of the LDP employment land requirement. <u>Policy 2.4 - Safeguarding Employment Land and Property</u> Scottish National Party Group (00711/013) - A presumption in favour of continued use for employment purposes is of particular importance in rural areas where the evidence and reality on the ground is that there are fewer businesses because of better profits accruing from housing. This has a damaging effect on both the long term sustainable growth of the rural economy and the social fabric of communities. We have concerns that the plan has within it, identified sites for housing which are currently businesses i.e. filling station in Balfron, if this went we would have only one petrol station in the whole Forth and Endrick ward. Bluewater Scotland LLP (01317/002) - Requests policy wording is amended to allow hotel and restaurant uses on site B38 (see separate comments on site) by adding one new criterion to policy. This would allow development that is appropriate to the location, site and wider community, and that can act as compensation for the loss of Employment Land. <u>Policy 2.5 - Employment Development</u> Scottish National Party Group (00711/014) - Part (a) (i) (ii) - both of these clauses has no			

safeguards in place for rural employment sites which are not identified in Appendix B. Furthermore because Forth and Endrick is not located within the Core Area this makes it even more difficult for new businesses of a sizeable nature to get through planning.

Policy 2.9 - Economic Development in the Countryside

Lady Stakis Executry (00710/003) - Support Policy 2.9 generally in its support of developments supporting rural economic activity, and specifically with regard to part (b) "Businesses based on recreational activities and with a site-specific need for a Countryside location will be encouraged." However seeks clarity as to the meaning of this sentence - does this seek to support only recreationally based proposals which also have a need to locate in the countryside; or is the intention to support recreation-based proposals and other businesses which have a need for a countryside location? If the intention is the latter, then we suggest the insertion of the word "those" after "recreational activities and...." This representation is in support of a particular site and proposal in mind at Firs of Kinbuck for a roadside service station.

Scottish National Party Group (00711/013) - Amend Part (b) dealing with changes from businesses based on recreational activities and with site specific need for a countryside location.

Keir & Cawdor Estates Ltd (SLDP_707/003) - This policy supports business based recreational activities in the countryside where a specific location is needed but this does not apply in the Green Belt. Objection to this policy is based on a request to have a mobile tourer site situated adjacent to Keir Roundabout in an area of Green Belt in Dunblane.

Modifications sought by those submitting representations:

Employment land requirement

BDW Trading Ltd/Elphinstone Land Ltd (01172/005) - Kildean should be deleted from the employment land allocation.

Policy 2.4 - Safeguarding Employment Land and Property

Scottish National Party Group (00711/013) - Part (a) request that following is added - "that identified and pre existing business land should have a presumption in favour of continued use for employment purposes so long as there is a willing buyer/ tenant for that business and market demand".

Bluewater Scotland LLP (01317/002) - Insert new criterion to the policy as follows:

iv) The use or uses are significant generators of employment, and are appropriate to the location, site and wider community.

Policy 2.9 - Economic Development in the Countryside

Lady Stakis Executry (00710/003) - Change part (b) to read:

"(b) Businesses based on recreational activities and those with a site-specific need for a Countryside location will be encouraged."

Scottish National Party Group (00711/013) - Replace criterion (b) with the following:
 "Businesses with a site specific need for a countryside location will be encouraged (i.e. Food production, forestry, renewable, tourism etc)."

Summary of responses (including reasons) by planning authority:

Employment Land Requirement

BDW Trading Ltd/Elphinstone Land Ltd (01172/005) - The Stirling Council Employment Land Background Report (2012) Stirling Council (CD51) highlights that although 122 hectares have been identified for the period 2024 to 2034, 83.5 hectares of this is non-effective. The addition of new sites in this period, including 6 hectares at Kildean (B06), takes effective sites from 26.4 to 38.9 hectares. Further, the Employment Land Background Report (CD 51) highlights that, compared to the land requirement outlined in the Stirling Council Business Space Strategy and Appraisal (2010) (CD 52) of 25 new hectares in Period 1, only 20 hectares of new land is allocated. Although it is recognised in the Employment Land Background Report (CD 51) that this is likely appropriate in light of unforeseen continued poor economic conditions, it is considered essential to have a range and choice of locations and types of employment land available in case any sites from Period 2 need to be brought forward in Period 1. The allocation of 6 hectares does not therefore result in an over allocation in Period 2 and the additional allocation at Kildean (B06) should not be deleted. The Council does not therefore to agree to modify the Plan in response to this representation.

A Proposal of Application Notice has been submitted for part of this site PAN-2012-006, Former Kildean Auction Market, Drip Road, Stirling (CD 152). This has now been followed up with the submission of a planning application, 12/00794/PPP (CD 151).

Policy 2.4 - Safeguarding Employment Land and Property

Scottish National Party Group (00711/013) - It is considered that part (a) of the policy gives adequate protection/presumption in favour of continued use of employment land for those areas which are already subject to uses which fall within Use Class 4 (Business), 5 (General Industrial) and 6 (Storage and Distribution). This applies equally to rural and urban areas and as such there is no need to amend the policy. Site H087 is allocated for housing, despite being in part a petrol filling station, and this reflects a planning application made by the owner for residential development in principle in 2006, 06/00132/OUT, (CD 106). The permission lapsed in 2010 and the site is only identified for 4 units which could essentially come forward without jeopardising the existing public filling station on the site. The Council does not therefore to agree to modify the Plan in response to this representation.

Bluewater Scotland LLP (01317/002) - Site B38 is part of the employment land supply, contributing 0.9 hectares of high quality land to the supply 2010 to 2024, as highlighted in the Employment Land Background Report 2012, Appendix 1 (CD 51). The Background Report highlights that although it is likely that the proposed employment land supply (81.8 hectares) will be sufficient for the target requirements (86.8 hectares) as set out in Table 6 of the Plan (page 25). The Council accepts that given the poor economic conditions, the supply is likely to be 5 hectares short of this requirement (CD 51, paragraph 6.2), therefore it would not be appropriate to lose an additional 0.9 from the supply. Adapting Policy 2.4 to allow a wider range of uses on this site, and any allocated or Employment Safeguarded Sites would jeopardise the employment land supply needed for the future, as sites could be lost to alternative uses.

The suggested wording 'significant generators of employment, appropriate to the location, site and wider community' is extremely loose in terms of its interpretation and would represent a major change in the employment policy, effectively not safeguarding the range and quality of sites that the Planning Authority needs to ensure an adequate employment land supply in terms of Scottish Planning Policy (para. 46) (C D1). The Council does not therefore support the suggested changes to Policy 2.4 (b) or change the appropriate uses designated for this site.

1.1.1 Policy 2.5 - Employment Development

Scottish National Party Group (00711/014) - The policy is designed to direct sizeable employment generating opportunities to the most sustainable locations, whilst still allowing redevelopment of existing employment sites within the rural area. The policy is not considered to prevent appropriately scaled and sited business from coming forward when used in combination with Policy 2.9 Economic Development in the Countryside. The Council does not therefore support the suggested amendment to this policy.

1.1.2 Policy 2.9 - Economic Development in the Countryside

Lady Stakis Executry (00710/003) - The intentions of part (b) of the policy are as stated in the Plan, that it seeks to support business based on recreational activities AND with a site specific need for a Countryside location, not to support recreation based proposals OR other business which have a need for such a location. Notwithstanding this, the Plan has no specific policies in relation to roadside services and would therefore defer to Scottish Planning Policy (CD 1). This document simply states in paragraph 181 that 'Planning authorities should support the provision of a range of roadside facilities' (CD 1). The strategic context for a new roadside facility would be recognised through the Transport Strategies prepared by Stirling Council and there is no mention of a need for such a facility within either the Stirling Council City Transport Strategy : Transport for 2020 (2007) or the Stirling Council Local Transport Strategy (2006). Therefore, the main issue to be concerned with is the view of Transport Scotland and their consideration of the implications for such a facility on the A9 trunk road.

The Council is clear that part (b) of the policy is as it should be and does not require to be amended as suggested. Any application coming forward for such a facility would be assessed against the wider policy framework of the Plan in close consultation with Transport Scotland. The Council does not therefore to agree to modify the Plan in response to this representation.

Scottish National Party Group (00711/013) - It is considered that the wording of the policy as it stands, in combination with other policies in the Plan allow for a wide range of activities in the Countryside as requested and that there is no need to change the policy wording. Policies which consider the requested uses in the Countryside include Primary Policy 10 Forestry, Woodland and Trees (in combination with the Forest and Woodland Strategy), Primary Policy 12 Renewable Energy, Primary Policy 15 Tourism and Recreational Development, Policy 15.1 Tourism development including facilities and accommodation and Policy 14.1 Encouraging local food production. The Council does not therefore to agree to modify the Plan in response to this representation.

Keir & Cawdor Estates Ltd (SLDP_707/003) - The policy is permissive in allowing business based on recreational activities as well as a site specific need for a countryside location to be considered. However, there are a variety of policies that can be applied within the Countryside Policy Boundary, such as Policy 1.4 Green Belts. It is therefore not appropriate

within the details of this policy, Policy 2.9 Economic Development in the Countryside, to provide details of Green Belt and/or every possible policy which may also apply within the Countryside. Details of the Green Belt policy and reasons for this are provided for, under Policy 1.4 Green Belt. The Council does not therefore to agree to modify the Plan in response to this representation.

Reporter's conclusions:

Employment Land Requirement

1. Kildean Loop is an area of around 63 hectares bounded by the meandering River Forth and the A84 Drip Road. The site subject of the representations by BDW Trading Ltd/Elphinstone Land Ltd is brownfield land located in the south-east part of the Loop close to the new Forth Valley College. It includes the site of the former auction mart and the representations cross refer with Issue 43 of this examination.

2. The planning authority updated the examination on 23 July 2013 by advising that a Notice of Intention dated 22 July 2013 had been issued in respect of an appeal for the site. The reporter then granted planning permission on 8 January 2014 for a mixed use development incorporating housing, commercial uses and employment/business uses on a site of 17.4 hectares which is the same site subject of representations by BDW Trading Ltd/Elphinstone Land Ltd. The planning application is reference 12/00794/PPP (CD151) and the appeal reference is PPA-390-2026.

The key development elements of the proposals are:

- around 7.7 hectares of housing land (including affordable homes) over 3 phases
- commercial uses (including retail uses to meet demand generated by the development (1.2 hectares)
- employment/business uses (1.2 hectares)

3. The reporter was content that the appeal proposals accorded with the Stirling Council Local Plan (1999) and the Stirling Local Plan Alteration1A (2007) which allocated the Kildean Loop as a strategic employment opportunity. This allocation was supported by detailed guidance in a Local Plan Development Guideline. The Guideline stated that, in the Kildean Loop, Class 4 business uses should predominate, but that *"an element of housing could be incorporated to promote mixed use and integration with neighbouring areas."* The guideline noted that *"An element of high amenity housing on this site would improve the mix of housing available in the area."*

4. The reporter also concluded that the proposal's housing element would be effective and would deliver needed mainstream, affordable and particular needs accommodation. He noted that there would be no ownership or other barriers to development within the next 5 years and so the housing site allocation would be effective.

5. Overall, I am satisfied that the reporter's decision letter addresses the substantive issues raised by BDW Trading Ltd/Elphinstone Land Ltd regarding the appropriateness of mixed use development, including housing, on this part of Kildean Loop. The planning authority has not presented any evidence through this examination that would persuade me to adopt a different position. On this basis, I consider that the allocation of 6.0 hectares for employment/business uses shown for the period 2024/34 in the key site requirements for Proposal BO6 (Kildean) should be deleted and the wording of other site requirements should

be modified to reflect the appeal proposals and the terms of the reporter's decision letter dated 8 January 2014.

6. Consequential modifications will also be required to the plan's housing land supply position to reflect the addition of up to 240 houses to the effective land supply.

Policy 2.4 - Safeguarding Employment Land and Property

7. The purpose of Policy 2.4 is to protect and safeguard all employment sites and property across the plan area for employment generating uses. The policy has a number of exceptions and qualifications that would permit enabling and ancillary uses which would help deliver business employment.

8. The representation from the Scottish National Party (SNP) Group seeks an addition to policy criteria (a) to limit the opportunities for business sites to change to housing use, particularly in the rural area. The proposed additional wording would favour continued employment use but only where there was "*a willing tenant / buyer for that business and market demand.*"

9. Whilst I understand the representation's underlying objective to sustain the rural economy, I am concerned that the proposed additional wording would weaken the policy and actually make it easier to change rural employment uses to other uses including housing. A criterion relating to buyer or tenant demand may encourage speculative proposals driven by the prospect of higher land values for non-employment related uses without first exploring the prospect of other suitable employment uses for a site. The additional wording is also overly restrictive as it only seeks the retention of an existing business. Effectively, the additional wording could discourage existing employment sites from remaining in employment use but with a different type of business occupier. This would run counter to the policy's wider objective of retaining existing business sites in employment use.

10. I am content that Policy 2.4, as worded, provides an appropriate level of protection for existing employment sites across the plan area, including the rural area. The planning authority has set out the particular circumstances on Site H087 at Balfron. The plan allocation reflects a planning permission in principle for residential development on the site. Although permission has lapsed, the site has a capacity of 4 units which could be developed without affecting the existing filling station business. On this basis, I do not support any modification to the wider Policy 2.4 to take account of this individual site.

Policy 2.5 - Employment Development

11. The representation from the SNP Group suggests that Policy 2.5 criteria have no safeguards for rural employment sites not identified in Appendix B of the plan. The Group also suggest that, outside the plan's Core Area, it is difficult for new businesses of a sizeable nature to gain planning permission.

12. The SNP Group does not challenge the strategic approach set out in the Spatial Strategy and Settlement Hierarchy which seeks to encourage larger scale and strategic employment development to locations in the Stirling Core Area to maximise links with housing, infrastructure and transport connections. Therefore, in the first instance, larger scale employment development should be directed to this area. This is a sustainable approach that should be supported.

13. However, I also find support for rural employment development in Policies 2.4, 2.5 and 2.9. These policies support rural employment both on sites listed in Appendix B and also in other acceptable locations in the countryside.

14. Taken together, I find that the Spatial Strategy and the employment related Policies 2.4, 2.5 and 2.9 strike the proper balance in support of employment development in urban and rural locations. I accept the planning authority's position that Policy 2.5 would not prevent the development of new rural businesses of an appropriate scale and size. Therefore, I do not consider that Policy 2.5 should be modified.

Policy 2.9 - Economic Development in the Countryside

15. A number of the plan's policies, including Primary Policies, already relate to the type of countryside land uses that the SNP Group wish to see encouraged through a proposed modification to Policy 2.9 (b). These uses are listed by the planning authority above, and include food production, forestry, renewable energy and tourism development. Any development proposals in the countryside linked to such uses would require to be assessed against the terms of Policy 2.9 and other relevant policies. Together, these policies are broadly supportive and aim to encourage rural economic activity. I am content that Policy 2.9, in combination with other policies, provides the type of support and encouragement for the range of countryside uses envisaged by the SNP Group. So, I do not consider that Policy 2.9 (b) requires further modification.

16. The representation on behalf of Lady Stakis Executry seeks clarification about the meaning of Policy 2.9 part (b). The representation has been made with a particular site and proposal in mind namely, a roadside services station on the A9 road, including a petrol filling station and ancillary retail facilities. I consider that the wording of this part of Policy 2.9 is ambiguous and could lead to misinterpretation. It is clear from the planning authority's response that the policy's intention is to encourage recreational businesses that have a specific need for a countryside location. It is not the intention of part (b) to encourage any other types of business that would have a need for such a location. I believe that it would be prudent for the plan to be modified. I recommend that the wording of part (b) should be deleted and new wording introduced so that its meaning and purpose is absolutely clear.

17. Although I find that new wording is required, I do not consider that the Executry proposal for roadside service fits well with the provisions of a re-worded Policy 2.9(b). It is not a proposal based on a recreational activity and it does not have a specific need for a countryside location. The proposal (SS28) has also been assessed by the reporters under Issue 42: Dunblane (paragraph 36) and found to be unacceptable for transportation strategy reasons. No modification to Policy 2.9(b) is required on this matter.

18. Finally, I do not consider that the submission from Keir and Cawdor constitutes a representation against the terms of Policy 2.9. Instead, the representation cites Policy 2.9 in support of the allocation of land for a proposed leisure/tourist facility at Dunblane. This is detailed site-specific matter (SS29). It has been considered by the reporters separately under Issue 42: Dunblane (paragraphs 27 to 31) and has been found to be unacceptable. No modification to Policy 2.9 is required in relation to this matter.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting all reference to the allocation of 6.0 hectares at site BO6 Kildean for employment/business uses in Period 2, i.e. 2024/34.
2. Inserting an allocation for mixed land uses into Period 1 on the Stirling table of "Existing and Future Land Supply". The mix of uses, which will include housing, and the associated Key Site Requirements, will all fully accord with the terms of the reporter's appeal decision notice dated 8 January 2014 (reference PPA-390-2026).
3. Deleting the wording in Policy 2.9 part (b) and substituting the following "Businesses based on recreational activities that have a site specific need for a Countryside location will be encouraged".

Issue 6	Retail and commercial leisure, and the Network of Centres	
Development plan reference:	Policy 2.6 - The Network of Centres (page 38) Policy 2.7 – Retail and Commercial Leisure Development (page 39) Policy 2.14 – Advertisements (page 44) Policy 2.15 - Mobile Hot-food Outlets (page 44) Stirling Settlement Statement (pages 188 to 225 of the Plan)	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Allan Water Developments (01197) Councillor Mark Ruskell (01218) Coal Pensions Properties Ltd (01162) Jehovah's Witnesses (SLDP_856) Moray Estates Development Co Ltd (SLDP_27)		Sainsbury's Supermarkets Ltd (SLDP_1283) Scottish National Party Group (00711) Standard Life Investments UK Shopping Trust (SLDP_315) Warren Consultants (SLDP_192)
Provision of the development plan to which the issue relates:	Policies dealing with the strategy for the network of centres, retail and commercial leisure developments, advertisements, and mobile hot-food outlets. Includes the Stirling Settlement Statement which identifies site allocations and the boundaries of the Network of Centres.	
Planning authority's summary of the representation(s):		
<p><u>Policy 2.6 - The Network of Centres</u></p> <p>Moray Estates Development Co Ltd (SLDP_27/002) - supports the policy as a means of reinforcing the Spatial Strategy.</p> <p>Warren Consultants (SLDP_192/004) - objects to the wording of part (c) (ii) of the Policy. Considers that due to the rise of online shopping, it is old-fashioned to think of town centres as primarily shopping centres. It is more appropriate to see them as social hubs and thus instead of focusing on shops, the test should be the vitality and viability that the proposed use would bring to the centre e.g. clubs, restaurants, takeaways. Standard Life Investments (SLDP_315/009) also objects to part (c) (ii) of the Policy, and considers that other uses (especially Class 3 uses) should be encouraged within the Prime Retail Area. Considers this will provide for day and evening activity within the city centre, in accordance with Scottish Planning Policy (CD1, Para.58).</p> <p>Warren Consultants (SLDP_192/004) - objects to part (d) of this Policy, as considers that it may be unlawful because it is not possible in planning law to prevent a change within the same use class, and provides reasons. Suggests that a better solution might be to require the applicant to make a case why the existing use is not viable.</p> <p><u>Policy 2.7 - Retail and Commercial Leisure Development</u></p> <p>Allan Water Developments (01197/004) - objects to the wording of the Policy, and states that it should include an additional criterion for assessing proposals outwith the Network of Centres, which should expressly oppose developments that would undermine the</p>		

regeneration of any centre identified in the Network of Centres.

Standard Life Investments (SLDP_315/007) - considers the requirement in part (d) (i) to (iii) of the Policy, should also apply to areas that are within the City Centre, and that a sequential approach should also be applied to developments within that area. Considers that the support for all retail and commercial developments within the extended Network Centre will have a detrimental impact upon the vitality and viability of the Prime Retail Area. All new developments for the sale of convenience goods should restrict the sale of comparison goods, allowing for comparison goods to be directed towards the Prime Retail Area. Notes that the proposed allocations for sites for convenience goods are not within the Prime Retail Area and all are located outwith the proposed Network Centre boundary (with the exception of R05 and R06, which they consider should be excluded from the Network Centre - see sub-Issue 'R05 – Burghmuir, Stirling and R06 – STEP/Vico, Stirling' below).

Coal Pensions Properties Ltd (01162/001) - objects to the wording of the Policy, which is unnecessarily complex and, in places, repetitive, i.e. reference to 'proposals of a scale that could adversely impact on the vitality and viability of a Centre' in the preamble to the criteria both replicates (and indeed, pre-empts) the provisions of criteria (i).

Jehovah's Witnesses (SLDP_856/004) - object to the Policy wording as considers that some leisure developments are not 'commercial'. Also states that there appears to be some duplication in the policy.

Sainsbury's Supermarkets Limited (SLDP_1283/002) - requests that in relation to part (b) of this Policy, 'small-scale' should be defined on a case-by-case basis, and not limited to a maximum of 500 square metres.

Policy 2.14 - Advertisements

Scottish National Party Group (00711/018) - requests an amendment to the policy.

Policy 2.15 - Mobile Hot Food Outlets

Councillor Mark Ruskell (01218/004) - states that the policy should be revised to include guidance on permanent hot food takeaway outlets and their proximity to schools, and states that a number of local authorities across the United Kingdom have adopted policies on minimum distances or walking travel times, between schools and hot food takeaways.

Boundaries and the role and function of the Network Centres

Sainsbury's Supermarkets Limited (SLDP_1283/001) - objects to the exclusion of the Sainsbury's store (including the petrol station, and the adjacent McDonald's Restaurant), from the boundaries of any Network Centre for the following reasons:

- It has potential to accommodate recognised significant requirements for comparison retailing identified in the Stirling Retail Capacity Study Update September 2012 (CD68).
- Considers the site has long been recognised as a retail destination due to the previous allocation in Local Plan Alteration 1A (CD36), the recent extension of the Sainsbury's store, and the 'minded to grant' retail application on the adjacent 'Forrest Developments' site (CD109).
- The city centre boundary has been expanded to include the new Waitrose store, and potential Tesco store site, but excludes Sainsbury's.
- Other locations have been allocated as Network Centres, such as the Springkerse and

Millhall Commercial Centre.

- Considers that the designation of the site within a Network Centre would provide an opportunity for the site to integrate with the Raploch regeneration area.

Coal Pensions Properties Ltd (01162/003) - comments in relation to Para. 6.25 of the Plan, and supports the inclusion of the existing Springkerse Retail Park as part of the designated Springkerse and Millhall Commercial Centre in the Network of Centres. The additional flexibility that this designation might afford in terms of complementary leisure uses is also supported. However, concerned that the restriction on Household (bulky goods) might inhibit the role the existing centre might play in providing a complementing retail offer to that available in Stirling City Centre. This could diminish the role the existing Park might play in enhancing the overall attractiveness of Stirling as a retail destination and its ability to compete effectively with other centres nearby.

Representations to Allocated Sites

R05 – Burghmuir, Stirling and R06 – STEP/Vico, Stirling

Standard Life Investments (SLDP_315/001 & SLDP_315/011) - Objects to the inclusion of R05 and R06 in the City Centre boundary. Accepts that planning permission has been granted for retail development, however, considers this does not provide a justification for them to be considered as part of City Centre and be assessed against same policies as sites within the Prime Retail Area. The new boundary of the City Centre is a significant expansion to the existing boundary. Considers this inappropriate and undermines the core retail area within city centre. Protection of the Prime Retail Area should take priority. Justification for expansion given in Supplementary Guidance SG09 states that sites have 'a physical relationship with the city'. Not clear what the 'physical relationship' is. Areas of extension are not easily accessible by foot from current city centre boundary, limited opportunities exist for linked trips between the sites and existing centre, and inclusion of sites would not add to the diverse range of uses Scottish Planning Policy considers are required for a successful town centre. Consider these sites are more suited to a Commercial Centre.

Modifications sought by those submitting representations:

Policy 2.6 The Network of Centres

Standard Life Investments (SLDP_315/009) - requests removal of part (c) (ii).

Policy 2.7 Retail and Commercial Leisure Development

Allan Water Developments (01197/004) - requests the insertion of an additional criterion as follows:

"(iii) Any proposal that could be considered to pose a threat to the regeneration of any centre identified in the Network of Centres (as identified in SG09) whether through retail impact or any other means will be contrary to the policies, aims and objectives of the Local Development Plan."

Note to the Reporter: There is already a criterion (iii) in the policy, and therefore, as it is assumed that this proposed criterion would be in addition to the existing ones, it would be labelled (iv), not (iii) as detailed in the representation.

Standard Life Investments (SLDP_315/007) - requests that a requirement is added to the policy whereby all new retail developments within the City Centre network boundary (excluding the Prime Retail Area) to meet Policy objectives 2.7(i) - 2.7(iii). Restriction on the sale of comparison goods within convenience stores outwith the Prime Retail Area.

Coal Pensions Properties Ltd (01162/001) - requests the policy wording is modified to address complexity and repetition, and suggests that the policy could be split into two parts, the first dealing with those proposals that the Council would adopt a generally permissive approach to (parts a to c), and those where a more criteria-based approach would be adopted (part d).

Jehovah's Witnesses (SLDP_856/004) - requests the removal of the word 'commercial' from the policy.

Sainsbury's Supermarkets Limited (SLDP_1283/002) - requests removal of the reference to 'small-scale' being defined as a maximum of 500 square metres. The policy should state that this will be defined on a case-by-case basis.

Policy 2.14 Advertisements

Scottish National Party Group (00711/018) - requests the addition of the following text to the policy: "advertising banners will be permitted on the edges of community run sports pitches, where there is a clear benefit to the well-being of the community".

Policy 2.15 Mobile Hot Food Outlets

Cllr Mark Ruskell (01218/004) - requests an identified timeframe to consult on bringing forward a new policy on hot food takeaways and their proximity to schools.

Boundaries and the role and function of the Network Centres

Sainsbury's Supermarkets Limited (SLDP_1283/001) - requests the allocation of the Sainsbury's store site (including the petrol station, and the adjacent McDonald's Restaurant), as a retail site, with an emphasis on its potential to meet comparison retailing requirements. Also requests the inclusion of the site within the city centre boundary. As an alternative, requests the creation of a second Commercial Centre to include Raploch and the Sainsbury's store, or an extension of the proposed Raploch Local Centre to include the store.

Representations to Allocated Sites

R05 - Burghmuir

Standard Life Investments (SLDP_315/001) - Remove site R05 from the City Centre boundary. Allocate proposed floorspace within the Prime Retail Area.

R06 - STEP/Vico

Standard Life Investments (SLDP_315/011) - Remove site R06 from the City Centre boundary. Allocate proposed floorspace within the Prime Retail Area.

Summary of responses (including reasons) by planning authority:Policy 2.6 - The Network of Centres

In response to the representations to part (c)(ii) of this Policy by Standard Life Investments (SLDP_315/009) and Warren Consultants (SLDP_192/004), it is considered that the policy approach is appropriate as this criterion applies only to the Prime Retail Area, and not the city centre in its entirety. It is acknowledged that other non-retail uses make a significant contribution to the vitality and viability of Stirling city centre, and indeed the next criterion (c) (iii), states that, "Outwith the Prime Retail Area, in order to ensure a diversity of uses, changes of use that provide economic and social activity during both day and evening will be supported". Therefore, the Plan recognises the importance of a diverse city centre. However, it is considered necessary to protect the retail function of the part of the city centre where retail uses are currently concentrated. This is supported by Scottish Planning Policy (Para. 52). The Network of Centres Supplementary Guidance SG09 (CD176) says of the Prime Retail Area that major high-street operators and chains selling mainly personal goods are predominant, and that these are complemented by some independent retailer representation. It states that, "Retailing within the Prime Retail Area makes a significant contribution to providing footfall, and consequently vitality and viability, to the wider city area. Therefore, the purpose of identifying a Prime Retail Area is to afford this area additional policy protection in order to maintain its core retail function (Para.3.4, page 6)." To summarise, the Council considers that the policy approach is a reasonable one, and therefore the Plan should not be modified in respect of these representations.

With regard to part (d) of this policy, it is considered that the policy is entirely lawful, as it will only apply to developments requiring planning permission, such as the change of use of a Post Office to a house (Class 1 changing to Class 9), and consequently, not to permitted changes of use/developments not requiring planning permission. Therefore, the Council considers that the Plan should not be modified in respect of this representation.

Policy 2.7 - Retail and Commercial Leisure Development

Allan Water Developments (01197/004); Standard Life Investments (SLDP_315/007) – The Council considers that the policy adequately addresses the impact on the vitality and viability of any Centre within the Network of development in locations outwith the Network of Centres. The policy (part (e)) also makes provision for the potential restriction of the overall amount and configuration of floorspace, and the range of goods to be sold. This is in order to limit the impact of development on the city centre primarily, which sits at the top of the hierarchy of the Network of Centres, as set out in The Network of Centres Supplementary Guidance SG09 (CD176). SG09 further supports this by highlighting the mixed role of the city centre as well as the sole focus for personal retailing ensuring these functions will be protected over those of all other Network Centres, in order to safeguard the vitality and viability of the City Centre. Direct reference is made to Policy 2.7 where it states, "retail and commercial leisure development will be supported in the City Centre without the requirement to assess impact on the vitality and viability of similar uses in the City Centre, or in any other Centre (Para.3.5, page 7)." The Plan does not require to be modified in respect of these representations.

With regard to the representation from Standard Life Investments (SLDP_315/007) on part (d) and the sequential approach, the Council considers that Scottish Planning Policy (CD1, Para.62) sets out a clear approach for Planning Authorities to take with regard to the application of the sequential approach, the impact of developments on vitality and viability

etc., which has shaped this policy. This approach has been adopted in the Plan, with the Council's sequential approach set out in the Glossary (page 91). There is no mention in Scottish Planning Policy of the requirement for the sequential approach to be applied *within* the city/town centres, and indeed at paragraph 63, it is stated, "Where development for town centre uses is proposed within a town centre, assessment of its impact on the viability of similar uses in that centre will not be necessary." There is no requirement in Scottish Planning Policy to designate a Prime Retail Area – the Council has proposed this at its own discretion, in order to offer a greater level of policy protection to this area of the city centre through Policy 2.6: The Network of Centres. Therefore the Council does not consider that there is a requirement to modify the Plan in respect of this representation.

Coal Pensions Properties Ltd (01162/001); Jehovah's Witnesses (SLDP_856/004) - the Council recognises that the policy deals with a complex area of planning policy, and one which requires a robust and detailed policy framework to guide Development Management decisions. Although complex, the Policy is not considered to be repetitious, and its complexity does not render it incomprehensible. The repetition of the phrase, 'impact on the vitality and viability' is deliberate and necessary; in the first instance to establish the scope of part (d) of the policy, and in the second instance, as part of the criteria which must be met. Therefore, the Council considers that the Plan should not be modified in respect of these representations.

Jehovah's Witnesses (SLDP_856/004) - the policy is designed to deal with commercial leisure developments, and not all leisure developments. Commercial leisure developments are clearly defined in the Plan's Glossary on page 83. Therefore, the Council considers that the policy should not be modified in this respect of this representation.

Sainsbury's Supermarkets Limited (SLDP_1283/002) - 'small-scale' has deliberately been defined in the policy as 500 square metres maximum, in order to provide a clear framework for Development Management to limit the impact of such development on the vitality and viability of any Network Centre. Removal of this definition would provide the potential for developments that should properly have been considered under part (d) of the policy to be considered under part (b) instead, under which there is no requirement to apply the sequential approach, submit Retail Impact Assessments etc. This is not considered to be acceptable, and therefore, the Council considers that the policy should not be modified in respect of this representation.

Policy 2.14 - Advertisements

Scottish National Party Group (00711/018) - in accordance with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, such advertisements do not require the benefit of planning permission, providing the advertisement is to be displayed on enclosed land, not readily visible from the land outside that enclosure or from any part of that enclosure over which there is a public right of access. If the above criteria can be met express consent is not required. Therefore it is considered that the Plan should not be modified in respect of this representation.

Policy 2.15 Mobile Hot Food Outlets

Councillor Mark Ruskell (01218/004) – The objective of Policy 2.15 is to deal with Mobile Hot Food Outlets only, and its purpose is to provide a planning policy framework to deal with potential issues arising from such outlets, e.g. road safety, parking, and waste; it is not designed to deal with health issues, or indeed takeaways in permanent buildings. It has not been possible to find an example of the type of policy cited in the representation that has

been produced by a Scottish Planning Authority (although a number of English examples are available). Given that there is no guidance to Scottish Planning Authorities at a national level from Scottish Government, either through Scottish Planning Policy, or any other Planning documents or guidance, it is not considered to be appropriate to modify the policy in the way suggested. Therefore, the Council considers that the Plan should not be modified in respect of this representation.

Boundaries and the role and function of the Network Centres

The Council has considered the representation made by Sainsbury's Supermarkets Limited (SLDP_1283/001), but does not consider that the Plan requires to be modified in respect of this. The Sainsbury's store site is physically remote from the City Centre boundary and is located within one of Stirling's residential suburbs, Raploch, and it is unclear what benefit would be derived from its inclusion within the boundary. Although it is a current retail destination – in fact it is in the most part an operational convenience superstore, to include it within the city centre boundary would suggest that the site is suitable for the range of uses that are deemed acceptable in the city centre, as set out in The Network of Centres Supplementary Guidance SG09 (CD176), and this most certainly is not the case. The Sainsbury's store is a convenience superstore, and it is not the Council's wish to see city centre uses appear in this location, either through changes to the configuration of the current superstore, or by redevelopment of the wider site should any of the operators, i.e. Sainsbury's or McDonald's, vacate it at any point in the future.

Although the majority of the was previously part of a larger allocation for an out of centre convenience superstore and household shopping centre in Local Plan Alteration 1A (CD36), the issue of finding suitable locations for household shopping in the Proposed Plan has been addressed through designation of the Springkerse and Millhall Commercial Centre. The Plan allocates additional land for household bulky goods retail in the Commercial Centre to meet future requirements. The previous allocation in Alteration 1A is therefore not proposed for continuation in the Plan, as it is considered that this location is no longer required to meet household bulky goods retailing requirements.

It is also not considered appropriate either to create a second Commercial Centre to include the site and the Raploch Local Centre, or to extend the Raploch Local Centre to include the site. The Network of Centres Supplementary Guidance SG09 (CD176) considers the Springkerse and Millhall Commercial Centre to have a unique and specialised role and function, character and physical structure. The Centre is regarded as an exception to allow retail development outwith the City Centre boundary for household (bulky goods) retail only. This function allows the Commercial Centre to complement rather than compete with the City Centre. To create a second Commercial Centre would potentially undermine this approach.

The Council's approach is considered consistent with Scottish Planning Policy in defining Commercial Centres (Para.54). The Council does not consider that the suggested site is appropriate for a Commercial Centre as it does not match any of the definitions in Para.54.

With regard to extending the Raploch Local Centre, it is assumed that the contributor requests this modification in order to afford the site greater status or policy protection. It is clear from that the Network of Centres Supplementary Guidance SG09 (CD176), Paras. 2.6 & 2.7, that Local Centres perform a very local function. Inclusion of the site within the boundary of Raploch Local Centre would do nothing to elevate its status, as any proposals for retail or commercial leisure development coming forward on the site in the future would be subject to the requirements of Policy 2.7, and the policy clearly states that development

that is inconsistent with role and function of the centre as specified in SG09 will be subject to all of the requirements of part (d) and possibly (e) - this would be the same requirement if the site were outwith the Local Centre Boundary.

With regard to the request to recognise the site as a retail destination in the Plan in order to meet comparison retailing requirements, the Plan, based on the findings of Stirling Retail Capacity Study Supplementary Update (CD68), has identified a number of sites for both personal comparison retail (all within the city centre boundary), and household bulky goods comparison retail (all within the Commercial Centre boundary) at pages 27 to 28. There is no requirement to identify an additional site for comparison retail in a location outwith a Network Centre - to do so would be at odds with the Spatial Strategy of the Plan (CD49 Stirling Council Vision and Spatial Strategy Background Report paragraphs 9.4 to 9.8).

Sainsbury's Supermarkets Limited also make reference to the Forrest Developments Ltd application site (CD109) within their representation, but it is not included within the boundary on the map submitted. However, the comments made above in relation to the Sainsbury's site apply to this site equally. In addition to this, it should also be noted that the Forrest Developments site includes two sites that are proposed for allocation in the Plan for business and housing uses - sites B04 (Back O'Hill) and H131 (Area 22 Drip Road Frontages) respectively - and the remainder of the application site has been redeveloped by the extension of Sainsbury's car park. The two allocations (B04 and H131) are considered to be important to the regeneration of the Raploch and consistent with the spirit of the Raploch Masterplan (CD169) by providing some local business space, and some road-frontage residential development. Given that a significant proportion of the Forrest Developments site has been redeveloped, and that the Section 75 Legal Agreement was never concluded for the application, it is assumed that Forrest Developments Ltd is no longer pursuing (what remains of) this site for retail development.

To conclude the Council considers that the Plan should not be modified in respect of any of the issues raised by this contributor.

In response to the representation from Coal Pensions Properties Ltd (01162/003), it is considered that the Plan should not be modified. The role and function of the Springkerse and Millhall Commercial Centre has been clearly defined in Proposed Supplementary Guidance SG09 Network of Centres (CD176) with the deliberate intention of restricting the impact of any development with the Commercial Centre on the City Centre, which is at the top of the hierarchy of centres in the Network, and whose role and function is to be protected over those of all other Network Centres, in order to safeguard its vitality and viability. The restriction of the type of retailing that is acceptable from the Commercial Centre to Household (bulky goods) Retail only is central to this approach, and this restriction is similar to the policy approach that has prevailed in Stirling under the existing Development Plan in recent times, which, it is considered, has served Stirling City Centre well with regard to limiting out of town Personal Retailing development, thereby protecting its vitality and viability.

Representations to Allocated Sites

R05 Burghmuir and R06 STEP/Vico

In response to the representations from Standard Life Investments (SLDP_315/001 & SLDP_315/011) on the above sites, it is considered that the Plan should not be modified. The sites are included within the City Centre boundary because they have planning permission for retail uses (CD104, CD105, CD108, CD110, CD123, CD135, CD150), and

because it is considered that they have a physical relationship with the city, and they are able to function as part of the City Centre with the potential to increase their connectivity and accessibility to/from it. The city centre is considered to be compact, walk-able, and the boundaries, although extended by this Plan, have been defined so as to ensure that this remains the case. Furthermore, the Vision and Spatial Strategy Background Report, October 2012 (CD49) sets out the Plan's requirements for convenience retailing, and city centre personal retailing, and these sites have been identified as making up part of the existing floorspace supply. Opportunities for the delivery of new retail floorspace in the city centre to meet identified requirements are limited due to its constrained nature (roads, the railway line, and the historic environment are some of the main factors limiting its physical expansion), and these are considered to be two sites that are capable of providing some city centre retail floorspace.

With regard to the suggestion by Standard Life Investments that the floorspace allocated for these sites could be allocated within the Prime Retail Area, this is not considered to be a feasible suggestion; the boundary of the Prime Retail Area is tightly drawn, and is comprised mostly of the Thistles Centre, and there are few sites that are available for development/redevelopment. The Council acknowledges that there are opportunities to extend the Thistle Centre in the ways that Standard Life Investments has suggested in other representations made to the Plan (addressed fully in Issue 46). However, there is insufficient land or sites available within the Prime Retail Area to allocate for the level of floorspace identified for these two sites, and further, the Reporter should also note that the planning permission for site R05 Burghmuir has recently been fully implemented, with the site now occupied by Waitrose, TK Maxx, and Maplin stores.

To summarise, the Council considers that the Plan does not require to be modified in respect of this representation from Standard Life Investments.

Reporter's conclusions:

1. These conclusions cross-refer with those for Issues 3, 44, 46, 48 to 50 and 56.
2. Alongside the settlement hierarchy in Spatial Strategy, the proposed local development plan (LDP) establishes a network of retail centres. Site allocations are then made within that retail hierarchy, which the planning authority believes:
 - to be consistent with the role of each grade of network centre;
 - to be needed to deliver additional retail floor space recommended in the findings of commissioned retail capacity studies (CD68 and CD69); and
 - to be needed to support the other, wider LDP intentions, such as general growth, or as a driver for regeneration.
3. The retail Network of Centres is defined in the LDP glossary with reference to supplementary guidance SG09. Section 8 of the LDP describes SG09 as "Network of Centres" and a proposed version has been provided as an examination document (CD176). SG09 places Stirling city centre at the top, above a new commercial centre at Springkerse and Millhall. Dunblane and Bridge of Allan are Tier 2 settlements in the overall Spatial Strategy hierarchy, and they are town centres. A series of local network centres cover some (but not all) of the Tier 3 and Tier 4 settlements from the overall hierarchy. Local centres are also identified at:
 - Bannockburn and Causewayhead, which are settlement network centres in the Spatial

Strategy; and

- Cornton, Raploch and St Ninians, which are settlement network centres and existing regeneration areas in the Spatial Strategy.

4. The settlement maps in the LDP and SG09 define the boundaries of these centres. The text from SG09 also describes in more detail what the categories in the hierarchy mean in terms that broadly resemble Scottish Planning Policy (SPP).

Boundaries, role and function of the defined Network of Centres

5. The site beside the Sainsbury Superstore at Drip Road/Back 'o Hill Road was the subject of a decision to grant a development of 6851 square metres of non-food retail in 2008. However, that decision depended upon a section 75 agreement to secure a financial contribution, possibly for transport infrastructure. No evidence has been submitted to show that this agreement has been concluded in the 5 years since the decision was taken. Since then as well, at least part of the site has become extra car parking for an extended Sainsbury store. As a result, the planning authority has a reasonable basis for assuming that development proposal will not now proceed.

6. The current adopted local plan describes the Sainsbury Superstore site as an 'out of centre' location that is clearly separate from the city centre, but that is capable of co-existing with it. Therefore, there is no historic development plan justification for regarding the site as part of the defined Stirling city centre.

7. The map that defines Stirling city centre in the LDP focuses the designation on the commercial and historic core of Stirling, including around the train station and the Thistles Centre. The castle area has been incorporated in specific recognition of: the important role that it has in the overall functioning of the city centre; the strong historic links between the castle and the remainder of Stirling's commercial core; the close physical relationship between them; and the mutually supportive function. In contrast, there is no evidence of any equivalent links between the functioning of the Sainsbury site and the city centre. The site beside Sainsbury is also physically remote from the recognised city centre core and the feeling of separation is enhanced by the dramatic towering topography of the castle spur, which is the closest part of the defined city centre. These factors, and the lack of any short, direct and easy interconnecting route, further reduces the prospect of the city centre and the site by Sainsbury being closely linked or mutually supportive. For all these reasons, the site is not naturally part of the defined network city centre.

8. The site by Sainsbury is physically more closely related to the Raploch Local Centre. However, SPP clearly states that it is for planning authorities to identify a network of centres in the development plan, which may take the form of a hierarchy including local centres (paragraph 53). The LDP does exactly that, and SG09 defines a local centre as one that serves the needs of, in this case, the suburban local resident population, along with some passing trade. Local centres are also intended to accommodate development that suits that local function and does not challenge the hierarchy. While the Sainsbury store currently undoubtedly performs that kind of function to some degree, its primary propose must be to serve a much wider catchment, given the large and extended floor area, the nature of goods sold and that it was developed as an 'out of centre' store. The Sainsbury store also faces away from the Raploch and is heavily orientated towards car access. The only pedestrian link to the Raploch is indistinct and unattractive. As a result, the store does not forge easy or obvious links with that community.

9. If the site by Sainsbury were to be included in the Raploch Local Centre, then there would almost certainly be pressure to include the intervening vacant land. That allocation would then change the character and emphasis that the LDP envisages for local centres and the knock-on may disrupt the wider defined hierarchy of network centres. Any other substantial expansion of retailing, including of the Sainsbury store or of the kind envisaged in the planning decision for the intervening site, would undoubtedly provoke that change. Arguably, it might also constrain the development potential of the site more than the planning authority might be prepared to allow on a site that remained outwith the Network of Centres.

10. Based on the definitions in SPP (paragraph 54), the character of the site by Sainsbury could be taken to resemble a commercial centre. For example, it has a specific focus on retailing and leisure and, with the adjoining restaurant and outstanding development potential, it would resemble a retail park. However, SPP establishes that networks will change over time and that it is for the development plan process to identify where such centres should be (paragraph 54). Taking all of the LDP strategic objectives into account, the planning authority has chosen to favour Springkerse and Millhall as a commercial centre, as part of a comprehensive package:

- to achieve necessary growth in retail floorspace in a location that is already well-known and widely accessible; and
- to support the regeneration of Springkerse and Millhall by stimulating the vitality and viability of the existing retail/trading area, which has scope to consolidate.

The vicinity of the site by Sainsbury does not have comparable commercial issues to be resolved or benefits to be achieved from development. Further, allocating more centres under these circumstances risks prejudicing the growth aspirations of the development plan and reducing the vitality and viability of other retailing locations. The LDP allocates enough sites to satisfy the growth scenario that has been chosen as its basis, and no evidence has been supplied to show that there is scope for more.

11. The Raploch Local Centre designation also stems from the aspirations of the LDP to support the Raploch Masterplan by addressing many of the specific themes that are central to that regeneration project. For example:

- introducing a mix of different kinds of new development;
- keeping the centre as centrally located as possible, to make it accessible for the existing and proposed housing in the area;
- establishing the centrally located campus as a community focus;
- maintaining a complementary balance of local convenience retail and service facilities; and
- unifying across the Drip Road, by changing the route and character of the road alignment.

Therefore, designating the site by Sainsbury would undermine the focus on Springkerse and the city centre, which are both in the defined hierarchy that has been developed in accordance with SPP. It would also disrupt the balance and focus of the local centre, which has been identified and established as an important facet of the Raploch regeneration, and it would prejudice the ability of the LDP to realise the employment and housing allocations that affect part of the intervening site. In turn, that would undermine the mix of development in the area that is important for regeneration, as well as for other aspects of the LDP. Given all of this, making the site by Sainsbury part of the defined network town centre, or a new commercial centre with the Raploch, or as an extension of the Raploch Local Centre cannot

be justified.

12. The LDP changes Stirling city centre from the adopted local plan, to incorporate sites R05 and R06. R05 was completely outwith the city centre and R06 appears to have been edge of centre. The LDP allocates R05 at Burghmuir for some 3027 square metres net of retail floorspace. The specified Key Site Requirements note that R05 had planning permission at June 2011, and that the planning brief and the City Centre Development Framework (proposed supplementary guidance SG08B, CD175) should both be complied with. That framework describes future development in the city centre, and shows R05 as part of Site 6, which is an opportunity to widen the retail offer of the city centre. In other words to improve quality. R05 has now been entirely developed with 4513 square metres net of retail floorspace, comprising Waitrose, TK Maxx and Maplin. Given all that, the suggestion that the R05 allocation should be restricted to prevent the sale of comparison goods is clearly not appropriate.

13. R06 is generally referred to as the Stirling Enterprise Park (STEP) and it is allocated in the LDP for some 9400 square metres gross retail floorspace. The associated Key Site Requirements record that R06 also had planning permission in June 2011 and they expect compliance with the yet to be prepared Springkerse/Broadleys Development Framework. The vicinity of R06 is part of Site 5 in the above City Centre Development Framework, where permission exists for an existing town centre retailer to relocate. The vacated site is then free for redevelopment and the LDP shows it as H129, for some 100 homes.

14. The retail capacity studies that underpin the LDP (CD68 and 69) have identified the need for new retail floorspace to improve the quality and quantity of provision in Stirling city centre. Opportunities for that are limited and constrained, and R05 and R06 can provide some scope in the short-term, while at the same time helping to achieve other objectives such as regeneration and housing. Further, the Vision and Spatial Strategy Background Report (CD49) bases its predictions on the belief that Tesco will relocate to R06, as per the extant planning permission (reference 07/00824/OUT, CD110) and Tesco's LPD representation (CD204).

15. Although R05 and R06 have a physical proximity to the rest of the city centre, connectivity between them is not seamless because the intervening major roads and railway inhibit access by non-car modes. However, the sites could still function as part of the city centre and no firm, quantifiable evidence has been provided to support the argument that the allocations would undermine the vitality and viability of the rest of the designated city centre. Instead, the evidence shows a qualitative deficiency for convenience retail provision in the city centre, so the allocations have the potential to enhance that aspect of its profile and from that, to encourage generally beneficial shared trips. Further, the area around R06 already functions as a retail enclave with Aldi, Majestic, Farmfoods, Baynes Bakers and the B&M Store already trading. The enclave is congested and suffers awkward vehicular access, so R06 offers an opportunity to deliver much needed consolidation and improvement.

16. Few vacant sites are currently available in the city centre Prime Retail Area, or in the Thistles Centre within that, so it seems unlikely that an equivalent large amount of gross floorspace to R06 in the LDP could be found. The Thistles Centre could be extended and the options for that are shown on Standard Life plan SK019. However, only sites C and F from that plan are inside the Prime Retail Area and the floorspace from them is considerably less than R06, at some 2500 square metres. Of the rest on SK019, D2 is already part of allocation R03. The combined gross of the remaining sites would be more than R06, so a comparable floor area could in theory be accommodated. But that would not facilitate the single operator relocation and consequent regeneration that is envisaged by the LDP. The

timing of development on the SK019/Thistles Centre sites is also uncertain and would probably be longer term than R06, where planning permission already exists and development could occur before 2019.

17. For all these reasons, sites R05 and R06 should be kept in the defined city centre as envisaged by the LDP.

Policy 2.6

18. This policy states that:

- All new retail and commercial leisure proposals in any network centre fall to be considered against Policy 2.7.
- Class 1 will generally be supported in all network centres, where it suits the role of that centre.
- Class 3, such as hot food takeaways and pubs next to or below housing, is presumed against in all network centres.
- Changes of use to residential on ground floors are generally not supported in all network centres.

Various criteria then apply to developments in the defined city or town centres and Stirling City Centre Map 4 defines the boundary of a Prime Retail Area.

19. Central to SPP is the concept of a defined town centre within which shopping is important, along with a diversity of other uses, all towards enhanced vibrancy throughout the day and into the evening. But SPP does not prevent the application of restrictions to areas within the wider town centre. There is also nothing in SPP to say that creating a Prime Retail Area inside a defined town centre is wrong or inappropriate.

20. Policy 2.6(c)(ii) then says that in the Stirling Prime Retail Area, changes of use of street level premises will be resisted, except where a vacant unit has been marketed unsuccessfully for more than 12 months. This criterion only applies in the Prime Retail Area, not across the city centre as a whole, and that area is tightly drawn to focus on the Thistles Centre. As a result, the policy restriction would not apply to large parts of the city centre. Further, Policy 2.6(c)(iii) specifically supports changes of use to non-retail uses that generate day and evening economic and social activity outwith the Prime Retail Area. Given all of this, Policy 2.6 carries potential to allow policy departures, it is not overly restrictive, and it accords with SPP by allowing flexibility and the introduction of non-retail uses to boost daytime and evening activity, to support diversity and vitality and viability, while balancing that with safeguarding the important retail function.

21. Policy 2.6(d) presumes against the loss of all uses that contribute to the vitality and viability of the town and local centres. The loss of Class 1 retail is emphasised within that policy presumption. However, development plan policy can only be engaged in the consideration of development proposals that require formal planning permission. In other words, changes of use and other work that is either not development, or is permitted by virtue of the Planning Act or subsidiary regulation would be unaffected by development plan policies. Accordingly, Policy 2.6(d) would only constrain or inhibit development in those specific circumstances, as directed by section 25 of the Act. Given that context, the policy cannot fetter permitted development changes and it is neither unlawful nor otherwise inappropriate.

Policy 2.7

22. This policy is structured to set out in the first instance a range of circumstances where the planning authority would support new retail and commercial leisure developments (parts (a) to (c) inclusive). Part (d) adds another criterion whereby other proposals might also still be supported. The second part of the policy then sets criteria for the assessment of proposals that differ, depending on whether a proposal affects a site that is inside or outwith a designated network centre. Given this, the policy already accommodates the requested reference to development outwith the Network of Centres, and no further alteration is needed.

23. The planning authority has explained that its deliberate intention was to create a policy that would only apply to commercial leisure developments, as these are defined in the plan glossary and again in SG09. In other words, the policy is seeking to distinguish commercial leisure developments such as large bingo halls and fitness centres, from more general and often smaller scale facilities. That means the policy would expect a high level of detailed information to support applications for such commercial proposals and it would ultimately control their location because of their potential to influence the vitality and viability of the network centres. The same requirements would not apply to smaller leisure developments below that threshold, thereby giving them more locational flexibility. Changing the policy as the representation requests, would not be appropriate because it would remove that flexibility.

24. The regeneration of town centres is a complex process that would not necessarily be achieved by the simple opposition of potentially harmful development. SPP regards town centre strategies as key to the delivery of such improvements, based on a detailed assessment of a wide range of factors and possible areas of improvement (paragraphs 57 to 61). The LDP clearly commits the planning authority to addressing these wider issues gradually via the development frameworks and supplementary guidance shows that progress is already being made towards this end.

25. That said, retail is one of a range of uses that are important to the diversity, vitality and viability of the network centres and the wrong size or kind of development in the wrong place outwith those centres could have a negative effect on them. Given that, the second part of Policy 2.7 applies to the assessment of proposals for sites that are outwith the network centres and not allocated in the LDP. Then, the policy expects that a proposal must show:

- no individual or cumulative harm to the vitality and viability of any centres;
- that it would meet a proven existing shopping deficiency; and
- the scale, character and design proposed would all suit the size of the predicted catchment and, if applicable, of the closest network centre.

If a proposal were to receive permission because those criteria were satisfied, then it is highly likely that it would not undermine the regeneration of those centres. Further support for the importance of maintaining vibrant network centres is to be found in Policy 2.6.

26. Policy 2.7(b) supports small-scale convenience retailing of up to a maximum of 500 square metres gross. The limit has been set with reference to experience of developments above and below that size, and of the impacts arising from those permissions. Based on that, the planning authority is confident that developments up to that limit would not harm the vitality and viability of network centres, which approach seems to be robust and justifiable. Setting a clear threshold is also important to help establish whether a proposal should be the subject of a retail assessment, all to avoid confusion and difficulty in implementation of LDP policy.

27. Policy 2.7(e) gives the planning authority discretion to apply conditions or to expect a planning obligation to govern the overall amount and configuration of floorspace and the range of goods to be sold from it. That allows flexibility over the interpretation and proportion of one kind of retail over another, as that might suit individual proposals and circumstances. It also avoids the need for the LDP to be overly prescriptive or arbitrarily definitive. Further, the above explains that R05 and R06 already have planning permission and it would be inappropriate for this examination to seek to alter the terms of those extant permissions.

28. The city centre is restricted in terms of the floorspace needed to accommodate the space and trading circumstances generally expected for the sale of bulky household goods such as furniture, electrical goods and DIY goods. That being so, the LDP has identified capacity in the Springkerse area to accommodate this kind of retail function specifically because the city centre, including the Prime Retail Area, cannot. The LDP therefore intends that certain categories of bulky comparison goods should be sold from Springkerse as a designated commercial centre to support the town centre. SPP describes commercial centres in just these terms to show that they perform a different function to town centres. Examples include retail parks and factory outlet centres (paragraph 54). Given that, broadening the retail base of Springkerse Commercial Centre would be outwith the generally accepted policy definition of that kind of centre, it would bring the location into direct conflict with the defined city centre (and thereby undermine the vitality and viability of that), and it would exceed the threshold for additional retail capacity in the assessment that underpins the LDP allocations. No quantifiable evidence has been provided to show how or why that evidence and the planning authority's knock-on judgments are wrong, or what effect that would have for the role of Stirling as a retail destination and its ability to compete with other centres. For these reasons, the restriction to the sale of household (bulky) goods for the Springkerse and Millhall Commercial Centre should not be lifted.

29. The concept of a Prime Retail Area is discussed in more detail above in terms of Policy 2.6, where the aim is to prevent a gradual drift away from retail, to other town centre type uses within that inner core. SPP offers no support for enhancing that protection, either to restrict the sale of particular kinds of goods in the Prime Retail Area or to require a high level of impact information before a retail development could be allowed in an area where SPP envisages that all retail would, as a matter of course, be acceptable. SPP states clearly that the sequential approach only requires the consideration of locations of the specified kind and in the specified order, and town centres are identified as a single entity within that well-established sequential approach. SPP also states that where development for town centre uses is proposed in a town centre, assessment of its impact on the viability of similar uses in that centre will not be necessary (paragraphs 62 and 63). The kinds of criteria that are covered by Policy 2.7(d)(i) to (iii) are then described in SPP for the consideration of proposals not in the town centre or that are not in accord with the development plan retail strategy (paragraph 64). Therefore, Policy 2.7 accords with SPP in both respects and SPP does not support a significantly higher threshold of the kind suggested in the representations, to the consideration of retail proposals.

Policy 2.14

30. This policy relates to the display of advertisements. The Advertisement Regulations grant express consent for the display of some kinds of signs without the need for further formal permission from the planning authority and therefore, without engaging Policy 2.14. Adverts such as banners inside sports pitches may often not require express consent on that basis, so a policy of the kind requested would have no effect. Where permission is required, the Regulations expect assessment against 2 criteria, namely road safety and amenity. Therefore, while Policy 2.14 is useful in setting out the planning authority's attitude to

development and in many respects it accords with the Regulations, it cannot be determinative by virtue of section 25 of the Planning Act, in the same way as for development proposals. Further, it would be wrong for the LDP to encourage the display of banners of the kind envisaged by the representation if they were displayed in circumstances that contravened the safety and amenity requirements of the Regulations. Advertisements on listed buildings and in conservation area are also covered by separate legislative requirements that the LDP should not seek to fetter or contradict.

Policy 2.15

31. This policy relates to proposals for mobile hot food outlets and the planning authority has not found a Scottish precedent for expanding its terms, to cover static facilities, even in locations that are close to schools. There is also no authority for that kind of approach in SPP. There may be scope to pursue this matter as the LDP rolls forward and is subsequently reviewed. The issue may also suit detailed supplementary guidance. In the meantime, under all these circumstances and in the absence of a suggested wording for a new policy to be inserted into the LDP, the requested change cannot be justified.

Reporter's recommendations:

No modification.

Issue 7	Overarching Policy and Placemaking (including Green Network)	
Development plan reference:	Overarching Policy (page 29) Sustainable Development Criteria (page 29) Primary Policy 1: Placemaking (page 30) Policy 1.1 - Site Planning (page 31) Policy 1.3 - Green Network and Open Space (page 32)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Wallace Land Investment & Management (SLDP_48) SportScotland (SLDP_178) Strathblane Committee for the Preservation of the Green Belt (01330) Kippendavie Group Trust (SLDP_70) Graham's The Family Dairy Ltd (SLDP_327)		Charles Connell & Co Holdings Ltd (SLDP_1251) Gloag Investments (01112) Mactaggart & Mickel (Homes) Ltd (SLDP_669) Warren Consultants (SLDP_192) Kate Sankey (00698)
Provision of the development plan to which the issue relates:	Policies dealing with the main principles to be applied to all new developments in terms of sustainability, placemaking, site planning, Green Network and open space.	
Planning authority's summary of the representation(s):		
<u>Overarching Policy</u> Wallace Land Investment & Management (SLDP_48/006); SportScotland (SLDP_178/002) - consider that the policy as written lacks clarity. Wallace Land Investment & Management (SLDP_48/006) - do not consider that the policy as worded makes suitably clear that it covers all potential developments. SportScotland (SLDP_178/002) - are concerned that whilst part (f) refers to local and national Green Network objectives, it is not articulated either within the policy nor the associated Proposed Supplementary Guidance SG02 Green Networks, what these objectives specifically are.		
<u>Sustainable Development Criteria</u> Sport Scotland (SLDP_178/003) - whilst supporting criterion 8, consider that the wording needs to include 'protection' in order to align it better with Scottish Planning Policy (CD1).		
<u>Primary Policy 1: Placemaking</u> Kippendavie Group Trust (SLDP_70/001); Graham's The Family Dairy (SLDP_327/001); Charles Connell & Co Ltd (SLDP_1251/001); Gloag Investments (01112/001) - all consider that the criteria listed (a) through (d) do not encapsulate the aims of the Placemaking agenda nor reflective of Scottish Planning Policy, specifically in relation to the location and design of new development.		

Mactaggart & Mickel (Homes) Ltd (SLDP_669/003) - consider that the wording of the policy does not acknowledge the need for the release of greenfield land to deliver on the housing land requirement.

Policy 1.1: Site Planning

SportScotland (SLDP_178/004) - considers the wording of part (e) of the policy in relation to rights of way to be unclear and imprecise, and that this part should also include 'protection' in order to comply with paragraph 150 of Scottish Planning Policy on the protection of core paths and other important access routes and access rights.

Warren Consultants (SLDP_192/003) - disagrees with part (d), stating that establishing a building line is not necessarily a good thing, and that in many situations a more informal layout looks better.

Policy 1.3: Green Network and Open Space

SportScotland (SLDP_178/006) - Considers a specific policy is required related to the protection and promotion of country parks (at Mugdock and Plean).

Strathblane Committee for the Preservation of the Green Belt (01330/003) - Disappointed to see that there is no reference in the Plan to the possibility of a Regional Park of the Campsies. The benefits would spread across the whole area affected and include the City of Stirling itself.

SportScotland (SLDP_178/005) - object to the lack of any mention of access rights within this policy, and consider it unclear as to how these rights sit within the Green Network and how they will be protected. In this regard they consider that the Plan needs to make this relationship explicit, and that the wording of the policy needs to comply with paragraph 150 of Scottish Planning Policy regarding the protection of core paths and other important access routes and access rights.

Kate Sankey (00698/001) - considers that the wording of the policy does not make clear how sustainable transport will be incorporated in the Green Network.

Lack of specific policy on Playing Fields

SportScotland (SLDP_178/001) - object to the lack of any policy that considers playing fields and sports needs specifically. Of the opinion that there is nowhere in the plan that adequately or accurately reflects the wording of paragraph 156 of Scottish Planning Policy in this regard.

Modifications sought by those submitting representations:

Overarching Policy

Wallace Land Investment and Management (SLDP_48/006) - The wording of the second sentence be altered to "All developments, including those relating to the development of allocated and windfall sites, land use changes and other proposals, plus related frameworks, masterplans, planning briefs, strategies, etc, will require to demonstrate the following:"

SportScotland (SLDP_178/002) - Provide absolute clarity, by providing a bullet point list of Green Network objectives within the policy. Consider that as advised by National Planning

Framework 2, this should include improved opportunities for outdoor recreation.

Sustainable Development Criteria

SportScotland (SLDP_178/003) - Insert the word “protecting” into criterion 8 to read as follows “promoting access to and protecting open space and other recreation opportunities”.

Primary Policy 1: Placemaking

Kippendavie Group Trust (SLDP_70/001); Graham’s The Family Dairy (SLDP_327/001); Charles Connell & Co Ltd (SLDP_1251/001); Gloag Investments (01112/001) - all seek a change to the wording of the policy in order that the criteria listed (a) to (d) reflect Scottish Planning Policy in relation to the location and design of new development, including reference to the provisions of paragraphs 78 and 84.

Mactaggart & Mickel (SLDP_669/003) - wording should clearly acknowledge that greenfield sites will be required to meet housing land requirements.

Policy 1.1: Site Planning

SportScotland (SLDP_178/004) - modify wording of criterion (e) to state “established rights of way” if that was what was intended, or modify wording to comply with paragraph 150 of Scottish Planning Policy.

Policy 1.3: Green Network and Open Space

SportScotland (SLDP_178/006) - Add a policy related to the protection and promotion of country parks (at Mugdock and Plean). Such a policy should be worded to ensure the recreational interests of Stirling's country parks are taken into account in relation to any development proposals that affects them.

Strathblane Committee for the Preservation of the Green Belt (01330/003) - The Plan must commit Stirling Council to pressing ahead with the development of the Regional Park of the Campsies with the other Councils involved so that it is operational by 2019. This should probably be done as a new Primary Policy 16: The Regional Park of the Campsies.

SportScotland (SLDP_178/005) - modify policy to make explicit reference to protecting access rights. The wording should be reflective of paragraph 150 of Scottish Planning Policy. Reference to Stirling Council’s Core Paths Plan and Countryside Access and Recreational Strategy should be added to (a), whilst the need to maintain and enhance functionality and connectivity on core paths and other important routes should be reference in (b). The footnote to the policy should also reference the Council’s emerging Open Space Strategy and SG03: Green Belts.

Kate Sankey (00698/001) - Add a statement about the provision of cycleways within the policy.

Lack of Specific Policy on Playing Fields

SportScotland (SLDP_178/001) - Add policy to the Plan, reflecting paragraph 156 of Scottish Planning Policy, thereby clarifying that the loss of a playing field, unless justified is likely to require investment in existing provision or alternative sports playing fields.

Summary of responses (including reasons) by planning authority:Overarching Policy

It is considered that SportsScotland's (SLDP_178/002) contention regarding the lack of clarity over local and national Green Network objectives within the policy and Proposed Supplementary Guidance SG02 (CD159) has merit. The Council accepts that due to the numerous references made to these objectives that they should be easily accessed and understood. However, the Council considers that the setting out of these objectives is more appropriately done within the associated SG02. To place such objectives in what is intended to be an 'overarching policy' (from which more detailed and specific Primary and detailed policies follow), is not considered appropriate. Consequently the proposed modification is not supported, however the Council agrees to ensure that SG02 is suitably amended so as to make more explicit the objectives of the Green Network. The Council does not therefore agree to modify the Plan in response to this representation.

Wallace Land Investment and Management (SLDP_48/006) - contention that the wording of the policy does not adequately convey the fact that it is relevant to all development is not accepted. It is considered that the current wording is sufficient and consequently the Council does not agree to modify the Plan in response to this representation.

Sustainable Development Criteria

It is accepted that Scottish Planning Policy requires the protection of open space through the Planning system. The preamble text within Section 7 (Page 29) of the Plan makes clear that the Overarching Policy, Sustainable Development Criteria, along with the more detailed policies, are to be used together in assessing proposals and reaching planning decisions. It is therefore considered that criterion 6 of the Sustainable Development Criteria, alongside Primary Policy 1: Placemaking, and Policy 1.3: Green Network and Open Space, provide an adequate policy framework to reflect Scottish Planning Policy, without the wording of Criterion 8 being altered as per SportScotland's (SLDP_178/003) objections. The Council does not therefore agree to modify the Plan in response to this representation.

Primary Policy 1: Placemaking

The argument put forward by Kippendavie Group Trust (SLDP_70/001); Graham's The Family Dairy (SLDP_327/001); Charles Connell & Co Ltd (SLDP_1251/001); Gloag Investments (01112/001) are not accepted. The Council's stated aims regarding Placemaking are outlined in Section A (Page 30) of the Plan, and expanded upon within the Proposed Supplementary Guidance SG01 Placemaking (CD158) (particularly paragraphs 1.7 to 1.11, and 1.17). It is considered that these aims are reflected within parts (a) to (d) within the policy. Additionally it is contended that the criteria, which in summary address the quality of new development; make clear the Council's expectations regarding reference to setting and context; direct development towards vacant and underused land over greenfield sites; and protect the built and natural heritage, are entirely consistent with the paragraphs 78 and 84 of Scottish Planning Policy. Consequently the Council does not agree to modify the Plan in response to these representations.

Although Section A (Page 30) of the Plan and Primary Policy 1 part (c) do seek to minimise the release of greenfield land, it is still inferred within the current wording that development on appropriate greenfield land will form part of the overall strategy. Table 1 of the Plan setting out the Spatial Strategy, acknowledges greenfield expansion is necessary.

Consequently the suggested change is not necessary and the Council does not agree to modify the Plan in response to the representation by Mactaggart & Mickel (Homes) Ltd (SLDP_669/003).

Policy 1.1: Site Planning

The comments made by SportScotland (SLDP_178/004) in relation to the imprecise nature of the wording of the policy relative to access rights, and the provisions of Scottish Planning Policy in this regard are accepted. Consequently the Council would have no objection to the rewording of criterion (e) to address this to provide additional clarity, and would suggest that the last sentence be reworded to “Any Core Path, established rights of way, and other important access routes should be protected and retained”. Such an amendment is considered to be a non-notifiable modification to the Plan.

The criticism of part (d) of the policy by Warren Consultants (SLDP_192/003) is not accepted. This part of the policy seeks to ensure that, within urban areas in particular, development proposals consider, respect or help create a building line. The purpose of this requirement, and the ensuing text within part (d), is to ensure that the position and orientation of new development proposals consider and help contain and animate the streetscene. This is considered entirely consistent with the generalities of stated design guidance and aspirations contained within Designing Streets A Policy Statement for Scotland (2010) (CD7). The Council does not therefore agree to modify the Plan in response to this representation.

Policy 1.3: Green Network and Open Space

SportScotland (SLDP_178/006) – Plean and Mugdock Country Parks form part of the hierarchy of parks referred to in Stirling’s Open Space Strategy (CD56) (page 26). They are actively managed to provide opportunities for people to enjoy the countryside and informal open air recreation, supported by built facilities and by opportunities to picnic or walk and by programmes of organised events, and supported by a Ranger Service. The Country Parks comprise open space and form part of the Stirling Green Network. Policy 1.3 of the Plan presumes against the loss of open space and safeguards elements of the Green Network. A specific policy to cover the protection and promotion of country parks in the Plan is not therefore considered necessary. The Council does not therefore agree to modify the Plan in response to this representation.

Strathblane Committee for the Preservation of the Green Belt (01330/003) – Stirling’s Open Space Strategy (CD56) (page 27) states that Stirling Council has no proposals to progress Regional Park designation for the Campsie Touch Hills and Ochils. Instead, the Council see these upland areas as important areas for joint working with other Local Authorities. The Council does not therefore support the introduction of a new Primary Policy on Regional Parks and does not therefore agree to modify the Plan in response to this representation.

Sport Scotland’s (SLDP_178/005) concerns in relation to the lack of clarity regarding access rights and the Green Network is accepted, and the proposed change to the policy to reference the Council’s Core Path Plan within part (a) is both accepted to provide clarity, and considered to be an non-notifiable modification to the Plan. However, whilst the Council do have a Countryside and Access Strategy, this has not been updated since the Land Reform Act, and consequently it is not considered appropriate to include it within the text of the policy itself. Rather, for clarity, reference to it could be made in the footnote, which is considered to be a non-notifiable modification. It is considered that the mention of active travel routes, adequately covers their proposed modifications in relation to part (b) and

therefore no modification is proposed in this regard. It is considered that the agreed modification to part (a), together with Policy 1.1 part (e) meet the obligations of Scottish Planning Policy (Para.150).

Finally, SportScotland (SLDP_178/005) stated need for the footnote to the policy to reference the Council's Open Space Strategy is not accepted as the policy as currently worded references this document at the start. Equally it is not the intention of the Plan to cross reference policies and guidance in every instance, rather it is made clear at the start that the Plan and guidance should be considered as a whole. It is therefore not considered necessary in this instance to reference SG03: Green Belts. The Council does not therefore agree to modify the Plan in response to this representation.

Lack of Specific Policy on Playing Fields

The assertion by SportScotland (SLDP_178/001) that in order to adhere to Scottish Planning Policy there needs to be a specific policy addressing Playing Fields and Sports Pitches is not accepted. Figures 4 and 4a of Proposed Supplementary Guidance SG02 Green Network (CD159) make clear that Playing Fields and Sports Pitches are facilities that fall within the definition of the Green Network, and Annex 1 of Planning Advice Note 65: Planning and Open Space (CD14), lists Playing Fields and Sports pitches as typologies to be considered within the wider definition of 'open space'. On this basis it is considered that the generalities of Policy 1.3: Green Network and Open Space (particularly part C), alongside the provisions of Scottish Planning Policy offer sufficient protection for playing fields and sports pitches, without the need for a specific policy within the Plan that simply reiterates national policy. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

Overarching Policy

1. Chapter 3 of the local development plan describes the planning authority's pyramid of policies and paragraph 3.4 conveys the principle that the plan must be read as a whole when considering proposals. Figure 4 further illustrates the central position of the Overarching Policy. The introductory remarks for Chapter 7 also refer to the use of the Overarching Policy in assessing proposals and in reaching planning decisions. The policy itself says that "All developments ... will require to demonstrate ...". Given all of this, the plan shows explicitly that the Overarching Policy covers all developments and the requested further clarification is not required.

2. Part (f) of the Overarching Policy and Policy 1.3 state that development proposals will be required to adhere to, or will be assessed against, green network objectives. However neither the plan nor the relevant supplementary guidance states what these objectives are. It is therefore difficult for developers to know whether their proposals comply with the plan or not. The clarity of these policies would be improved if the green network objectives were to be described in the plan. The planning authority has committed to including the objectives in supplementary guidance. Arguably these objectives are not matters of detail, but are more akin to high level principles that ought to be in the local development plan as opposed to supplementary guidance. However, in response to a further information request, the planning authority supplied a list of Central Scotland Green Network principles that they judged to be suitable for inclusion in footnotes within the plan. The authority also supplied the more detailed list of local green network objectives that it intends to include in proposed Supplementary Guidance SG02: Green Network (CD159). The full list of local objectives

contains too much detail to include in the plan and many of the objectives in it do not relate directly to new development, but to other matters such as the management of the network and skills development. I therefore conclude that the plan should be modified by including references to the national green network principles, but that a cross-reference to the local objectives set out in supplementary guidance will suffice.

Sustainable Development Criteria

3. While the sustainable development criteria do not refer directly to the protection of access to open space, this matter is covered more fully in Policy 1.3. Given that the plan is to be read as a whole, the requested amendment to the Sustainable Development Criteria is not needed because it would amount to unnecessary repetition.

Primary Policy 1

4. Primary Policy 1 does not cover all the aspects of placemaking as described in Scottish Planning Policy and in Designing Places. Again though, the plan is to be read as a whole and Policy 1.1 includes further detail on various aspects including the creation of a sense of identity, ease of navigation, safety and adaptability. Policy 2.2 considers the tenure mix of residential schemes and Policy 2.8 deals with mixed uses.

5. The planning authority also sets out the detail of its placemaking agenda in proposed Supplementary Guidance SG01: Placemaking, which refers directly to the six qualities from Designing Places (CD158). SG01 adds detailed guidance on sustainability, ease of movement, identity and on safe, pleasant and inclusive places. Given all this, placemaking has been covered sufficiently in the local development plan and through appropriate reference to supplementary guidance.

6. The reference to greenfield sites in Primary Policy 1 is compatible with the argument from Mactaggart & Mickel Homes Ltd that greenfield release is required. The policy statement that greenfield encroachment must be reduced and land within settlements used where appropriate, does not rule out that some development will need to take place on greenfield land. The Spatial Strategy of the plan is clear that some greenfield expansion will be necessary to meet development needs. The policy as written reflects Scottish Planning Policy which states that the redevelopment of brownfield sites is preferred to development on greenfield sites (paragraph 80). Therefore, Primary Policy 1 should not be changed.

Policy 1.1

7. The wording of the final sentence of Policy 1.1 part (e) does not accurately reflect Scottish Planning Policy (paragraph 150). The planning authority accepts that the policy precision should be improved and has changed the wording accordingly, as a non-notifiable pre-examination modification to the plan. No further action is therefore required, other than to note that the new wording is more compliant with Scottish Planning Policy.

Policy 1.3

8. Scottish Planning Policy requires the development plan to protect core and other important routes and access rights. The fact that Policy 1.3 protects open space (including the role of open space in providing access and connectivity) does not account for those access routes that are not located on 'open space' as defined in the plan (green and civic space within and on the edge of settlements). The plan therefore requires a policy statement that would protect all important access routes. But the plan is to be read as a

whole, and the planning authority's above modification to Policy 1.1 achieves this protection when new proposals are being considered. Policy 1.1 is also a more appropriate location for such a reference than Policy 1.3, given that the latter is intended to deal with the defined green network and open space, as opposed to access issues in the wider countryside.

9. Though there is no need for Policy 1.3 to directly protect access rights, access considerations are an important component of green networks and part (a) would be improved by the inclusion of a reference to the Core Path Plan. Again, the planning authority states that it has resolved the matter by changing the wording of Policy 1.3 as a non-notifiable pre-examination modification to the plan. No further action is therefore required.

10. The planning authority states that the Countryside and Access Strategy does not take account of the Land Reform Act. Given that Policy 1.3 is to be used in assessing development proposals and the role of the Strategy is at best doubtful in that context, including reference to the Strategy would be unhelpful.

11. The Sustainable Development Criteria and Policy 1.3 address the protection of open space and the maintenance of connectivity to open spaces and green corridors. These provisions would apply to Plean and Mugdock Country Parks. Scottish Planning Policy does not require that development plans should include any particular policy approach to country parks, including for their protection and promotion. Given that, it is not necessary for the plan to include such a policy.

12. The Campsie Regional Park is not a current proposal of Stirling Council and such a designation would carry significant resource implications. The designation could also only be progressed in partnership with neighbouring councils and no evidence has been provided to the examination that discussions are ongoing. Therefore, regardless of the merits of the idea, it would not be appropriate to include this proposal in the plan.

13. Regarding the provision of cycleways through the green network, the focus of Policy 1.3 is not about positive initiatives by the planning authority to deliver the network. Rather, it concentrates on attempting to ensure that new development proposals contribute to green network and open space objectives. In response to a further information request, the planning authority states that part (b) of Policy 1.3 refers to active travel routes, and that proposed Supplementary Guidance SG14: Transport: Ensuring a Choice of Access establishes that paths for active travel include cycling (CD178). SG02 also indicates that proposals do exist for further cycle routes to enhance the connectivity of the green network (CD159). While it is regrettable that such positive development initiatives are not identified in the plan, given that the matter is to be covered in supplementary guidance, Policy 1.3 need not refer directly to cycleways.

Lack of specific policy on playing fields

14. The planning authority rightly points out that playing fields fall within the definition of open space and so are offered some protection under the general terms of Policy 1.3. Parts (b) and (c) of this policy then presume against the loss of playing field land unless functionality was maintained and, if a playing field were to be lost, then other parts of the green network should be enhanced and compensatory measures taken. Comparing these exceptions to those set out in Scottish Planning Policy (paragraph 156), some elements are not covered so precisely in the plan. These are firstly, the requirement for any upgraded or new replacement playing field to provide a facility of comparable quality which maintains overall playing capacity, and secondly reference to the playing field strategy and the

potential for an excess of provision.

15. The planning authority has prepared supplementary guidance on the green network (SG02, CD159), but that focuses on the provision of open space in new developments. SG02 does not contain any policy on the protection of playing fields that would satisfy the requirements of Scottish Planning Policy.

16. Policy 1.3 is written in relatively general terms, and it has a focus on the connectivity, active travel and habitat benefits of open spaces and green networks, rather than on sports facilities. It would be improved by including a reference to the playing field strategy, but the structure of the policy does not lend itself to further modification to incorporate the requirements of Scottish Planning Policy with regard to playing fields. Given the mismatch with Scottish Planning Policy, an additional policy is required to ensure that the plan complies with national policy.

Reporter's recommendations:

The local development plan should be modified by:

1. Adding the following footnote to the Overarching Policy: "[National Central Scotland Green Network principles are that the network should be: grounded in nature; at scale; regenerative; life-enhancing; connected; functional and resilient; locally distinctive and respectful of the past; harnessing the potential of development; beyond carbon neutral; and adding value. Local green network objectives are set out in SG02.]"

2. Amending the first part of Policy 1.3 to read: " All development proposals will be assessed in terms of their impact on, and potential to contribute to, national Green Network principles and local Green Network and Open Space Strategy objectives in terms of the following:-".

3. Adding the following sentence to the footnote for Policy 1.3: "National Central Scotland Green Network principles are that the network should be: grounded in nature; at scale; regenerative; life-enhancing; connected; functional and resilient; locally distinctive and respectful of the past; harnessing the potential of development; beyond carbon neutral; and adding value."

4. Inserting reference to 'the playing field strategy (once adopted),' into part (a) of Policy 1.3.

5. Adding the following new policy:

"Playing Fields

The redevelopment of playing fields and sports pitches will only be acceptable where:

- a) the proposed development is ancillary to the principal use of the site as a playing field,
- b) the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training,
- c) the playing field that would be lost, would be replaced by a new playing field of comparable or greater benefit for sport and in a location that is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the

same site or at another location that is convenient for its users and which maintains or improves the overall playing capacity in the area, or

d) an adopted playing field strategy demonstrates that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.”

Issue 8	Green Belts	
Development plan reference:	Policy 1.4 - Green Belts (page 34)	Reporter: Iain G Lumsden
Body or person(s) submitting a representation raising the issue (including reference number):		
Mactaggart & Mickel (Homes) Ltd (SLDP_669) CALA Homes (West) Ltd (SLDP_230) Kippendavie Group Trust (SLDP_70) Graham's The Family Dairy (SLDP_327)	Charles Connell & Co Holdings Ltd (SLDP_1251) Gloag Investments (01112) Gerry Halas (01239)	
Provision of the development plan to which the issue relates:	Policy dealing with the designation and role and function of Green Belts, and the criteria for development within the Green Belt.	
Planning authority's summary of the representation(s):		
<p><u>Policy 1.4 - Green Belts</u></p> <p>Mactaggart & Mickel (Homes) Ltd (SLDP_669/006 & 007) - Concerned that the Stirling Green Belt Study (CD53) is not a wholly rounded assessment of the existing and potential Green Belt in the Council area. Does not agree with the study conclusions in relation to Dunblane. Does not consider the prevention of coalescence a function of Green Belt and may include/take account of land allocated for development that respects the setting of the surrounding area. Potential development areas to the south of Dunblane could be brought forward without conflicting with Green Belt objectives. The Plan places unreasonable emphasis on protection of the environmental setting of Dunblane. In order to achieve the level of services and facilities proportionate to its size and population, new housing land release (enabling development) should provide cross funding for this.</p> <p>CALA Homes (West) (SLDP_230/001) – The Council's review of the Green Belt boundary (CD55) does not accord with the requirements of Scottish Planning Policy (Para.162), in particular the Green Belt around the south of Stirling. Parts of the inner boundary of the Green Belt are defined by proposed allocations for development yet to be built e.g. South Stirling Gateway, rather than identifiable features on the ground, with the inner boundary drawn tightly around the boundaries of the proposed allocations as well as the existing settlement. Green Belt boundaries should not be drawn tightly against the urban edge but where appropriate should create an area suitable for planned development between the existing settlement edge and Green Belt boundary.</p> <p>The cumulative outcome of the changes made to the Green Belt to the south of Stirling negates its long term role since the Green Belt continues to be a source of future land for development. The fragmented and increasingly remnant nature of the remaining Green Belt within the Pirnhall and Chartershall Local Landscape Character Area no longer accords with Green Belt objectives. The Plan needs to set a more specific rationale about the policy direction for a much needed Green Belt boundary review which accords with Scottish Planning Policy. Submits their own Green Belt Review in support of this.</p>		

Kippendavie Group Trust (SLDP_70/004); Graham's The Family Dairy (SLDP_327/004); Charles Connell & Co Ltd (SLDP_1251/004); Gloag Investments (01112/004) - Objects to Policy 1.4 on the grounds that it is restrictive and conflicts with national policy on the function of Green Belts within wider spatial planning strategies and the Plan Vision. The Vision is at odds with the Plan's approach to the Green Belt, which seeks to extend the designation around the primary settlements within the city corridor and does not adjust inner boundaries to accommodate sustainable, planned growth. This compromises the ability to realise the Vision as growth will not be directed to the most appropriate location, the setting and identity of the existing town will not be enhanced, and public access to open space around town will not be facilitated. The majority of land around settlements currently proposed as Green Belt or the subject of an extended Green Belt designation is farmland and forestry, for which there is no meaningful public access, nor investment in infrastructure such as drainage which could be enhanced for long term development.

Considers land to the east of Dunblane does not qualify as an area that would merit Green Belt designation as it would not direct planned development to appropriate locations, enhance the character and landscape setting of a settlement, facilitate public access or prevent coalescence of a settlement. Submits a landscape appraisal in support of this. The proposed inner boundary of the Green Belt at H021, also conflicts with the recommendations made within the Council's Green Belt study (CD53) which refers to the woodland and tree belts planted along the eastern boundary of the site as being a logical outer boundary.

At Airthrey Kerse (H056), through submitted landscape appraisal, considers this part of the Stirling Green Belt has the capacity to accommodate sensitively designed strategic development without adversely impacting on landscape character view and the identity or setting of existing settlements. Development here has the potential to enhance this part of the Green Belt through the strategic woodland planting along the urban edge and within the site, and the proposed park strengthens the Green Belt edge and facilitates greater public use and enjoyment.

In relation to Strathblane, submits a landscape appraisal which concludes that the Blane water should form the new southern and eastern boundary in order to conserve and enhance the Green Belt and its function in this location for the long term future benefit of the village.

No sound planning reason has been presented within the Plan, to demonstrate how a housing proposal would conflict with the objectors' underpinning Green Belt designation. Small scale rural development advances the principles of Green Belt designation in terms of directing development towards building groups, enhancing the quality of the rural environment and facilitating public access to the countryside.

Gerry Halas (01239/001) - Concerned that Bannockburn looks set to lose 60% of its designated Green Belt in fact it appears the whole rural area from Bannockburn west to the A872 Glasgow Rd, St Ninian's, and north to the Bannock Burn itself are, or will be, subject to development. This would represent the loss of all of the open space around Bannockburn west and south from the village itself. This compares with the other Development Frameworks in the Plan which are virtually untouched with respect to loss of Green Belt and green corridors.

Modifications sought by those submitting representations:Policy 1.4 - Green Belts

CALA Homes (West) (SLDP_230/001) - Considers the most appropriate long term and defensible boundary for the Green Belt to be the M9 to the west of Glasgow Road (A872) and the A91 (Pirnhall Road) to the east of Glasgow Road. These are robust and clearly identifiable features. As an alternative to continually modifying the Green Belt every development plan cycle, suggests the relevant land be designated as Green Network. This should be used to control development outside the key Bannockburn development area along with the continuation of the countryside policy in this area. The allocation of the sites at Glasgow Road and Lower Milton could significantly contribute to this Green Network through their development.

Proposes amendments to Policy 1.4 to ensure that the Green Belt boundary across the Plan area accords with Scottish Planning Policy and to include a mechanism to consider the releases of sustainable sites in the Green Belt where the Council is not maintaining a 5 year land supply at all times, especially where the Green Belt boundary does not follow the requirements set out in Scottish Planning Policy. Amend Policy 1.4 as follows:

Part (a), remove "Stirling, Bannockburn, Bridge of Allan, Dunblane and Strathblane" and replace with "appropriate settlements". Add "The Green Belt boundaries around these settlements are to be in accord with the requirements set out in SPP". Remove "Development should preserve the openness of Green Belts and should not undermine their core role and function by individual or cumulative impacts".

Add criterion (v) - "Maintaining a 5 year land supply at all times where the Green Belt boundary continues to be drawn tightly around the urban edge".

Kippendavie Group Trust (SLDP_70/004); Graham's The Family Dairy (SLDP_327/004); Charles Connell & Co Ltd (SLDP_1251/004); Gloag Investments (01112/004) - Amend policy to provide that in line with Scottish Planning Policy, Green Belt designations should be used to direct development to suitable locations and to reflect the Plan Vision and Spatial Strategy, and not to prevent development from happening.

Amend Figure 6 Green Belt Proposed Alterations to exclude the proposed extension to the east of Dunblane, amend the southern and eastern boundaries of Dunblane and adjust the Green Belt boundary between Bridge of Allan and Causewayhead as shown on the submitted plans.

Amend section (b) to provide that Housing in the Countryside policy should apply within Green Belt designations on the basis that the policy criteria contained within Policy 2.10 (and SG10), sets the framework within which the suitability of a proposal should be considered.

Summary of responses (including reasons) by planning authority:Policy 1.4 - Green Belts

Mactaggart & Mickel (SLDP_669/006 & 007); CALA Homes (West) (SLDP_230/001); Kippendavie Group Trust (SLDP_70/004); Graham's The Family Dairy (SLDP_327/004); Charles Connell & Co Ltd (SLDP_1251/004); Gloag Investments (01112/004) - Scottish Planning Policy does not set out any particular method for undertaking a review of the Green Belt. The approach outlined in the Council's Green Belt Review Background Report (CD55)

is considered appropriate given the circumstances of the area and taking on board Scottish Planning Policy. The Council commenced the review of the Green Belts in 2009 and the initial findings were presented in the Main Issues Report (2010.) The 2009 studies (CD53 and CD54) were the first step in assessing relevant areas against the objectives of protecting and enhancing the quality, character, landscape setting and identity of towns and cities (objective 2), and protecting and giving access to open space within towns and cities, (objective 3) consistent with Scottish Planning Policy (CD1) (Para.159). Further assessment in relation to directing planned growth to the most appropriate locations and supporting regeneration (objective 1) and considering coalescence (objective 4) was undertaken to inform the Proposed Plan.

Scottish Planning Policy (Para.159) requires that Green Belt designation is used to direct development to suitable locations, not to prevent development from happening. For towns and cities with a distinct character that could be harmed by unplanned growth, the use of Green Belt designation and relevant policies may help to manage that growth more effectively. In the case of south Stirling (Bannockburn area), Dunblane and Strathblane (areas considered to have some potential but also very sensitive to future growth), the proposed Green Belt boundaries allow for some development to take place, however the level of Green Belt release and retention is documented in the Background Report (CD55). The Council does not therefore to agree to modify the Plan in response to these representations.

In response to Mactaggart & Mickel, Scottish Planning Policy (Para.60) allows Green Belts to be used to prevent the coalescence of settlements. The Council's approach to the Green Belt to the south of Dunblane is explained in the Background Report (CD55) (Para.5.32) where it plays an important role in containing the built edge considered important to the historic settlement form. The area is considered to perform well in relation to the Green Belt objectives. It is not considered that the Plan places unreasonable emphasis on protection of the environmental setting of Dunblane. SG03 Green Belts (CD160) explains why maintaining a Green Belt around Dunblane is important to maintain its distinct identity from other settlements and protect its nucleated and secluded character. The settlement has experienced significant growth and further development opportunities put forward as expressions of interest are considered sensitive to its character and identity - this is further discussed under Issue 3 and Issue 42. The Council does not therefore to agree to modify the Plan in response to this representation.

In response to CALA Homes, other designations were considered in determining the need for Green Belt designation as discussed in the Background Report (CD55) (Para.3.14). Both 'Countryside' and 'Green Network' designations have a particular purpose. The designation of Countryside is specifically to determine where policies on Housing in the Countryside (Policy 2.10) and Economic Development in the Countryside (Policy 2.9) apply. These policies are essentially about supporting appropriate development in the countryside. The designation of a Green Network (or specific Green Corridors as shown on the proposals maps) is both a natural heritage and open space objective - the protection and improved connectivity of these corridors is considered important for community access, active travel, biodiversity and habitat networks. Scottish Planning Policy (Para.164) states that Green Networks should where possible extend into Green Belts, therefore clearly distinguishing the different and separate functions of these two designations.

The designation of a Green Belt it is not about preventing development from happening (Para.159 of Scottish Planning Policy) or about safeguarding natural heritage, but about managing development and contributing to the settlement strategy for an area, this includes preventing coalescence where appropriate (Para.160). Green Belts therefore have a much

wider role associated within the settlement growth strategy and the Council does not agree that the Green Belt south of Stirling should be removed and be covered by Countryside and Green Network designations only.

The designation of Green Belt in certain areas also helps to support Historic Scotland's Inventory of Battlefields and the local authority's role in managing change within these areas as referred to in the Managing Change document (CD20). For example, Para 5.20 of the Background Report (CD55) explains how the key components to the understanding of the Bannockburn battlefield are excluded from development and the Green Belt designation helps protect them. The Council does not therefore to agree to modify the Plan in response to this representation.

With regard to CALA Homes suggested changes to Policy 1.4. The Council considers that references to the relevant settlements subject to Green Belt designations is appropriate and provides clarity for anyone reading the Plan. The Council does not support the removal of policy references to development preserving the 'openness' of Green Belts and undermining their 'core role and function' by individual or cumulative impacts. The extent of Green Belts in the Stirling area and their particular range of characteristics is explained in the Proposed Green Belt Supplementary Guidance SG03 (CD160). Such characteristics are therefore considered material to the development management decision making process and this should be explicit in the Policy. The Council does not therefore to agree to modify the Plan in response to this representation.

The Council does not agree with CALA Homes suggested addition of criterion (v) which would allow new housing development to come forward within Green Belts in an unplanned way, inconsistent with Scottish Planning Policy's (CD1) approach to a plan-led system (Para.8) and for Green Belt boundaries in development plans to reflect the long-term settlement strategy (para.162). Housing development other than small-scale, is not considered appropriate for the Green Belt. This matter is dealt with further in response to representations to the Housing Land Requirement (Issue 4). The Council does not therefore to agree to modify the Plan in response to this representation.

In response to CALA Homes, the Council does not agree that the boundary of the Green Belt should be a line represented by the M9 motorway and A91. A Green Belt designation should encompass an area of land, not be simply a line on a plan otherwise it becomes meaningless in its application. The rolling back of the Green Belt boundary in this location to accommodate development in this area is considered entirely appropriate as part of the long term settlement strategy and consistent with Scottish Planning Policy. The boundary has not been drawn tightly against the urban edge - areas suitable for planned development have been allocated. The remaining designated areas are not considered to be fragmented. Collectively they have an important open space role in this area as outlined in the SG02 (CD159) on Green Networks and discussed in the Proposed Supplementary Guidance SG08 - South Stirling Gateway Draft Development (CD170). They are also particularly important in protecting the key features of the Battle of Bannockburn as discussed in Para.5.25 of the Background Report (CD55) and in the Council Archaeologist's response to CALA's landscape appraisal of battlefields (CD208). These areas therefore continue to satisfy the objectives of a Green Belt in terms of protecting and enhancing the quality, character, landscape setting and identity of Bannockburn and Stirling City, and protecting and giving access to open space.

Para.5.5 of the Green Belt Review Background Report (CD55) explains that for inner Green Belt boundaries formed by development sites, their specific boundaries will be established once the details of developments are known. This approach is considered appropriate and

consistent with previous local plans in determining exactly where countryside policy boundaries (and associated Green Belt boundaries) should be. Following clearly defined features on the ground such as roads, structure planting etc., is a matter that can only be determined once the details of a development are known. The Council does not therefore to agree to modify the Plan in response to this representation.

In response to Kippendavie Group Trust et al, inner Green Belt boundaries have been adjusted to accommodate sustainable, planned growth at a variety of locations, particularly south Stirling in accordance with the City Corridor and Spatial Strategy approach. Coalescence of settlements continues to be a legitimate concern in some locations. In the longer term, the potential for some development at Causewayhead (H056) is indicated but this is to be identified in a future review of the Plan and cannot be allocated, nor the Green Belt be amended at this time. Para.6.13 of the Plan explains the approach to H056. The Council is not therefore preventing development from happening through Green Belt designation but has used Green Belts to help direct development to suitable locations. The Council does not therefore to agree to modify the Plan in response to this representation.

Figure 6 within the Plan at page 34 is illustrative only and comes from SG03 on Green Belts. The Council does not therefore to agree to modify the Plan in response to this representation.

In relation to Dunblane, SG03 Green Belts (CD160) explains why a Green Belt to the east is considered important. Since the Council's publication of the Green Belt study in 2009, Sheriffmuir has been identified as an inventory battlefield site by Historic Scotland. The proposed Green Belt to the east is reflective of this and is important to maintain the historic settlement form. Chapter 6 of the Background Report (CD55) explains why the Green Belt area is extended and the features the boundaries follow. Therefore the Council does not agree that the Green Belt boundary should be amended.

In relation to Airthrey Kerse, SG03 Green Belts (CD160) explains why maintaining a Green Belt in this location is important in preventing coalescence. The review of the Green Belt in this location set out in CD55 also highlights its flood risk potential and the sensitivity of the settlement edge. The Council does not therefore agree that the Green Belt boundary should be amended.

In relation to Strathblane, Charles Connell & Co Ltd objection to the Green Belt is dealt with under Issue 37 Strathblane.

The Council does not agreed with Kippendavie et al that part (b) of the Policy should be amended to allow all the scales of development supported under the Housing in the Countryside Policy 2.10 within the Green Belt. Scottish Planning Policy (Para.163) indicates what types of development are appropriate within the Green Belt – this does not include new build housing. However, in response to Para.94 of Scottish Planning Policy (CD1) which seeks opportunities for small scale housing development in rural areas, Policy 1.4 allows for single houses to be supported in the Green Belt for a specific purpose. This includes circumstances where the new house restores or preserves a walled garden, where there is a particular housing need to manage an established rural business, where it is a replacement house, or where it is a conversion of a redundant traditional building. The addition of further circumstances would not be consistent with Scottish Planning Policy. The Council does not therefore to agree to modify the Plan in response to this representation.

Gerry Halas (01239/001) – It is accepted that there will be a loss of Green Belt to the south of Stirling, and this is consistent with the Spatial Strategy which accepts that land within the

Core Area Green Belt has to be developed if housing need and demand is to be met within sustainable locations. The retention of Green Belt, particularly associated with the Bannock Burn and the Battle of Bannockburn key features such as Cat Craig, and the introduction of new areas of multi-functional open space within the South Stirling Gateway site, will ensure that good quality open space is still available to the local community. The investment in the Bannockburn Heritage Trail as part of the Green Network will also add to the quality and accessibility of open spaces in this area and reinforce the long-term role and function of the remaining Green Belt. The other Development Frameworks in the Plan (e.g. City Centre, Kildean) relate mostly to urban brownfield sites and therefore are not generally affected by an existing Green Belt designation but are still required to contribute to the wider Green Network and associated green corridors. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

Background

1. Several representations express concern that the review of the green belt boundaries undertaken as part of the preparation of the local development plan (LDP) is flawed and does not fully reflect the requirements and functions of Scottish Planning Policy (SPP). Because of that, the green belt boundaries defined in the plan are inappropriate and incorrectly drawn.
2. In considering the LDP against SPP, I note firstly that the Stirling and Strathblane Green Belt Studies (CD53 and CD54) were undertaken in 2009, whereas SPP was issued in 2010. Before SPP, national policy was contained in SPP21 'Green Belts', but the principles and objectives that support the need or justification for green belt policy were carried forward from there into SPP without substantial change. The stated purpose of green belt designation remains to support the settlement strategy by:
 - directing planned growth to the most appropriate locations and supporting regeneration;
 - protecting and enhancing the quality, character, landscape setting and identity of towns and cities; and
 - protecting and giving access to open space within and around towns and cities.

Importantly, the designation is intended to provide clarity and certainty on where development will and will not take place, as well as to facilitate settlement planning. Green belts should be used to direct development to suitable locations, not to prevent all development. Green belts can also be used to prevent coalescence, to maintain the separation of settlements, and to protect them from development that would harm their distinct character and identity. Local development plans should establish the need for a green belt and should identify specific boundaries. National policy also continues to expect that development plans should allow the release of green belt land for development where that is part of the settlement strategy of the plan (SPP, paragraphs 159 to 162).

3. From my reading of the various submissions and documents, including the commissioned reports mentioned above, proposed Supplementary Guidance SG03: Green Belts (CD160), and the Green Belt Review Background Report (CD55), I am satisfied that the planning authority has undertaken a thorough and appropriate review of the existing and proposed green belt for the LDP area. The review has also taken account of the main purposes and objectives of current national green belt policy in SPP. Consequently, the planning authority's approach has not been fundamentally flawed and it has not been based on inappropriate principles.

Policy 1.4: Green Belts - suggested amendments

4. Cala Homes suggests that the wording of Policy 1.4 should be changed to delete the references to Stirling, Bannockburn, Bridge of Allan, Dunblane, and Strathblane, and to preserving the 'openness' of the green belt. In addition, a new criterion should be added to provide a mechanism to allow consideration of the release of sites in the green belt where the planning authority is unable to demonstrate that the required 5 year supply of housing land is being maintained.

5. I find no benefit in removing the names of these 5 main settlements from the policy and I consider that keeping them adds clarity that will assist readers of the plan to appreciate the general scope and geographic extent of the green belt. Similarly, because 'openness' is a well-established characteristic of green belts, I am not persuaded that it would be either helpful or would serve any valid planning purpose to delete the policy reference to its preservation. Accordingly, no modification is justified.

6. Next, the essential need for more housing land is examined under Issue 4 in this report. Beyond that, I agree with the planning authority that inserting an additional criterion to allow the release of sites, in the specific circumstances referred to in the representation, could lead to a series of unplanned, ad hoc and inappropriate land releases in the green belt. As indicated in SPP, green belt land releases should be led by up to date development plans, having regard to the settlement strategy for an area. The planning authority is also obliged by SPP to review the green belt regularly, as an important part of the plan making process. Having established a settlement strategy in the LDP and adjusted the designated green belt accordingly, it would not then be consistent with SPP for the LDP to allow for significant housing land releases outwith this recognised review process. Consequently, it is neither necessary nor appropriate to add the proposed criterion to Policy 1.4.

Dunblane

7. Mactaggart & Mickel do not support the green belt boundary as it applies to the Dunblane area. The representation argues that preventing coalescence is not an appropriate function of the green belt and that Dunblane is a suitable and appropriate location for further residential development and growth to support the social regeneration of the community. To this end, the representation seeks the removal of parts of the green belt designation around Dunblane and it suggests various possible development sites, including land to the south of the town. The representations submits that this could be achieved without conflicting with the objectives of the green belt.

8. The representations from the Kippendavie Group and others suggest that the proposed green belt designation on the eastern edge of Dunblane could be removed to accommodate additional residential development. The land to the east of the town does not merit being in the green belt because its retention as open land does not enhance the character and landscape setting of the town or provide public access. Furthermore, development in this area would not contribute materially to the coalescence of settlements.

9. In response, the planning authority states that the green belt designation around Dunblane is important in maintaining the historic form and nucleated character of the settlement, as well as protecting its environmental setting. The town has experienced significant housing growth in recent years and is currently under increasing pressure for substantially more. The designation of a green belt around the town is therefore necessary and appropriate in support of the LDP's settlement strategy, which directs short to medium term growth to other parts of the plan area.

10. Drawing these matters to a conclusion, I remind firstly that SPP makes abundantly clear that preventing coalescence is a valid use of a green belt designation. Secondly, while the site specific matters are discussed in Issue 42 of this report, I note here that Dunblane sits in the valley of the Allan Water, so that the town is well screened from distant views and has little visual relationship with nearby settlements. In my opinion, the green belt designations to the north and the south of the town assist in maintaining the town's distinct identity and character. The designation also plays a role in protecting the attractive environmental setting of the town and retaining its historic settlement form. The green belt proposed in the LDP for the eastern edge of the town extends onto rising ground towards Sheriffmuir. The upland character of this landscape constitutes an attractive feature which also plays an important role in providing part of the setting for the town. As such, the landscape enhances the town's sense of individual identity. The proposed area also offers opportunities for informal recreation and it is the subject of proposals for the creation of the North Stirling Woodland Park. Lastly, the green belt designation would incorporate some of Sheriffmuir, which is now included in Historic Scotland's Inventory of Battlefields. Designating the green belt could help to safeguard any features that may remain from the battle, which could in turn improve our understanding of its historic significance.

11. The outer boundary of the green belt around Dunblane proposed in the LDP follows the general line of some woodland, before turning south of the Wharry Burn and Kippengate Glen, so that it would limit the potential for more development extending onto the higher, more visible, ground farther up the hillside. Part of the inner boundary has been drawn away from the existing settlement edge to allow some scope for future development. While this option would require further consideration in a future review of the LDP, and it is considered in detail in the conclusions for site H021 in Issue 42, the general approach accords with SPP.

12. Taking all these matters into account, the LDP proposals for the designation of the green belt around Dunblane are justified and form an important component of the settlement strategy for the area. In my opinion, in line with the provisions of the plan's vision and settlement strategy, the green belt boundaries have been drawn to direct new development to areas which the planning authority considers are suitable and appropriate. Furthermore, the proposed green belt for Dunblane does not conflict with or breach the provisions of SPP. I therefore conclude that there is no justification for modifying the green belt boundaries proposed in the LDP at Dunblane.

Area to the south of Stirling

13. The representation from Cala Homes proposes that the green belt boundary to the south of Stirling should be redrawn to follow the M9 west of Glasgow Road and the A91, to provide a robust and clearly identifiable feature to mark the green belt boundary in this area. In addition, drawing the boundary some distance from the existing urban edge would remove the need to amend the green belt designation each time the development plan is reviewed. It is also suggested that this area should be designated as part of the Green Network and that the countryside policies of the plan should continue to apply. The allocation and development of sites at Glasgow Road and Lower Milton could contribute to the implementation of the Green Network in the area. Gerry Halas is concerned that a substantial area of open green belt to the west and south of Bannockburn is to be lost. The planning authority opposes these representations because the green belt boundary should encompass a particular and relevant area of land, as opposed to an arbitrary line on a map.

14. I note that the boundary changes in the LDP relate in the main to the identification of a major development opportunity at the South Stirling Gateway (see Issue 50), which is

consistent with SPP because it supports the plan's longer term settlement strategy. The boundary in the plan has not been drawn tightly against the existing urban edge and defining the final outer edge of the built up area will ultimately depend upon the South Stirling Gateway detailed development proposals.

15. The specific merits of Cala's suggested development sites are assessed in detail as SS44 and SS50 under Issue 44 of this report. Otherwise, I consider that Cala's suggested boundary change would exclude very substantial areas of open and undeveloped land from the green belt in a location which is already experiencing strong pressure for development. The land is not required to meet the LDP's housing requirement and there is no indication that it will be required for development in the foreseeable future. In addition, the area to the west of the A872 contributes substantially to the landscape setting of Stirling and Bannockburn, and it plays a significant role as informal open space. The green belt designation also helps to protect key features and landscape characteristics of important parts of the Bannockburn battlefield, which are again included on Historic Scotland's Inventory. As a result, removing the area from the proposed green belt would be inconsistent with the settlement strategy set out in the LDP and contrary to the planning authority's general approach to the definition of green belts.

16. I appreciate that certain parts of the green belt boundary along the existing urban edge have been weakened by piecemeal developments, but this is not sufficient to support radical changes to the designated area. Furthermore, I do not accept that the series of changes proposed to the green belt boundaries in this area have fundamentally undermined its long term function or value.

17. Drawing this together, the area continues to perform an important and useful green belt function which should not be abandoned. In addition, the suggestion that this area should be treated as a part of a Green Network and then subjected to the plan's countryside policies is to misunderstand the clearly differing roles that these policies are intended to fulfil. In conclusion, the green belt boundary shown in the LDP for the area to the south of Stirling should remain unmodified.

Causewayhead

18. The representations suggest that there is scope to modify the green belt boundary at Causewayhead/Airthrey Kerse to release opportunities for development. If sensitively handled, such development need not harm the landscape character, identity or setting of the neighbouring settlements. Landscape enhancements could also form part of the development proposals for the area. The planning authority states that the LDP recognises that there is potential for some development in this area. On that basis, the proposals map shows site H056, although issues of coalescence and detailed matters regarding the capacity of that site to accommodate development are amongst various significant issues that remain to be fully resolved. Because of that, none of the area is allocated for development in the plan meantime and any change to that would require to be the subject of detailed consideration in a future LDP review.

19. Other relevant representations to the specific development suggestions described above are addressed in Issues 40, 41 and 44 of this report. Housing land releases and the green belt function of Airthrey Kerse in particular are examined under Issue 41, with the conclusion that the Kerse functions as an extremely important part of the green belt. Further, while there may be scope to accommodate some longer term development in this area, none of the Kerse is allocated for housing at present and its development is not required to meet the plan's housing requirement. In these circumstances, the Kerse should

be left to continue to fulfil its useful green belt function, which is to prevent coalescence and to safeguard the sensitive urban edge. There is no justification for removing the green belt designation from the land at present and the green belt around Causewayhead and the Kerse should be retained as shown in the LDP.

Strathblane

20. Concerns about the definition of the green belt boundaries around Strathblane are examined in this report under Issue 37.

Reporter's recommendations:

No modifications.

Issue 9	Affordable & Particular Needs Housing	
Development plan reference:	Policy 2.2 - Planning for Mixed Communities and Affordable Housing (page 35) Policy 2.3 - Particular Needs Housing and Accommodation (page 36) Policy 2.13 - Residential Caravans (page 43)	Reporter: Iain G Lumsden
Body or person(s) submitting a representation raising the issue (including reference number):		
<div><div><div>Bobby Halliday Architects (00669) Warren Planning Consultants (SLDP_192) Stirling Housing in the Countryside (01319) CALA Homes (West) Ltd (SLDP_230) Homes for Scotland (SLDP_165) Kippendavie Group Trust (SLDP_70) Graham's The Family Dairy (SLDP_327) Charles Connell & Co Holdings Ltd (SLDP_1251) Taylor Wimpey UK Ltd (SLDP_263) Wallace Land Investment & Management (SLDP_48) Stafford Trust (SLDP_256)</div><div>Moray Estates (SLDP_27) Persimmon Homes East Scotland (SLDP_200) Mansell Homes (01321) Allan Water Developments Ltd (SLDP_342) Stewart Milne Homes Ltd (SLDP_272) Mactaggart & Mickel (Homes) Ltd (SLDP_669) Messrs A & M Paterson (00082) Bank of Scotland plc (01322) Scottish National Party Group (00711) Dunblane Community Council (SLDP_85) Rural Stirling Housing Association (SLDP_156) Strathblane Community Council (SLDP_102)</div></div></div>		
Provision of the development plan to which the issue relates:	Sets out the Council's aspirations for mixed housing developments across sites, the provision of affordable and particular needs housing and temporary accommodation including residential caravans.	
Planning authority's summary of the representation(s):		
<p><u>Policy 2.2 – Planning for Mixed Communities and Affordable Housing</u></p> <p>Bobby Halliday Architects (00669/001); Warren Consultants (SLDP_192/001); Stirling Housing in the Countryside (01319/001); CALA Homes (West) (SLDP_230/002); Homes for Scotland (SLDP_165/003); Kippendavie Group Trust (SLDP_70/005); Graham's The Family Dairy (SLDP_327/005); Charles Connell & Co Ltd (SLDP_1251/005); Taylor Wimpey UK Ltd (SLDP_263/002); Wallace Land Investment & Management (SLDP_48/015); Stafford Trust (SLDP_256/002); Persimmon Homes East Scotland (SLDP_200/001); Mansell Homes (01321/004); Allan Water Developments Ltd (SLDP_342/004); Stewart Milne Homes (SLDP_272/003); Mactaggart & Mickel (Homes) Ltd (SLDP_669/005); Messrs A & M Paterson (00082/002); Bank of Scotland plc (01322/010); Moray Estates (SLDP_27/007) - All object to the proposed 50% affordable housing requirement in highly pressured areas and consider the best way to achieve affordable housing is through a generous land supply for general needs housing including a range of easily developed, effective sites.</p> <p>Reference is made to PAN 2/2010 (Para.14) where the benchmark percentage is 25% and the Scottish Government Chief Planners letter (CD29) which requests realistic and flexible approaches. The objectors doubt whether contributions of 25% or more are likely to be deliverable in the current economic climate, particularly for proposals with a high level of subsidy. They consider this approach will simply result in the provision of no such housing. If sites are not deliverable, this will be at the expense of the wider Plan vision and facilitating</p>		

access to housing. A maximum requirement of 25% affordable housing should be the benchmark considered within the context of the wider development contribution package for the project. Reference is made to experience elsewhere where high % approaches have not been successful and have subsequently been dropped. Homes for Scotland encourages the Council to follow Perth and Kinross Council approach, who are proposing to reduce the percentage of affordable homes required on a site when a private developer intends to build smaller low cost homes for sale, and the full quota of affordable would render to site unviable.

Bobby Halliday Architects (00669) and Stirling Housing in the Countryside (01319) consider that by imposing an affordable housing contribution in the countryside, this is stifling growth in the current economic climate and making it a penalty for building in the countryside. This is particularly relevant to conversions of buildings or groupings of buildings, especially 'listed buildings' (there are now no VAT exemptions on listed buildings or conversions creating further financial pressures). Reference is made to the Scottish Government Chief Planners letter (CD29) and the request for realistic and flexible approaches.

Reference is made to PAN 2/2010 (Para.14) where the benchmark percentage is 25%. The Housing Need and Demand Assessment does not mention the use of a 50% affordable requirement in the Western rural area and although 50% is mentioned in the Local Housing Strategy, there is no logical sequence from the data to this percentage. Warren Consultants accept that there may be a stronger requirement in the Western Rural Villages, but consider it quite a leap to double the benchmark requirement.

Bobby Halliday Architects (00669), Warren Consultants (SLDP_192), Stirling Housing in the Countryside (01319) and Scottish National Party Group (00711/021) - Consider the original threshold (in the Draft Proposed Plan) of 10 was correct as this higher number of units can contribute to the overall development costs but to impose the contribution on a small number of units (4 or more) makes projects unviable. It is the view of the district valuer that the land value pertaining to affordable housing is zero and it follows that the application of the standard to a small scheme may render it unviable because the land value would become too low for the landowner to be motivated to sell the land for development. Irrespective of the affordable housing costs, there will also be infrastructure costs – these combined costs will sterilise smaller developments in the Countryside. In addition the opportunity in securing a 'lending' facility to assist in financing such a project is nil, particularly when such costs are factored into the financial model. As it stands, this proposed equation for development contributions would completely undermine the Council's policies on Housing in the Countryside, most certainly for conversions.

CALA Homes (West) Ltd (SLDP_230) - The planning obligation is the transfer of serviced land at below market value or a commuted payment at an equivalent value instead. Clarification is needed to ensure that the Affordable Housing Policy is in accord with Scottish Planning Policy and Circular 2/2010 on Planning Obligations.

CALA Homes (West) Ltd (SLDP_230) and Mactaggart & Mickel (Homes) Ltd (SLDP_669) – Consider the integration of affordable homes throughout developments ('pepper potting') can also prove problematic not only for the house builder and the social landlord for future management purposes.

Homes for Scotland (SLDP_165), Taylor Wimpey UK Ltd (SLDP_263), Mansell Homes (01321), Allan Water Developments Ltd (SLDP_342) & Stewart Milne Homes Ltd (SLDP_272) - Do not agree with Part (b) of Policy 2.2 requiring larger developments (20 units or more) to meet the needs of smaller households, older people and lower income

households. The private house building industry exists to supply houses of sizes and prices that suit their consumers, within attractive locations where people want to live. There is no guidance on what type of housing the Council requires developers to provide to meet the needs of older people. Compliance with the 2010 building regulations will ensure housing is suitable. Developers should not be regulated by the planning department in the marketability of the mix, house-types and prices of the product that they choose to plot on a particular site. This policy will threaten the delivery of affordable units by eroding developer profits and the ability to deliver smaller units, lower valued units and units to suit the needs of older people.

Dunblane Community Council (SLDP_85/002) - Consider the affordable housing calculation for a development in Dunblane should be based on 25% of the median house price in the Dunblane market area not the wider housing market area, otherwise it will encourage the building of small numbers of expensive houses on available plots. The policy will also dis-benefit developers in less expensive housing market areas by resulting in an unfair affordable housing contribution as a proportion of the value of the development.

Stafford Trust (SLDP_256/002) - The proposed contribution threshold is too low and the financial contribution requirement is too high. The threshold for affordable housing contributions will hinder the delivery of mainstream housing as the proposed threshold of 4 units will not provide sufficient relief to stimulate development. The required contributions are significantly higher than the average value of an affordable house plot. The policy is based on a house price value, not a plot value. A number of the applications that will be subject to the affordable housing contribution will be applications to form house plots (applications for planning in principle). When the owner takes these sites to the market they do not realise the same value as a finished house, but are subject to the same contribution levels.

Mactaggart & Mickel (Homes) Ltd (SLDP_669/005) - Uncertainty over future funding of affordable housing is not a reason to restrict supply as PAN 2/2010 identifies a variety of different forms of affordable housing that could come forward without the need for subsidy. Suggests a variety of methods of affordable housing type. In order to achieve affordable housing growth, market housing must be provided as enabling development. Objects to the reduction in the threshold for affordable housing contributions from 10 (in the Draft Plan) to 4 units which will make many sites unviable.

Rural Stirling Housing Association (SLDP_156/001) - Considers priority should be given to on-site provision in highly pressured settlements where the existing proportion of affordable housing is low and there are few other options for delivering affordable housing. The policy relaxation to on-site provision for developments of less than 20 homes is a concern in the rural area where most developments are smaller. The Council should reserve the right to lower this threshold where there is a particular need for affordable housing in that village. Consider that the settlements of Fintry, Killearn and Strathblane (all highly pressured) are particularly important for the delivery of affordable housing as affordable housing represents a particularly low proportion of the existing housing stock. The Right to Buy has severely reduced the original stock of Council homes in all of these communities and there has been no affordable housing built there for several decades.

Strathblane Community Council (SLDP_102/003) - The 50% affordable contribution is welcomed but should ensure that affordable housing units are delivered within the same local area as the development. This should be written into the Strathblane Settlement Plan, if not into the plan as a whole, otherwise it will make the imbalance of housing types worse. Affordable housing contributions from developments outside the local area could be applied to deliver greater than 50% affordable units within Strathblane/Blanefield, where there is a particular shortage of such housing. Concerned over two developers being able to split the

land to avoid the 20-unit threshold. Also, asks why the Plan doesn't say that the market housing should be at 'bottom quartile' prices.

Policy 2.3 - Particular Needs Housing & Accommodation

Strathblane Community Council (SLDP_102/005) - The Plan should identify sites for particular needs housing and consideration be given to securing sites for this type of development as a priority.

Policy 2.13 - Residential Caravans

Scottish National Party Group (00711/017) – Objects to part (a) (i) of the Policy.

Modifications sought by those submitting representations:

Policy 2.2 – Planning for Mixed Communities and Affordable Housing

Bobby Halliday Architects (00669/001) - Remove the affordable housing contribution completely or re-examine the policy and remove it for developments under 10 units.

Warren Consultants (SLDP_192/001) - The 25% benchmark should be adhered to unless the Council is able to demonstrate calculations that show the link from the data to 50% as opposed to any other percentage - in order to comply with the terms of the circular. Retain the original threshold of 10 dwellings for affordable housing requirement.

Stirling Housing in the Countryside (01319/001) – Exclusions to affordable housing contributions, for housing in the countryside, be amended as follows:

1. Conversions excluded from developer contributions; and
2. Developments of 8 units or less excluded from developer contributions.

This would permit expensive conversions to take place in the countryside and accord with the principles of the existing Housing in the Countryside Policy.

CALA Homes (West) (SLDP_230/002) - Part (a), remove "The different kinds of housing should be well integrated through the entire development scheme, ensuring that the siting and layout and architectural quality and design, is appropriate to the site and surrounding area". Add "The provision of affordable housing will be in accord with Council or Registered Social Landlord requirements".

Part (c), reword as follows: "All new residential development schemes, including conversions, of 4 or more units, where the developer is not the Council or a Registered Social Landlord, should include the provision for the transfer of serviced land for affordable housing or make a financial contribution to facilitate affordable housing provision elsewhere as a commuted payment at the equivalent value in accord with PAN 2/2010".

Part (c)(i), reword as follows: "Schemes consisting of between 4 and 19 units (inclusive) - up to 25% of the total number of units, or a financial contribution if there are suitable alternative development sites in the housing market area.

Part (c)(ii), reword as follows: "Schemes consisting of 20 units or more - up to 25% of the total number of units, preferably provided on-site.

Homes for Scotland (SLDP_165/003); Taylor Wimpey UK Ltd (SLDP_263/002); Mansell Homes (01321/004) - Recommends that part (b) of the policy is deleted. Recommends the deletion of the 50% affordable housing requirement. 25% should be a maximum. Satisfied with the provisions of part (c) iii of the policy, which indicates flexibility in application of the affordable housing policy, as there will inevitably be circumstances when 25% affordable housing cannot be achieved.

Allan Water Developments Ltd (SLDP_342/004); Stewart Milne Homes (SLDP_272/003); Mactaggart & Mickel (SLDP_669/005) - The Plan should reinstate the threshold to 10 units or allocate land for 100% affordable housing where appropriate. The affordable housing contributions should not be restricted to delivery through the use of planning obligations. In many cases, the delivery of affordable housing fails the tests set out Circular 1/2010 Planning Agreements and as such, should not be the subject of an obligation.

Scottish National Party Group (00711/021) - Seek to have the affordable housing threshold increased to 8, preferably 10, subject to review in 5 years.

Dunblane Community Council (SLDP_85/002) - A fairer system would be to determine the value of the contribution to affordable houses on a percentage of the total value of the development at sale. This would also have the effect of driving down land prices in areas of present high value as some of this contribution would come from land values. The detail of the contribution could be on a sliding scale.

Wallace Land Investment & Management (SLDP_48/015) - The 50% requirement should be deleted in favour of a maximum requirement of 25%, with this provision being subject to the flexibility provided for under part (c) (iii) of the policy.

Stafford Trust (SLDP_256/002) - A revision to the affordable housing threshold to a higher level (6 units) and more, and a reassessment of the financial contribution model, as the contribution requirements are excessively high and will act as a deterrent to the delivery of both mainstream and affordable housing.

Persimmon Homes East Scotland (SLDP_200/001) - A benchmark requirement of 25% would be more appropriate with the policy to be applied flexibly, including a pragmatic approach to be taken to the delivery of housing in the highly pressured areas.

Moray Estates (SLDP_27/007); Messrs A & M Paterson (00082/002) - The 50% affordable housing contribution should be revised to 25%.

Bank of Scotland plc (01322/010) - Increase affordable housing threshold to 20 units or reduce requirement from 50% to 25%.

Rural Stirling Housing Association (SLDP_156/001) - Particular priority should be given to on-site provision in highly pressured settlements.

Strathblane Community Council (SLDP_102/003) - Affordable housing units to be delivered within the same local area as the development should be written into the Settlement Statement for Strathblane and Blanefield.

Policy 2.3 - Particular Needs Housing & Accommodation

Strathblane Community Council (SLDP_102/005) - Give consideration to securing sites for particular needs housing a priority.

Policy 2.13 - Residential Caravans

Scottish National Party Group (00711/017) – In part (a) (i) of the Policy - delete "newly established".

Summary of responses (including reasons) by planning authority:**Policy 2.2 – Planning for Mixed Communities and Affordable Housing**

Given the high levels of outstanding need for affordable housing (as outlined in the Housing Need and Demand Assessment – CD66), and in order to meet the housing supply target of 88 affordable units per annum, the Council's Local Housing Strategy, Para.1.36 (CD62) identifies the need for a continuing affordable housing policy. The Local Housing Strategy (Para.1.40) also refers to priority locations for the development of affordable housing as highly pressured areas, the pressured areas and the 3 regeneration areas. Within the highly pressured areas where house prices are high and development opportunities few, the contribution is 50%. The remaining areas will be subject to 25%.

Scottish Planning Policy (Para.88) allows for a different percentage to the 25% benchmark to be applied if justified by the Housing Need and Demand Assessment and identified in the Local Housing Strategy and development plan. The 50% affordable housing contribution proposed within the Plan follows the Local Housing Strategy recommendation in Para.1.40. Details on how the affordable housing requirement is expected to be delivered including the approach to urban and rural areas, is set out in Proposed Supplementary Guidance SG04 (CD161), consistent with Scottish Planning Policy (CD1) (Para.87).

The application of different percentages for affordable housing in the Stirling area is not new. The current Local Plan Alteration 1A Supplementary Planning Guidance on Planning to Meet Stirling's Housing Needs (CD38) includes a range of different percentages including a 50% affordable housing requirement on sites in high pressure areas i.e. Anchorscross, Dunblane. This development (Site H014) is currently under construction with 31 market houses and 29 affordable units (15 social rented, 14 shared equity) - the equivalent of 52% market / 48% affordable.

In response to the Scottish Government Chief Planners letter (CD29), the Council approved a report to the Council Executive in May 2011 (CD231) agreeing to a more flexible approach in applying the affordable housing policy in the Council area. This approach included different approaches to subsidised and unsubsidised sites and flexibility in how the contributions might be used on sites. This approach is being used effectively in current negotiations (see Review of Housing Sites in Stirling – CD248), and this approach has been taken forward into the Proposed Plan and Proposed Supplementary Guidance.

The suggestion by Homes for Scotland (SLDP_165) that Stirling Council follows Perth and Kinross Council's approach is, in some respects, already supported by the Policy. The Supplementary Guidance allows for a range of types of housing to be considered as affordable and includes any houses to be built in the lower quartile (currently £105,000) to qualify as affordable housing. This would have the effect of reducing any remaining affordable housing requirement on the site. The Council does not therefore to agree to modify the Plan in response to this representation.

Mactaggart and Mickel (Homes) Ltd (SLDP_669) refer to a variety of affordable housing types that could come forward without subsidy. Section 4 of SG04 sets out the Council's

view on what is classed as affordable housing in the area – this is based on the findings of the Housing Need and Demand Assessment and the recommendations in the Local Housing Strategy. Lower cost market housing (at the lowest quartile) is recognised as affordable. However developer shared equity and discounted housing for sale are not recognised as such, given that there is no control to ensure that the housing unit remains affordable over the longer term or in perpetuity. Para.87 of Scottish Planning Policy supports such an approach which is set out in Supplementary Guidance. The Council does not therefore to agree to modify the Plan in response to this representation.

Strathblane Community Council (SLDP_102) want the affordable housing units to be delivered within the same local area as the development from which the contributions derive. Scottish Planning Policy (Para.86) states that the need for affordable housing should be met, where possible, in the housing market area where it arises. In Stirling's case, the housing market area is the whole Council area. The Council's approach to the use of affordable contributions makes possible a response which takes local housing needs into consideration. In principle, if there are local housing needs and a scheme in which the funds can be invested within a reasonable timeframe, the funds are likely to be used locally. Being too rigid in approach would be inappropriate, however, given that:

- 6) Some affordable contributions are not large enough to fund a scheme on their own and have to be joined up with other contributions which might not be from the same community.
- 7) Significant affordable contributions are expected in areas where there are relatively low levels of housing need. The May 2011 Council Executive report (CD231) makes it possible for these funds to be invested in areas of greater need.
- 8) The Council takes an overview of all the funds it receives and tries to meet housing needs in a balanced way i.e. if an area has a scheme into which Scottish Government funding is being devoted, affordable housing contributions from that area might be used elsewhere.

The Council does not therefore to agree to modify the Plan in response to this representation.

Strathblane Community Council (SLDP_102) concern over two developers being able to split the land to avoid the 20-unit threshold, is already covered by the use of the term (and glossary definition) in the Plan of a 'development scheme'. A development scheme may consist of one planning application or a series of planning applications which are sufficiently connected by time, location, design or other relevant characteristics to be treated as one development scheme. The Council does not therefore to agree to modify the Plan in response to this representation.

The Council does not support Strathblane Community Council (SLDP_102) comments requiring all market housing to be at 'bottom quartile' prices. The planning authority does not want to unduly constrain the private housing market but recognises that a mix and range of house types is required across the whole Stirling area. Policy 2.2 (b) encourages larger developments (20 units or more), which are able to take advantage of economies of scale, to respond by introducing the types of housing more consistent with local housing needs. The Council does not therefore to agree to modify the Plan in response to this representation.

There are a number of requests to amend the proposed thresholds for affordable housing – these requests range from 4 or more (as proposed in the Plan) to 20 or more. Most of the different suggestions relate to specific proposals (many examples are cited) and therefore there is no consistency in the reasons given for amending the thresholds. There is not considered to be any compelling evidence which confirms that the current required

affordable housing contributions are preventing developments coming forward. Recently, a developer has paid a £135,000 affordable housing contribution for a development of 9 units in a countryside location at Pisgah, Dunblane, and there are other examples of signed Section 75 Agreements and many at an agreed stage (ref: CD247). The proposed shift in the affordable housing threshold from more than one unit to 4 or more means that some current proposals would not be required to contribute. The proposed shift to using the Median House Price in calculating the financial contribution provides greater clarity and certainty as to the likely amount of the contribution.

Within the current Local Plan Alteration 1A 2007 (CD36), Policy H3 deals with the requirement for affordable housing contributions and Policy H6 introduces a range of approaches for the Rural Villages and Core Areas, which is further detailed in the Supplementary Planning Guidance on Planning to Meet Stirling's Housing Needs (CD38). The following affordable housing requirements currently apply:

- Core Area – sites of over 20 dwellings.
- Rural Villages Area – sites of 4 dwellings or more.

In 2010, the Council introduced a new Housing in the Countryside Policy (H10A) (CD84) as Supplementary Planning Guidance which introduced a threshold requirement for housing in the countryside:

- Countryside – sites of more than 1 new dwelling.

The purpose of introducing a new policy on affordable housing through the Local Development Plan is to simplify the process of securing affordable housing contributions and unify the approach particularly in terms of thresholds. The proposed threshold of 4 units or more, applicable across the whole Plan area, is considered reasonable and in direct response to the evidence of high affordable housing need throughout the Stirling area. By increasing the threshold from the current more than 1 dwelling to 4 or more within the highly pressured Rural Villages Area, allows for very small developments (less than 4 units) to be exempt, and is therefore responding to some of the concerns raised, particularly to developments in the countryside.

Within the Core Area, by reducing the threshold from over 20 units to 4 or more, the Council is responding directly to the high affordable housing need expressed within the Housing Need and Demand Assessment and seeking to maximise the delivery of this in recognition of the majority of new housing allocations taking place within the Core Area. The current range of affordable housing supported in the area ensures a variety of options can come forward and (CD248) gives examples of this.

In response to concerns over viability, there is considered to be sufficient flexibility in the Policy within Part (c) (iii) and the Proposed Supplementary Guidance SG04 (particularly Para.5.17), where the financial viability of particular projects will be considered and an appropriate response offered including reviewing the timing or phasing of paying financial contributions to assist the financial viability of a scheme. In negotiating current planning obligations for affordable housing, the Council has received only one formal request for flexibility based on impact on financial viability, and no submissions to modify or discharge an existing obligation. The Council does not therefore to agree to modify the Plan in response to this.

Stafford Trust's (SLDP_256) comments about the difference in value between the housing plot and the financial contribution (which is considered much higher) ignores the need to look

at the whole development cost in residential valuations – this includes the value of the land which should reflect any contributions that are due. This is further explained in Proposed Supplementary Guidance SG16 (CD180) (Para.4.1). Planning Advice Note 2/2010 (CD10) (Para.22), refers to the use of land values however further states that the commuted sum is a matter for negotiation between the developer and the local authority and indicates that planning authorities may consider a policy for calculating commuted sums and consult on this before applying it. The calculation is just the starting point for such negotiations and any concerns over viability should be supported by evidence. The Council's proposed methodology is set out within Supplementary Guidance SG04 (CD161), para.5.15, and is based on the 'median' house price rather than the current lowest price unit or land value. The Council's proposed use of a median house price is because it is a recognised figure produced annually by Scottish Government and provides a higher degree of certainty in terms of what actual contribution will be due. This approach is considered consistent with the advice in PAN 2/2010. The Council does not therefore to agree to modify the Plan in response to this representation.

Dunblane Community Council (SLDP_85) suggestion that the median house price should be that for the local area has merit but would be difficult to implement in practice. This is because the median figure that is used is one published by Scottish Government and therefore open to public scrutiny. Using local community medians would require a costly annual piece of research of sales statistics. It might also lead to confusion amongst developers, with a different calculation of the affordable housing contribution in different communities.

The Local Housing Strategy (CD62) outcome for the need and demand for housing (Para.1.10) is an improved supply of houses of all types and tenures that are affordable, particularly to households on low and middle incomes, and meet the needs and aspirations of households and communities across Stirling. The Council does not therefore support objectors' requests to remove part (b) of Policy 2.2, which is considered consistent with the evidence presented in the Housing Need and Demand Assessment. The Council does not therefore to agree to modify the Plan in response to this representation.

CALA Homes (West) Ltd (SLDP_230) suggestion to remove Part (a) of Policy 2.2 referring to the integration of housing on sites, and being appropriate to the site and surrounding area, and replace this with a more generic statement requiring compliance with the Council or Registered Social Landlord requirements, is not supported. Scottish Planning Policy (Para.78) refers to creating places with a distinct character and identity, promoting a well integrated mix of land uses including well designed homes of different types and tenures. This approach is also promoted in the Council's Proposed Supplementary Guidance SG01 on Placemaking (CD158) at Paras.5.4.9 and 6.6. The Council does not therefore to agree to modify the Plan in response to this representation.

In addition, CALA Homes (West) Ltd (SLDP_230) and Mactaggart & Mickel (Homes) Ltd's (SLDP_669) concerns about proposed 'pepper potting' is not what is actually being suggested by Policy 2.2 but a more integrated approach to housing mix. These concerns have not been reflected in the representations received by other developers and particularly Registered Social Landlords. The Council does not therefore to agree to modify the Plan in response to these representations.

CALA Homes (West) Ltd's (SLDP_230) suggestion to change "include affordable housing" to "include the provision for the transfer of serviced land for affordable housing or make a financial contribution" is not supported. The details of how to secure financial contributions for affordable housing is appropriately outlined within the Proposed Supplementary

Guidance SG04 (CD161). Part 5 outlines the varying approaches to determining whether on-site or off-site provision will be required including the transfer of land serviced land (or units) and Para.5.7 deals specifically with the transfer of land. The Council does not therefore consider that the suggested amendment needs to be included within Policy 2.2 itself.

Rural Stirling Housing Association (SLDP_156) suggestion that priority be given to on-site provision in highly pressured settlements is a reasonable request but it is considered that the Policy and Supplementary Guidance SG04 (CD161) (and other local area analysis that can be drawn on), provides adequate flexibility for the Council to insist on on-site provision in particular circumstances. The Council does not therefore to agree to modify the Plan in response to this representation.

Stirling Housing in the Countryside (01319) suggestion that conversions be excluded from affordable housing contributions is not supported. The need for affordable housing (particularly in the highly pressured areas) is so acute, that all residential development should contribute to affordable housing. Should particular proposals prove financially unviable, there is sufficient flexibility in the Policy and Proposed Supplementary Guidance to consider this. The Council does not therefore to agree to modify the Plan in response to this representation.

Policy 2.3 - Particular Needs Housing & Accommodation

Paras. 5.27 to 5.32 of the Local Housing Strategy (CD62) make clear that particular housing needs now tend to be met in a different way, not by designating sites for particular housing needs. The only grouped housing that might be developed is for people with a learning disability, although none is presently planned because the two schemes developed recently in St Ninians and Raploch appear to have met the immediate needs and it is as yet unclear what additional future needs there might be. That having been said, the Council's housebuilding programme includes bungalows which would be appropriate to the needs of older people and people with disabilities. These are being, or are to be, built in Cornton (H060), Killearn (H100), Riverside (H051), Cowie, Bannockburn (H003) and Cultenhove (H059). The Council does not therefore to agree to modify the Plan in response to this representation.

Policy 2.13 - Residential Caravans

The Council are agreeable to modifying the Plan to accord with the Scottish National Party Group's (00711) suggested amendment to allow for temporary residential caravan accommodation in association with the management of a rural business. As 'newly established' cannot be easily defined, this change provides additional clarity on how part (i) of the policy will apply. The Council considers this to be non-notifiable modification.

Reporter's conclusions:

Background

1. In examining this issue, I have applied the term 'affordable housing' as that is defined in Planning Advice Note 2/2010 (PAN, CD10), which is "Housing of a reasonable quality that is affordable to people on modest incomes". Scottish Planning Policy (SPP, CD1) and the PAN both indicate that in some places the market provides some or all of the affordable housing needed while in others, it will be necessary to meet an identified need by making housing available at a cost below market value.

2. SPP recognises that affordable housing can be delivered in a number of different forms, which may include social rented accommodation, mid-market rented accommodation shared ownership, shared equity, discounted low cost housing for sale (including plots for self-build units), and low cost housing without subsidy. SPP then indicates that where a housing need and demand assessment (HNDA) and the local housing strategy (LHS) for an area identify a shortage of affordable housing, then this should be addressed in the development plan as part of the housing land allocation process. Where such a need is identified, it should be met, where possible, in the housing market area where it arises.

3. SPP acknowledges that the need for affordable housing provision will vary across Scotland and within individual local authority areas. The development plan response should therefore be tailored to suit the situation and particular circumstances found in the local area. SPP adds that detailed policies on how to deliver the affordable housing requirement may differentiate between urban and rural areas, and they should be set out in supplementary guidance rather than in the development plan. SPP emphasises that policies on affordable housing provision must be realistic, and must take into account development viability and the availability of funding.

4. SPP and the PAN recognise that it is appropriate to seek a percentage affordable housing contribution from the developers of new housing developments where this is justified by evidence in an HNDA, and where a figure has been included in the LHS and the local development plan (LDP). SPP and the PAN give a total benchmark figure of 25% for the number of affordable houses that any individual site should be expected to contribute. However, SPP acknowledges that a different percentage may be used to address particular local circumstances, provided that any alternative higher figure is justified by the HNDA and identified in the LHS and the LDP.

5. Stirling Council has undertaken a detailed HNDA (CD66) for the whole of its area, which encompasses the area covered by the LDP. The assessment has been confirmed by the Scottish Government as robust and credible, so that its findings and conclusions are not open to examination as part of the LDP process (CD1, paragraph 67). The HNDA shows that, at the date of the assessment, there was a significant shortfall in the provision of affordable housing in the area, which if left unchecked, would grow substantially before the end of the plan period. Furthermore, the LHS (CD62) recognises the outstanding need to provide additional affordable housing and it identifies a housing supply target of 88 affordable housing units per year within the LDP area. Consequently, in accordance with SPP, the planning authority has identified a significant shortage of affordable housing in the LDP area, which the development plan should address.

Percentage approach to the provision of affordable housing

6. Policy 2.2: Planning for Mixed Communities and Affordable Housing expects that all new residential developments should provide a range of housing of different types and sizes and, where required, should also provide different tenures and levels of affordability. Policy 2.2(c) states that all new residential developments, including conversions, of 4 or more units (where the owner is not Stirling Council or a Registered Social Landlord) should include an element of affordable housing, or should make a financial contribution to facilitate the provision of affordable housing elsewhere, if there are suitable alternative development sites available in the housing market area. The required level of provision is 50% of the total number of units in all developments in the defined Highly Pressured Areas, and 25% elsewhere. Policy 2.2(c)(iii) adds that although the priority is to deliver affordable housing on-site, particularly on the larger sites, “the Council will be flexible in implementing its affordable housing policy to suit the particular circumstances of the settlement, the site

conditions and funding arrangements”.

7. Further detailed guidance on the application of this policy is then set out in proposed Supplementary Guidance SG04: Affordable Housing (CD161). SG04 also defines the Highly Pressured Areas as comprising all of the Stirling Rural Villages Area (or the Stirling Rural sub-area as defined in the LHS) together with the settlements of Dunblane and Bridge of Allan.

8. A total of 19 representations submit that the above 50% figure for the Highly Pressured Areas is too high. These representations make the case that the best way to achieve an increased output of affordable housing is through an increased supply of easily developed and effective general needs housing sites. The representations refer to the 25% benchmark figure for affordable housing in SPP and they draw attention to a letter from the Scottish Government’s Chief Planner (CD36), which emphasises the importance that should be attached to ensuring that planning policies on affordable housing are realistic and take full account of development viability and the likely availability of funding.

9. The representations submit that contributions in excess of the 25% benchmark figure are unlikely to be deliverable in the current economic climate, particularly in situations where proposals require a high level of public subsidy. Further, expecting a 50% contribution of the total number of units will result in very little affordable housing being built, especially in certain locations, which would jeopardise the LDP’s wider vision and the general delivery of growth and increased numbers of houses. To avoid this, a maximum requirement of 25% should be applied across the whole of the plan area. The representations point to experience elsewhere in Scotland, where councils have imposed a percentage requirement for affordable housing in excess of the benchmark, only to abandon it subsequently, because it proved to be unsuccessful.

10. Other representations acknowledge that there may be a case for a slightly higher percentage contribution in the Stirling Rural Areas, but that doubling the figure to 50% would be excessive and unjustified.

11. In response, the planning authority reminds that while SPP and the PAN both indicate that the benchmark figure for affordable housing should be 25%, both add that a different percentage figure may be used provided that it can be justified on the basis of the information contained in the HNDA. The submitted HNDA and the LHS demonstrate high levels of outstanding need for affordable housing throughout the plan area. This is particularly the case in the defined Highly Pressured Areas, where house prices are high and development opportunities are limited. In these circumstances, the 50% affordable housing requirement is justified. The planning authority also points to the existing Supplementary Planning Guidance on Meeting Stirling’s Housing Needs (CD38), produced to support the current adopted Stirling Local Plan Alteration 1A, which contains a range of different percentages, including a 50% affordable requirement on sites in high pressure areas. Site H014 at Anchorscross, Dunblane, which is currently under construction and is covered by this existing 50% provision policy, is expected to provide a total of 48% affordable housing. With respect to the Chief Planner’s letter, the planning authority indicates that it is already being flexible through the adoption of different approaches to subsidised and unsubsidised sites, as well as in relation to how financial contributions may be used on particular sites. This more flexible attitude will remain an important element of the LDP approach to affordable housing in Policy 2.2 and set out in the related SG04. In this context, reference is made to the terms of Policy 2.2(c)(iii).

12. The Chief Planner's letter acknowledges that development plans may seek 25% of the total number of units in a new development to be affordable, where this is justified by an HNDA. However, the letter also stresses the importance the Scottish Government places on removing constraints to the development of housing land in the current difficult economic climate and the likelihood that significantly lower levels of public funding will be available to support the development of affordable housing in the next few years. Taking these matters into account, the letter suggests that, in implementing planning policies on affordable housing, planning authorities should consider whether requiring developers to make provision for a 25% or higher affordable housing contribution is likely to be deliverable. The letter states that setting the percentage for the affordable housing contribution too high will constrain and stifle the overall level of house building to an extent that is likely to be counter-productive. In some cases, it could even mean that no housing building will proceed on some sites.

13. Drawing all these matters together, I find that the planning authority has demonstrated through the HNDA and the LHS that there are high levels of outstanding need for affordable housing throughout the plan area and particularly in the Highly Pressured Areas. The inclusion of a policy in the LDP to address this issue is therefore both necessary and appropriate and in accord with SPP. However, the key concern in the representations is the high 50% affordable housing requirement that the LDP would apply to developments in the Highly Pressured Areas. This figure is twice the benchmark figure of 25% for Scotland as a whole from SPP and the PAN. SPP acknowledges that different figures can be applied locally, provided that they are justified by the HNDA and identified in the local housing strategy. The Stirling Council HNDA identifies in broad terms that there is a significant and growing issue over affordable housing provision. The LHS confirms this and indicates that the priority areas for such provision are the Highly Pressured Areas and the 3 LDP regeneration areas (paragraph 140). Within the Highly Pressured Areas, the LHS only states that because of the high price of housing and the relative lack of development opportunities, the affordable housing contribution will be set at 50%. Therefore, while the scale of the affordable housing issue has been considered in general terms through the HNDA process and the LHS, the percentage response has not been assessed or analysed in any detail in either of these documents.

14. The planning authority is addressing an important and growing problem, but I am concerned that in attempting to maximise the potential delivery of affordable housing, sight has been lost of the wider need to encourage and promote the new housing development that is essential to future economic growth and the health and vitality of the area. Little or no evidence has been produced to support or justify the decision to choose the figure of 50% for the Highly Pressured Areas. In addition, there is no analysis of the implications and effects of setting any possible percentage affordable housing contribution on the rate of market/private housebuilding in the plan area. Furthermore, there is no evidence that the affordable housing shortage in the Stirling area is so significantly different to other parts of Scotland, whereby a requirement of twice the benchmark figure could be warranted. On the basis of the information that is available to me, the planning authority seems to have decided to select the figure of 50% because of an understandable desire to try to maximise the opportunities for affordable housing in such areas, irrespective of the potential consequences of that for the level of residential development likely to take place. While such an approach may be socially appropriate, its inclusion in an LDP should also be justified on land use planning grounds. In the present economic climate, the viability and delivery of the housing sites allocated in the plan must also be a key consideration and I consider that the 50% requirement would more than likely constrain development opportunities unduly and discourage potential developers from bringing sites in certain areas forward for development.

15. The planning authority's response that these concerns can be satisfactorily addressed by adopting a flexible approach to the implementation of the policy is no doubt well intentioned. However, that undertaking does not overcome my fundamental concern about the basic lack of transparency and guidance. Prospective developers do not have clarity or certainty over what will or will not be supported. The statement about flexibility in Policy 2.2(c)(iii) does not adequately address the points raised in the Chief Planner's letter or my concerns regarding the need for development plans to be realistic and to take account of considerations of development viability and the availability of funding. In particular, it is not clear to me that the effect of applying a 50% level of affordable housing contribution on the viability of small sites in the Highly Pressured Areas has been fully considered, or that the implications on overall levels of development have been taken fully into account.

16. The adopted local plan has sought to achieve a 50% level of affordable housing contribution on certain sites under the general provisions of Policies H2 and H3. However, these policies do not set out figures for the level of affordable housing contributions in particular parts of the plan area. Instead, the details concerning the level of affordable housing contribution are in Development Guidelines for particular sites, which are not part of the statutory development plan. In addition, this approach was formulated well before the recent and detailed guidance in SPP and PAN. Therefore, the previous approach cannot provide a precedent or justification for what the LDP now proposes.

17. In conclusion, the planning authority has failed to provide a satisfactory justification for setting the affordable housing contribution in the Highly Pressured Areas at the high level of 50%. Given the potential impact imposing such a level of contribution could have on the viability of developing residential opportunities and the delivery of new homes in these areas, I consider that the level of contribution should be reduced to nearer the benchmark figure of 25%. To balance the seriousness of the need for affordable housing in the Highly Pressured Areas with the need to reduce the financial implications for developing sites, I am of the view that a reasonable alternative figure for contributions in these areas would fall somewhere between the benchmark 25% and the LDP figure of 50%. Accordingly, I recommend 33%. The proposed 25% level for affordable housing contribution for elsewhere in the plan area would remain unchanged.

Proposed threshold for affordable housing contributions

18. The current adopted Stirling Council Local Plan Alteration 1A applies affordable housing requirements to sites of 20 or more dwellings in the Core Area, and to sites of 4 or more dwellings in the Rural Villages Area. In 2010 the planning authority added non-statutory Supplementary Planning Guidance on Housing in the Countryside (CD84), which altered the threshold for affordable housing contributions in the countryside policy areas to sites of more than 1 dwelling. The LDP would lower the Core Area threshold from the 20 units in the adopted local plan to 4. The DLP would also raise the single unit supplementary planning guidance threshold to 4 units in the Highly Pressured Areas. In effect, these changes would require an affordable housing contribution from all sites of 4 or more units across the whole of the plan area. The draft version of the LDP set the equivalent threshold at 10 or more units.

19. Several representations express concern over this proposed significant threshold reduction from the draft plan, which would apply to developments across most of the Stirling Core Area. Such a low threshold will hinder the delivery of mainstream housing and make many small projects unviable. In short, the representations consider that reducing the threshold so much in the present economic situation will stifle growth and be counterproductive in undermining efforts to have new affordable housing built.

20. The planning authority states that the changes simplify and unify the process of securing affordable housing contributions across the entire plan area, as a direct and reasonable response to the evidence of a very high affordable housing need in the HNDA and the LHS throughout the Stirling Council area. The authority explains that the new threshold will allow very small developments in the Highly Pressured Areas to be exempt from the affordable housing requirements. Outwith the Highly Pressured Areas, the new lower threshold recognises that the majority of new residential developments will occur in this area. The aim is to maximise the delivery of affordable housing in those parts of the plan area with the largest number of allocated housing sites, where the highest level of development is to be expected. On viability, the planning authority again relies on the flexibility in Policy 2.2(c)(iii) and in SG04 to enable developers to make the case that meeting the affordable housing requirement could undermine the viability of a particular development. In these circumstances, the timing or phasing of any financial contributions can, amongst other things, be reviewed to assist the viability of a scheme.

21. In drawing these matters together, the proposal to introduce a threshold of 4 or more units uniformly across the plan area carries significant implications. Firstly, the proposed increase from 1 or more to 4 or more units in areas that were previously in the Rural Villages Area of the supplementary planning guidance, and which would now fall within the LDP Highly Pressured Areas, will allow smaller developments to be exempt from the affordable housing requirement. This should assist in removing a potential financial burden from small scale rural developments and thereby help to make them more financially viable. Given the nature and scale of the developments that are likely to take place within the more rural parts of the plan area, the new raised threshold of 4 or more units is appropriate and this aspect of the LDP is therefore to be welcomed.

22. Next, lowering the threshold for developments outwith the Highly Pressured Areas but in the LDP's Core Area from 20 units or more in the adopted local plan down to 4 or more units, will cover those locations where most development is likely. I appreciate also that the planning authority is trying to maximise the potential output of affordable housing from as many of these sites as possible. However, the LDP must balance attempts to secure affordable housing from as many sources as possible with the inherent imposition of a significant burden on very small urban sites, the financial viability of which is perhaps already questionable. As proposed, the LDP affordable requirement is likely to prevent a number of these smaller sites from being developed within the plan period, so they will deliver no housing of any kind. Consequently, I find that this proposed lower threshold is too restrictive for these areas and it fails to strike an appropriate balance.

23. The planning authority relies heavily on the ability to deal with the impact of the reduced threshold for affordable housing on the viability of sites under the flexibility provisions set out in Policy 2.2(c)(iii). Again, I am not persuaded that these flexibility measures are necessarily an appropriate or effective way of dealing with viability. Little information has been produced to suggest that the need to exercise a flexible approach to the viability of sites will be required in only a limited number of cases. In this context, I note that SG04 refers to the flexibility provisions being applied only in 'exceptional circumstances' where the financial contribution towards the affordable housing requirement might render a development unviable (CD161, paragraph 5.17). In such situations, the planning authority may be willing to review the timing or phasing of paying financial contributions to assist the financial viability of a scheme, but the root of the problem may be a more fundamental issue affecting the development economics of developing very small sites. In other words, the problem might not be a simple matter of timing or phasing. A further concern is that the flexibility provisions in the plan and SG04 operate solely at Stirling Council's discretion. Consequently, for these reasons, the authority's approach again lacks the transparency and clarity about the

outcome of negotiations, which should be expected from development plan policy. A key requirement of development plans is to provide clarity and certainty, and the suggestion that the detailed provisions of a development plan policy may be set aside runs directly counter to this.

24. In summary, on the basis of the information available to me, the case has not been made for the proposed new threshold of 4 or more units outwith the Highly Pressured Areas. I consider that in trying to maximise the output of affordable housing from small sites outwith these areas, too little attention has been given to the effect that the proposed affordable housing contributions thresholds are likely to have on viability and the resultant prospects of securing development. Consequently, the threshold for requiring an affordable housing contribution outwith the Highly Pressured Areas should be returned to the level proposed in the draft LDP, i.e. applicable to all sites of 10 or more units.

Integration of affordable housing within residential development schemes

25. Several representations express concern regarding the integration of affordable housing throughout a development. This practice has been referred to in the representations as 'pepper potting'. The planning authority points out that this is a misunderstanding of the provisions and intent of Policy 2.2. Part (a) of the policy states that different kinds of housing should be well integrated through the development and its objective is to ensure that new residential developments contain a range of house types and sizes, including affordable housing as required, which have architectural quality and a cohesion appropriate to their surroundings.

26. This approach is consistent with SPP at paragraph 78, which sets out the Scottish Government's objective of ensuring that new housing developments deliver quality residential environments and create successful and distinctive places for people to live in. As indicated in SPP, the aim should be to create character and identity through the promotion of a well integrated mix of land uses including well designed homes of different types and tenures. I find that this is exactly what Policy 2.2 (a) is designed to address. The concept of 'pepper potting' of residential schemes with different house types and tenures is clearly contrary to the intention of this policy and would represent the antithesis of what SPP expects the planning authority to achieve.

Priority for the needs of smaller households, older people and lower income households

27. Homes for Scotland, Taylor Wimpey, Mansell Homes, Stewart Milne Homes and Allan Water Developments Ltd have expressed concern over the wording of Policy 2.2 (b), which they consider would 'require' developers of all larger market/private residential schemes (20 or more units) to meet the needs of smaller households, older people and lower income households.

28. Policy 2.2(b) expects that any market housing development of 20 units or more should "aim to meet the needs of" smaller households, older people and lower income households consistent with local housing needs. A proper reading of the policy shows clearly that the planning authority does not intend to 'require' such action. The policy is aimed instead at encouraging house builders to provide a wider mix of house types and sizes, including lower priced houses, units for smaller households and dwellings for older people. Larger sites are well placed to meet that aim because they can enjoy economies of scale that allow them to respond positively by building the broadest possible range housing that is more consistent with local needs. In these circumstances, I find no justification for modifying the plan in response to these representations.

Use of the Median House Price

29. The representations from Dunblane Community Council and the Stafford Trust question the basis for the calculation of the financial contribution used by the planning authority and the reliance on the use of nationally produced median house prices. However, these representations are answered fully by the explanation and justification for the methodology to be used in calculating commuted payments that is set out in SG04 (CD161). Otherwise, I confirm that median house prices are used because they are Scottish Government figures, which are published annually. Consequently, they are generally accepted as a consistent, certain, and clear information resource, which is readily and regularly monitored. Given that, these figures provide a strong basis for the calculation of commuted payments. The figures are also consistent with the advice on the calculation of commuted payments in PAN 2/2010. Therefore again, no local development plan modification is justified.

Meeting affordable housing within local communities

30. Strathblane Community Council requests that affordable housing units should be delivered within the same local area as the development from which the contribution would be derived. However, I find that such a rigid approach cannot always be appropriate. Significant affordable housing contributions may be derived from developments in areas where the housing need is relatively low. In addition, the contributions from smaller developments may not be large enough on their own to fund an affordable housing development. In both cases, the funds would then produce a better return with contributions from sites in other communities. Consequently, the LDP strikes an appropriate balance between meeting local needs and satisfying demand in locations within the same housing market area, as required by paragraph 86 of SPP.

Policy 2.3: Particular Needs Housing

31. Strathblane Community Council requests that the local development plan should give priority to securing sites for particular needs housing. However, although some housing sites such as H023 Braehead and H048 Burghmuir Road are allocated in the LDP for particular needs housing, the LHS explains that it is no longer best practice to designate sites for particular client groups. Current practice is to provide new houses that suit the requirements across the full range of different special housing needs, including older people, people with dementia, and disabled people. To achieve that, all new houses will increasingly be designed to accommodate everyone's needs, and Stirling Council's own building programme is already tending to focus on the construction of bungalows. In these circumstances, I find no justification for modifying the plan to address the concerns raised in this representation.

Policy 2.13: Residential Caravans

32. The representation from the Scottish National Party seeks the deletion of the words 'newly established' from Policy 2.13(a)(i). The planning authority agrees with the suggested change and states that it has removed these words from the policy as a non-notifiable pre-examination modification. On that basis, the concern raised in this representation seems to have been resolved and no further action is required.

Other matters

33. I have carefully considered all the other matters referred to in the representations regarding affordable housing and find that many of the points raised have been satisfactorily

addressed either in the plan or the Supplementary Guidance produced by the council (CD161). I therefore conclude that none of the other matters raised warrant making any modifications to the plan.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting the existing sub-paragraphs (c)(i) and (c)(ii) from Policy 2.2: Planning for Mixed Communities and Affordable Housing and replacing them with the following new sub-paragraphs:

“(c) All new residential development schemes, including conversions, of 4 or more units within the Highly Pressured Areas, and of 10 or more units in the remainder of the plan area, where the developer is not the Council or a Registered Social Landlord, should include affordable housing or make a financial contribution to facilitate affordable housing provision elsewhere. The level of provision will be determined as follows:-

(i) Schemes consisting of between 4 and 19 units (inclusive) in the Highly Pressured Areas: - 33% of the total number of units, or a financial contribution if there are suitable alternative development sites in the housing market area.

(ii) Schemes consisting of 20 or more units in the Highly Pressured Areas - 33%, or within the remainder of the plan area -25%, of the total number of units, preferably provided on-site.

(ii) Schemes consisting of between 10 and 19 units (inclusive) in the remainder of the plan area: - 25% of the total number of units or a financial contribution if there are suitable alternative development sites in the housing market area.”

2. Renumbering the existing sub-paragraph (c)(iii) to become (c)(iv).

Issue 10	Housing in the Countryside/Housing in Garden Ground	
Development plan reference:	Policy 2.10 – Housing in the Countryside (page 41) Policy 2.11 – Houses in Garden Ground/Curtilages (page 42)	Reporter: Iain G Lumsden
Body or person(s) submitting a representation raising the issue (including reference number):		
Warren Planning Consultants (SLDP_192) CALA Homes (West) (SLDP_230) Scottish National Party Group (00711) June & Willie Buchanan (SLDP_1317)		Kippendavie Group Trust (SLDP_70) Stirling Civic Trust (SLDP_183) Dunblane Community Council (SLDP_85) Kate Sankey (00698)
Provision of the development plan to which the issue relates:		
Planning authority's summary of the representation(s):		
<p><u>Scope of Policy 2.10 - Housing in the Countryside</u></p> <p>Warren Consultants (SLDP_192/002); CALA Homes (West) (SLDP_230/004); Scottish National Party Group (00711/016); June & Willie Buchanan (SLDP_1317/001); Kippendavie Group Trust (SLDP_70/010) - all object to the scope of the policy as written.</p> <p>Warren Consultants (SLDP_192/002); Kippendavie Group Trust (SLDP_70/010) - object to the limitations outlined in Supplementary Guidance SG10: Housing in the Countryside, relative to the operation of the policy within the Green Belt.</p> <p>Kippendavie Group Trust (SLDP_70/010) - consider that restricting the policy in terms of building groups, clusters and infill sites, runs contrary to Scottish Planning Policy both in terms of the principles of Green Belt designation, and approach to rural development.</p> <p>Warren Consultants (SLDP_192/002) - considers the narrow nature of the criteria listed within the policy in itself, is a sufficient safeguard for development within the Green Belt.</p> <p>CALA Homes (West) (SLDP_230/004) - consider that the policy needs to include a mechanism to allow for the release of sustainable sites in the countryside in instances where a 5 year land supply is not being maintained at all times. Consider that such an approach would accord with Scottish Planning Policy.</p> <p>Scottish National Party Group (00711/016) - consider that the policy should express support for proposals that result in the beneficial reuse of a Brownfield site, or the re-habitation of a semi-derelict or ruinous former residential dwelling.</p> <p>June & Willie Buchanan (SLDP_1317/001) - consider that 'small settlements' form a critical component of responsible rural development planning, and object to the policy on the grounds that it does not give them suitable prominence. Provide documentation supporting the case that Glentirranmuir and its immediate environs offer the opportunity to develop a new grouping under such a revised policy framework.</p>		

Warren Consultants (SLDP_192/002) - does not consider it appropriate for holiday lets to be restricted to building groups. These help promote tourism, with isolated locations in scenic areas often their appeal.

Clarity over definitions or limits within Policy 2.10 - Housing in the Countryside

Stirling Civic Trust (SLDP_183/003) - object to the wording of the policy, with specific regard to the support given to proposals which are “visually related to the existing Building Groups or Clusters”. Consider that this definition is too wide, and that it could be argued that quite widely separated buildings are visually related.

Dunblane Community Council (SLDP_85/006) - object to the policy on three specific grounds; that it could lead to ribbon development; that there is no specific time limit on the definition of what constitutes a farm steading; there is no indication in terms of time as to when additions around a single house will become considerations as to whether a building group/cluster has formed, and can then be added to.

Policy 2.11 - Houses in Garden Ground/Curtilages

Warren Consultants (SLDP_192/005) - object to the wording of part (c) of the policy in relation to privacy, stating that a reduction of privacy should not be sufficient grounds for refusal.

Kate Sankey (00698/002) - objects to the policy on the grounds that it precludes development within Conservation Areas or grounds of Listed Buildings. Considers that breathing new life into Conservation Areas is important, and that good design and respecting the historic or architectural importance of the existing building is key, which is adequately covered by criteria (a) to (d) of the policy.

Modifications sought by those submitting representations:

Scope of Policy 2.10 - Housing in the Countryside

Kippendavie Group Trust (SLDP_70/010) - policy should be applied to Green Belt in the same way it is applied in the Countryside generally.

CALA Homes (West) (SLDP_230/004) - add criteria to policy which states “Where a 5 year land supply is not being maintained at all times, sites for housing in the countryside adjacent to existing settlement boundaries, or part of existing building groups or clusters, will be considered for development. Amend part b) of policy to read “Development opportunities within designated Green Belts will be significantly constrained (see Policy 1.4. and SG10) unless a 5 year land supply is not being maintained”.

Scottish National Party Group (00711/016) - add criterion to policy that states “When the proposal will result in the beneficial re-use of a Brownfield site or the re-habitation of a semi derelict former residential dwelling.

June & Willie Buchanan (SLDP_1317/001) - seeks a change to the policy by way of adding a category to the policy which supports the establishment of “small settlements”.

Limits to definitions of Policy 2.10 - Housing in the Countryside

Stirling Civic Trust (SLDP_183/003) - seeks a change to the wording of criterion (i) to state "When they are within or closely visually related to existing Building Groups and Clusters"

Policy 2.11 - Housing in Garden Ground/Curtilages

Kate Sankey (00698/002) - seeks a change to the policy by way of deletion of current text "outwith Conservation Areas and/or grounds of Listed Buildings."

Summary of responses (including reasons) by planning authority:Scope of Policy 2.10 - Housing in the Countryside

Kippendavie Group Trust (SLDP_70/010) - object to the restrictions placed on the policy relative to the Green Belt.

Warren Consultants (SLDP_192/002) - make similar criticisms of the policy. Proposed Supplementary Guidance SG03 Green Belts (CD160) sets out in detail the Council's reasoning and rationale in relation to the designation of Green Belts within the Council area. In summary this surrounds the need to prevent coalescence, to protect and enhance the quality, character, landscape setting and identity of settlements and important heritage features, and to protect its open space function. This is considered consistent with the approach outlined within Scottish Planning Policy, paragraph 159 (CD1).

The Council considers that allowing the policy to operate fully within Green Belt areas would conflict with and undermine the reasons and purpose for designating the areas of Green Belt in the first place. The Council however is mindful that the provisions of Scottish Planning Policy relative to Green Belts makes clear that such a designation is not to prevent all development from happening. The limitations to the operation of the policy within the Green Belt, as set out in Section 2 of Proposed Supplementary Guidance SG10 Housing in the Countryside (CD177a) are therefore considered to strike the appropriate balance between ensuring that the wider Green Belt objectives are met whilst supporting rural housing development in appropriate locations and at appropriate scales within the Green Belt. The Council does not therefore agree to modify the Plan in response to this representation.

CALA Homes (West) (SLDP_230/004) - argument that under Scottish Planning Policy the Council have an obligation to ensure a minimum 5 year effective land supply is not in dispute. However their argument that Policy 2.10: Housing in the Countryside be revised in the manner suggested is not accepted. Through part (a) of Primary Policy 2, and Policy 2.1: Housing Land Requirement, the Plan is considered to have adequate mechanisms in place to address any potential shortfall in land supply should that occur. Moreover, the approach adopted in the Plan also ensures that in such a scenario the realisation of land would occur in a planned way, allowing the Council to ensure that its obligations under Scottish Planning Policy to provide a range of effective sites can be met in a way that the more speculative approach suggested would not. The Council does not therefore agree to modify the Plan in response to this representation.

It is contended that the policy and associated Proposed Supplementary Guidance SG10 (CD177a and CD177b) as written, already adequately address the objections of the Scottish National Party Group (00711/016). Specifically parts (a) (iv) and (a) (vi) of the policy and

paragraphs 2.21 and 2.29 to 2.31 of the associated Design Guidance. The Council does not therefore agree to modify the Plan in response to this representation.

It is accepted that paragraph 94 of Scottish Planning Policy requires the Council, through its Development Plan, to support more opportunities for small scale housing development within the rural area. In considering an appropriate response, the Council has to recognise that the Local Development Plan area's position within the wider Central Belt makes it popular for housing and commuting, and inherent with a more positive policy approach is the threat of suburbanisation of the countryside.

Policy 2.10: Housing in the Countryside and associated Proposed Supplementary Guidance SG10 (CD177a) is considered to be an appropriate policy response, which reflects the spirit of national policy, whilst addressing local circumstances and pressures. Such a tailored approach is considered consistent with the content of the Chief Planner's letter to Heads of Planning dated 4th November 2011 (CD235).

The specific approach taken as regards clusters and groups is to set a framework that supports the sensitive expansion and addition of existing groups, as opposed to supporting the type of completely new grouping/settlement advocated in the submission by Julie and Willie Buchanan (SLDP_1317/001). The Council considers that a category allowing the type and scale of completely new group within the Countryside would have significant detrimental impacts on the countryside and the suggested modification is not accepted. The Council would wish to clarify that whilst SG10 paragraph 2.7 and Action P28 within the Action Programme (CD48) makes reference to the future production of further guidance on the designation of "Small Settlements" this is intended to address existing, and growing building groups and clusters as opposed to entirely new groupings. The Council does not therefore agree to modify the Plan in response to this representation.

Paragraph 94 of Scottish Planning Policy makes clear that Development Plans should support opportunities for holiday homes within the rural area. The siting and design issues arising from new holiday homes (outwith those within managed chalet development) are considered to reflect many of those arising from general housing in the countryside. Consequently it is considered appropriate that they be treated in the same manner and assessed under the same policy criteria. This allows for such development to take place on range of different sites and contexts and at different scales – not just building groups as suggested by Warren Consultants (SLDP_192/002). The Council does not therefore agree to modify the Plan in response to this representation.

Clarity over definitions or limits within Policy 2.10: Housing in the Countryside

Proposed Supplementary Guidance SG10 (CD177a) supports the policy by providing details of the definitions of the terms used, and limits to its use. It is considered that paragraph 2.6 and Chapter 03, Section 2 of the Design Guidance (CD177b) offer sufficient clarity regarding what constitutes a building group, and the parameters for additions to address the concerns of Stirling Civic Trust (SLDP_183/003) without need to modify the policy in the manner suggested.

Equally it is considered that paragraphs 2.9, 2.12, and 3.1(i) of Proposed Supplementary Guidance SG10 (CD177a) adequately address the concerns of Dunblane Community Council (SLDP_85/006) relative to ribbon development and time limits on what constitutes farm steadings. Furthermore, paragraphs 2.6 to 2.11 of SG10 clearly set out the parameters and requirements regarding building groups and it is not considered necessary or appropriate to include any time limit on when additions to these can be considered. The

Council does not therefore agree to modify the Plan in response to these representations.

Policy 2.11: Housing in garden Ground/Curtilages

Development of the nature outlined and generally supported within the policy has the potential to significant impact on the setting of Listed Buildings. Over time, through a change in density, loss of open space, sub-division of garden ground, such development can also have a significant incremental impact of the character of our Conservation Areas. Consequently the preclusion of support for development within the grounds of Listed Buildings and Conservation Areas is considered consistent with the provisions of Scottish Planning Policy (CD1) paragraphs 112, 113 and 115, and consistent with other Plan policies relative to the historic environment (particularly Primary Policy 7, and Policies 7.3, and 7.4). The Council does not therefore agree to modify the Plan in response to the representations by Kate Sankey (00698/002) and Warren Consultants (SLDP_192/005).

Reporter's conclusions:

The scope of Policy 2.10: Housing in the Countryside

1. The representations submitted by Warren Consultants, Cala Homes (West), the Scottish National Party, June and Willie Buchanan and the Kippendavie Trust all question the limited scope of Policy 2.10. The first matter causing concern relates to the limitations of the policy relative to its operation in designated green belt areas. It is submitted that restricting the operation of the policy in green belts to building groups, clusters and infill sites is contrary to the approach set out in Scottish Planning Policy (SPP, CD1) for rural development and the principles that should apply to development in the green belt.
2. As indicated in Issue 8, Policy 1.4: Green Belts plays a key role in the implementation of the local development plan's longer term settlement strategy. That policy directs development to appropriate locations in line with the overall strategy and vision set out in the plan. The green belt designation is intended to prevent coalescence, to protect and enhance the quality, character, landscape setting and identity of settlements in the Core Area. Given that, development in the designated green belt is therefore subject to tight control and can only be permitted in certain limited circumstances.
3. The guidance for rural development in paragraphs 92 to 96 of SPP sets out a very different policy regime. The emphasis here is to take a positive approach to new development to assist in providing the right conditions for rural businesses and communities to flourish. Such an approach is not necessarily appropriate in the green belt. The green belt in the local development plan generally surrounds the larger towns and settlements, which by their very nature are urban rather than rural in character. It is appreciated that the guidance in SPP applies to all rural areas, but as recognised in paragraph 93, the character of rural areas varies greatly across the country from pressurised areas of countryside around towns to sparsely populated remote locations.
4. SPP goes on to indicate that the strategy for rural areas in development plans should respond to the specific circumstances found in an area. In this case, the designated green belt is located in the more densely populated central belt of Scotland and within easy commuting distance of the major cities. It is an area that is under pressure to accommodate additional housing to meet the needs of locals and commuters. The planning issues that affect the green belt on these urban fringes are therefore quite different to those found in the more rural places, which are striving to attract and encourage development opportunities to

support sustainable economic growth.

5. In these circumstances, the planning authority has a sound planning justification for deciding to exercise the discretion allowed under the terms of SPP to tailor the countryside policies to suit the particular circumstances found in its area. In my opinion, the local development plan strikes an appropriate balance on this by choosing to distinguish between those provisions of the policy that should apply within the green belt and those that should operate within the more rural areas of countryside. To do otherwise would result in a clear conflict between the general countryside policies and the objectives and purpose of designating the green belt. There is therefore no justification for modifying Policy 2.10 in response to these representations.

6. Cala Homes (West) submits that the policy should be modified to include a mechanism which allows sites within the Countryside Policy area to be released for development if the planning authority cannot demonstrate that a 5 year effective land supply for housing is available at all times. This representation is a variant of the submissions made in respect of Issues 4 and 8 and, for similar reasons, I do not consider that it is either necessary or appropriate to include the suggested additional criterion in Policy 2.10. The change proposed in this representation deals with matters that are more appropriately addressed through regular reviews of the local development plan. The alternative approach suggested by Cala raises the possibility of a number of unplanned housing sites being released in the countryside on a piecemeal basis. This is a scenario that should be avoided in the interests of the proper planning of the area.

Redevelopment of derelict properties and the re-use of brownfield sites in the countryside

7. The SNP have indicated that the Policy 2.10 should include express support for the beneficial re-use of brownfield sites in the countryside, including the re-habitation of ruinous or semi derelict former residential dwellings. An additional criterion is suggested to that effect. I agree with the planning authority that proposed Supplementary Guidance SG10: Housing in the Countryside (CD177A) supports the redevelopment of derelict properties and brownfield sites in the countryside. Given the very detailed nature of the subject, it is appropriate for the matter to be in supplementary guidance, as opposed burdening Policy 2.10 of the local development plan with such detail. There is therefore no need to modify the plan in respect of this representation.

The development of small residential clusters or settlements

8. June and Willie Buchanan consider that small clusters should be an important component in the development of rural areas, and Policy 2.10 as presently expressed, does not give that sufficient prominence. They use the existing collection of houses at Glentirranmuir as an example of an opportunity to develop a new small cluster or group of buildings. The planning authority considers that Policy 2.10 supports the sensitive expansion and addition to existing building groups. However, what representation is effectively seeking is explicit policy support for the creation of completely new clusters of buildings in the countryside. The planning authority opposes that because sizeable groups of new houses in the rural areas would produce significant detrimental effects.

9. I consider that this representation is designed to gain support for the creation of significant groupings of new dwellings (some 8 to 10 units) outwith existing settlements or other building groups. In effect, there is very little difference between that and the general promotion of more housing in the countryside, which would constitute a significant change in the approach to housing in the countryside set out in Policy 2.10. The change would also

represent a substantially higher scale of development than is envisaged in SPP as 'small scale' housing developments in rural areas. I agree with the planning authority that this concept would have a significant detrimental impact on the appearance and character of areas of open countryside. In conclusion, the concept of creating clusters of new housing, or more accurately small settlements, is not consistent with SPP, nor is it in accord with the local development plan approach to housing in the countryside. I therefore consider that it would not be appropriate to modify the plan to take account of the changes proposed in this representation.

Locations for holiday homes

10. Warren Consultants are concerned that the location of houses constructed to provide holiday homes to let seems to be restricted to sites within existing building groups. It is submitted that such properties help to promote tourism and that isolated locations in scenic areas would be particularly popular. SPP indicates that development plans should support opportunities for holiday homes in rural areas. However, issues like the appropriate siting of such properties in the countryside still require to be addressed, and they are largely the same for holiday homes as for mainstream housing in the countryside. In these circumstances, while acknowledging the potential economic benefits that may arise, in the interests of retaining the appearance, amenity and character of rural areas, it is not appropriate to apply the same standards and requirements to proposals for holiday homes as to normal houses. In any event, from my reading of Policy 2.10 and the associated proposed supplementary guidance, development could take place on a range of different sites and locations and not just within building groups as asserted in the representation. I do not therefore consider that the policy will constrain to any significant extent the potential development of well designed and located holiday homes in the rural areas and the plan should not be modified to meet the points raised in this representation.

Definitions of the terms used in Policy 2.10

11. Stirling Civic Trust seeks a change in the wording of Policy 2.10 criterion (i) to clarify what is meant by "proposals that are visually related to existing building groups or clusters". It is submitted that this phrase is too vague and open to a variety of interpretations and its clarity would be improved with the insertion of the words 'closely related' in the place of the word 'related'. The planning authority considers that the advice and details in proposed Supplementary Guidance SG10: Housing in the Countryside – Design Guidance (CD177b) provides sufficient detail on the interpretation of the policy.

12. I consider that, as the representation indicates, the use of the term visually related is open to various interpretations and is lacking in clarity and precision. I am also not persuaded that the supplementary guidance represents any improvement. In my opinion, as presently worded, criterion (i) could be interpreted as providing support for proposals which are located at some distance from an existing building group or individual buildings, but where it could be argued that there was some tenuous form of visual interrelationship. Therefore, in the interests of clarity and removing uncertainty from the policy, it is necessary and appropriate to modify criterion (i) in Policy 2.10 to read "When they are within or closely and cohesively visually related to existing Building Groups and Clusters".

13. Dunblane Community Council has concerns that Policy 2.10 could result in ribbon development. Concerns are also raised over the definition of what constitutes a farm steading and how many extensions and additions to an existing building will be allowed before it would become a 'building group'. I agree with the planning authority that both parts of SG10 combine to address the concerns raised in the representation satisfactorily. No

change is therefore required to the policy.

Policy 2.11: Housing in Garden Ground/Curtilages

14. Kate Sankey submits that Policy 2.11 appears to preclude developments within conservation areas and within the curtilage of listed buildings, whereas well designed developments that take account of the historic or architectural character and importance of conservation areas or listed buildings can breathe new life into an area. Warren Consultants also have concerns because the reference to a reduction of privacy in part (c) is not sufficient planning grounds for refusing planning permission for a house in the garden of an existing property.

15. The planning authority indicates that, in general, the policy could enable developments that could have a significant effect on the appearance and character of a conservation area or the historic and architectural qualities and setting of a listed building. Given that, it would not be appropriate for Policy 2.11 to indicate support for, or even just a presumption in favour of, such proposals. To do so would also be contrary to the advice in SPP about the need for careful consideration of the impact of development proposals on conservation areas and listed buildings.

16. Policy 2.11 deals only with the development of houses in curtilages or garden grounds. Policy 7.4 deals with other forms of development involving properties in conservation areas or affecting listed buildings and it does not preclude all forms of development. Based on this, I agree with the planning authority that the policy is appropriately worded and should not be modified to take account of the concerns raised.

17. Policy 2.11 criterion (c) does not necessarily imply that loss of privacy or any level of adverse impact, no matter how insignificant, on the privacy of surrounding properties, would justify a refusal of planning permission. The criterion explicitly indicates that proposals should not 'materially' affect the privacy or daylight of surrounding properties. In my view, this is an appropriate policy test that proposals should be required to satisfy. Consequently, the plan should be not modified to take account of this representation.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting the wording of criterion (i) entirely from Policy 2.10 and replacing it with "When they are within or closely and cohesively visually related to existing Building Groups and Clusters".

Issue 11	Infrastructure and Developer Contributions	
Development plan reference:	Primary Policy 3: Provision of Infrastructure (page 45) Policy 3.2 – Site Drainage (page 46) Policy 3.3 – Developer Contributions (page 47)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Government (SLDP_188) Kippendavie Group Trust (SLDP_70) Graham's The Family Dairy (SLDP_327) BDW Trading Ltd/Elphinstone Land Ltd (01172) Scottish Water (SLDP_126) Walker Group (Scotland) Ltd (SLDP_103) Homes for Scotland (SLDP_165) Allan Water Developments Ltd (SLDP_342)		Stewart Milne Homes (SLDP_272) Charles Connell & Co Holdings Ltd (SLDP_1251) Gloag Investments (01112) CALA Homes (West) (SLDP_230) Story Homes (SLDP_1178) Warren Planning Consultants (SLDP_192) Bank of Scotland plc (01322) Cycle Stirling (01039)
Provision of the development plan to which the issue relates:	Sets out the Council's approach to the provision of new infrastructure and the approach to developer contributions.	
Planning authority's summary of the representations:		
<u>Primary Policy 3: Provision of Infrastructure</u> Scottish Government (SLDP_188/004) - The text used to highlight infrastructure proposals is frequently indistinct and occasionally set against a background which renders it illegible and virtual invisible. Also, no reference is noted in the accompanying map keys to any of the infrastructure proposals contained on the maps themselves. This presents a potentially misleading impression of the infrastructure proposals contained in the Plan. Kippendavie Group Trust (SLDP_70/006); Graham's The Family Dairy (SLDP_327/006) - Support the principles underpinning Primary Policy 3 and Policy 3.1, however considers the proposed allocations have little prospect of delivering the aims of creating accessible developments in sustainable locations. Object to Primary Policy 3(a)'s position that reducing the demands for new infrastructure will be the preferred approach in supporting the implementation of the Spatial Strategy. Stirling Council faces significant infrastructure constraints including public transport, road capacity, education and social welfare provision. It is through the careful location of new strategic development that infrastructure can be upgraded within a wider context of development contributions. BDW Trading Ltd/Elphinstone Land Ltd (01172/003) – Welcomes the recognition in Proposed Supplementary Guidance SG16 that developer contributions can render a development unviable. This should be reflected in PP3. <u>Policy 3.2 – Site Drainage</u> Scottish Water (SLDP_126/003) - The requirement for private treatment will be unlikely, as		

Scottish Water is funded for upgrades at treatment works. This should be reflected in the policy. Also, Scottish Water are currently working on a Memorandum of Understanding with Scottish Environment Protection Agency to allow maximisation of existing assets, and to therefore allow development where capacity at treatment works is limited. Please also note that if a private treatment system is to be installed, authorisation from the Scottish Environment Protection Agency by registration or a licence would be required.

Policy 3.3 – Developer Contributions

Walker Group (Scotland) Ltd (SLDP_103/001) - Concerned that the cumulative impact of the obligations will render some development sites non-viable and the timing or phasing of contributions should only be required in order to address an infrastructure shortfall at the time. The payment of up front contributions is not justified unless the Council has already committed to forward fund and deliver the infrastructure itself.

With regard to Health Care facilities, the NHS is fully funded by Central Government and should not be a matter for developer contributions or planning agreements. Notwithstanding the objection in principle, neither SG06 Health Care Facilities (CD162) or SG16 Developer Contributions (CD180) provide any clarity over the level of contribution. Land within developments may be identified and made available at market value to the NHS. Land being required is a matter for the planning process to identify, however any costs to develop infrastructure cannot be funded by private house builders. Refers to Solihull Metropolitan Borough Council Appeal decision (CD243).

With regard to Education Provision, concerned over the specific figures quoted in Proposed Supplementary Guidance SG15 (CD179) that do not provide a transparent, equitable, consistent and accountable approach to developer contributions. Also question why a primary school is required at Airthrey Kerse if the site is removed from the Plan.

With regard to transport, although figures are given in Proposed Supplementary Guidance SG14 (CD178) for the cost of the City Transport programme and peak period trips resulting in a cost per trip calculation, this information is not evidenced without a full list of projects and their costs against which total trips arising from all future development contained in the Plan can be divided. This is required in order to provide a transparent, equitable, consistent and accountable approach to developer contributions.

Homes for Scotland (SLDP_165/004); Allan Water Developments Ltd (SLDP_342/003); Stewart Milne Homes (SLDP_272/004) – Object to the extent to which the use of Planning Agreements under Section 75 of the Town and Country Planning (Scotland) Act 1997 has been extended beyond the scope of the tests of planning purpose, relationship to the development, scale and kind and reasonableness set out in Circular 1/2010 (CD5). The methodology used to calculate the impact of new development on infrastructure and services should have regard to the net new impact, not simply total impact. The contributions required from new developments must be fair and accurately assessed. The Council must be able to prove that a detriment is being created. The Proposed Plan contains a large number of developer obligations in relation to infrastructure, public facilities and amenities, the cumulative impact of which will render some development sites non-viable. The issue of strategic infrastructure to enable development has to be tackled as a matter of urgency.

Objects to part (d) relating to health infrastructure. Developers cannot contribute towards the cost of meeting new or expanded local health care infrastructure resulting from new development in the identified 'pressured locations'. This is not a matter for the development

industry, but a function of the NHS and the Scottish Government. NHS Forth Valley has a statutory duty to provide healthcare, and should allocate sufficient money from their capital budget to facilitate this. Also makes reference to Solihull Appeal decision (CD243).

Kippendavie Group Trust (SLDP_70/007); Graham's The Family Dairy (SLDP_327/007); Charles Connell & Co Ltd (SLDP_1251/006); Gloag Investments (01112/005) - The inclusion of specific financial contributions for projects by virtue of their location or scale as provided for in Policy 3.3 (and Proposed Supplementary Guidance SG16 – CD180), runs counter to the tests in Circular 1/2010 (CD5). Furthermore, the requirement for planning authorities to understand the implications of a planning agreement on the viability of a development is not reflected in Policy 3.3. Planning authorities should take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that could contribute towards economic growth. The application of planning obligations should not work against this objective. Individual projects should be considered on their own merits and planning obligations attributed to those projects be assessed on a case by case basis.

CALA Homes (West) (SLDP_230/003) - Amendments to Policy 3.3 Developer Contributions are required to ensure compliance with the five policy tests set out in Circular 1/2010: Planning Agreements.

Story Homes (SLDP_1178/10) - No objections in principle to the approach set out in Policy 3.3, but emphasises that the means by which developer contributions are sought should be consistent and transparent and comply with Circular 1/2010. A significant proportion of the proposed land allocations will be seriously constrained by the burden of financing necessary infrastructure improvements. Development allocations should therefore be directed to sites where the development costs are not as restrictive and which have a realistic possibility of funding the necessary infrastructure improvements. In addition, cognisance must be taken of other financial requirements expected of various development allocations. With regards to the Eastern Villages, the Plan should ensure that enough land is allocated to help fund both the necessary infrastructure improvements and the additional regeneration benefits expected to be delivered.

BDW Trading Ltd/Elphinstone Land Ltd (01172/003) – Policy 3.3, at paragraph (d) sets out an extensive list of generic infrastructure requirements and we would urge Stirling Council to ensure that the extent of infrastructure provision sought is appropriate, and facilitates rather than prevents development delivery and economic investment.

Warren Consultants (SLDP_192/006) – In terms of part (c), assumes that a developer will not be required to make developer contributions towards affordable housing as well as provide it on site.

Part (d)(i) - does not understand why there should be a choice of access, provided road standards are met e.g. for emergency access. Any planning gain requirements/developer contributions must be subject to the test of viability.

Bank of Scotland Plc (01322/008) – The thresholds for developer contributions do not fulfil specified criteria in Scottish Government advice on Planning Agreements (Circular 1/2010).

Cycle Stirling (01039/005) - Developer contributions should prioritise safe cycle infrastructure and networks in order to enable modal change, reduce overall transport costs, improve environment, sustainability and health.

Modifications sought by those submitting representations:Primary Policy 3: Provision of Infrastructure

Scottish Government (SLDP_188/004) - Improve mapping to ensure that the text for the infrastructure proposals is clear. Include references between the proposals on maps and those within the text of the Plan. The text for infrastructure proposals such as school extensions, link roads and new bridges should be made legible on the map and referenced in the accompanying key.

Kippendavie Group Trust (SLDP_70/006); Graham's The Family Dairy (SLDP_327/006) – Primary Policy 3 should focus on directing new development towards locations that are sustainable and can facilitate a meaningful investment in new infrastructure provision.

BDW Trading Ltd/Elphinstone Land Ltd (01172/003) - Primary Policy 3 should make reference to the point at paragraph 4.2 of SG16 that a developer contribution can render a development unviable.

Policy 3.2 – Site Drainage

Scottish Water (SLDP_126/003) - Add the following "Private drainage provision will be unlikely, however," before the last sentence of Section (a) Paragraph (i).

Amend "Scottish Water should be consulted where there is limited or no capacity at the waste water treatment works" to "Where there is limited capacity at the Waste Water Treatment Works the authority recommends early contact with Scottish Water".

Policy 3.3 – Developer Contributions

Walker Group (Scotland) Ltd (SLDP_103/001) - Reword Policy 3.3 to confirm necessity for requirements and timing of contributions and infrastructure. Health Care: Delete all references to Health Care Facilities and delete Supplementary Guidance SG06. Education: The figures in SG15 require to be revised and updated to provide evidence of a transparent, equitable, consistent and accountable approach to developer contributions. Transport & Accessibility: In order to provide a transparent, equitable, consistent and accountable approach to developer contributions, SG14 requires to list the City Transport Strategy programme projects and confirm the methodology for calculating the expected peak period trips.

Homes for Scotland (SLDP_165/004); Allan Water Developments Ltd (SLDP_342/003); Stewart Milne Homes (SLDP_272/004) – An additional clause be added at the end of Policy 3.3, as follows: - "The Council will work collaboratively with developers and other stakeholders to minimise developer contributions, particularly by way of phasing contributions to reduce 'up-front' financial burdens that could render sites non-viable". Section 3.3 (d)(v) Health Service Infrastructure should be deleted.

Kippendavie Group Trust (SLDP_70/007); Graham's The Family Dairy (SLDP_327/007); Charles Connell & Co Ltd (SLDP_1251/006); Gloag Investments (01112/005) – Policy 3.3 be amended to provide a policy framework in which planning obligations are applied in accordance with Circular 1/2010 and that viability of individual development projects is given central stage in the determination of obligations. This should include sub section and the relationship between development and the City Transport Strategy.

CALA Homes (West) (SLDP_230/003) - Part (b), remove "both critical and". Part (b), replace "be consistent with" with "will meet the tests set out in". Part (d), replace "will" with "may". Part (d), remove "fair and reasonable".

Story Homes (SLDP_1178/10) - Add the following to the last sentence in Part (b) after "be consistent with Circular 1/2010": - "in that such contributions should not be used to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives which are not strictly necessary to allow permission to be granted for a particular development."

Bank of Scotland plc (01322/008) – The threshold for waste management contributions (set out in SG19) should be amended to exclude the threshold of over 2.0 ha. If threshold is retained then clear guidance should be provided on how housing numbers will be taken into account in calculating contributions.

Summary of responses (including reasons) by planning authority:

Note: Circular 1/2010 Planning Agreements (CD5) was replaced by Circular 3/2012 Planning Obligations and Good Neighbour Agreements (CD17) in December 2012. The Council is agreeable to modifying the Plan to ensure consistency with Scottish Government Circulars, and therefore update all references to Circular 3/2012 within the Plan and relevant Supplementary Guidance and the use of the term 'planning obligations'. The Council considers these updates to be non-notifiable modifications.

Primary Policy 3: Provision of Infrastructure

Scottish Government (SLDP_188/004) - The suggestion made to improve the legibility of the infrastructure proposals shown on the Proposals Maps can be rectified in the final publication of the Plan and is considered to be a non-notifiable modification.

Kippendavie Group Trust (SLDP_70/006); Graham's The Family Dairy (SLDP_327/006) – The Spatial Strategy concentrates the majority of new development in the Core Area consistent with a sustainable settlement strategy. In securing new development in sustainable locations, careful balance has to be sought between the release of Green Belt and reflecting other important factors such as avoiding flood risk areas and the protecting the character of settlements - an important concept in placemaking. Not all development therefore can take place in the optimum sustainable locations in transport and accessibility terms.

The Plan recognises the significant infrastructure constraints that exist within the area (Primary Policy 3), but the most sustainable approach should continue to be to reduce the demands for new infrastructure by the careful location and siting of new development (particularly restricting major development in remote countryside locations). This is supported by Scottish Planning Policy (CD1) (Para.77) in that the efficient use of existing buildings, land and infrastructure should be a key consideration. This approach is also particularly important in the current economic climate. It is also recognised however that new development can help to deliver improved infrastructure, but the location must first be appropriate in terms of the overall strategy and the developer contributions sought consistent with Scottish Government policy. Both of these approaches have been taken forward in terms of the Spatial Strategy and Primary Policy 3 recognises that new infrastructure will be required. The Council does not therefore to agree to modify the Plan in response to these representations.

Both Primary Policy 3 and Supplementary Guidance SG16 are meant to be read together. Therefore the Council does not agree with BDW Trading Ltd/Elphinstone Land Ltd (01172/003) that the recognition given in SG16 to viability requires to be duplicated in the Policy itself. The Council does not therefore to agree to modify the Plan in response to these representations.

Policy 3.2 – Site Drainage

The Council are agreeable to modifying the Plan to accord with Scottish Water's suggested amendments to reflect Scottish Water's stance on private drainage systems and when they should be contacted. This will provide clarity in the policy. The Council considers this to be a non-notifiable modification.

Policy 3.3 – Developer Contributions

Walker Group (Scotland) Ltd (SLDP_103) – In situations where the impact of developer contributions may affect the viability of a project, the Proposed Supplementary Guidance SG16 (CD180) allows for the financial viability of projects to be considered and an appropriate response which could include varying the timing or phasing of contributions. Each case will require to be considered on its own circumstances and it may be appropriate for the payment of up front contributions to be justified in particular cases. The Council does not therefore to agree to modify the Plan in response to this representation.

With regard to Health Care facilities, the Appeal case (CD243) referred to by the Walker Group, Homes for Scotland, Allan Water Developments Limited and Stewart Milne Homes appears to relate to the impact of development on a GP Surgery which already has a significant capacity problem. At Para.56 of CD243, the Appeal Inspector does not agree that a financial contribution toward health infrastructure would be appropriate since the use to which such a financial contribution would be put is currently unknown and the contribution is being used to resolve existing deficiencies in infrastructure provision, contrary to the relevant Government Circular.

Scottish Government Circular 1/2010 (CD5) at Para.19 (now Para.21 of Circular 3/2012), is clear in that planning agreements (now termed planning obligations) should not be used to resolve existing deficiencies. In the case put forward by Stirling Council (and outlined within Proposed Supplementary Guidance SG06 on Health Care Facilities – CD162), contributions are only being sought towards the cost of meeting health care infrastructure necessary as a consequence of new development, including cumulative impacts. The instances where this will be required are indicated as 'pressured areas' and the level of contribution depends upon the scale and type of development required to address any predicted shortfall. The provision of land may also be required in some instances and land requiring to be safeguarded is indicated in the Proposed Plan Settlement Statement. The Council does not agree that developer contributions towards health care facilities should be removed.

Both Aberdeenshire Council Local Development Plan (CD244) and Aberdeen City Local Development Plan include developer contributions towards health facilities. Objections to the Aberdeen City approach were considered at its Local Development Plan Examination (CD242). The Reporter commented (at Para.38) that Circular 1/2010 (CD5) (Para.22) recognises that in some cases the provision of contributions towards community facilities may be acceptable provided the requirements are directly related to the development proposal and the need for them arises from its implementation. Where the evidence gathered shows that the proposed development would create a need for the health facility, the Reporter considered that there is a direct relationship between the two and the

requirement meets the tests in Para.11 of Circular 1/2010. (See also the tests in Para.14 of Circular 3/2012 CD (17)). The concerns expressed about the lack of information on existing capacities did not alter his view.

NHS Forth Valley has followed NHS Grampian's approach in calculating the impact of new developments which has informed SG06. The Council acknowledges that further work will be required to ascertain the likely design solutions for individual GP practices. This will be undertaken by NHS Forth Valley and provided to the Council for consideration including determining the actual cost of each proposed solution and the exact contributions that will be due. The Council does not therefore to agree to modify the Plan in response to these representations.

The Policy and detail set out in the Proposed Supplementary Guidance (SG16, SG02, SG06, SG14, SG15, SG19), which calculates the impact of new development on infrastructure and services has had regard to the net new impact, not total impact. Problems with existing capacity have not been included - the contributions required from new developments are therefore considered fair and accurately assessed. In all cases the Council can prove that a detriment will be created by the proposed developments with regard to transport, education and health care facilities, open space and household waste facilities. The Council does not therefore to agree to modify the Plan in response to these representations.

Walker Group (Scotland) Ltd (SLDP_103), Homes for Scotland (SLDP_165), Allan Water Developments Ltd (SLDP_342), Stewart Milne Homes (SLDP_272); Warren Consultants (SLDP_192) - Comment that there are a large number of developer obligations in relation to infrastructure, public facilities and amenities, the cumulative impact of which will render some development sites non-viable. However it is not clear from all the objectors to which specific obligations they are raising objection, with the exception of Health Care Facilities which is responded to above.

Kippendavie Group Trust (SLDP_70), Graham's The Family Dairy (SLDP_327), Charles Connell & Co Ltd (SLDP_1251) and Gloag Investments (01112) also object to an approach which considers cumulative impact rather than each individual project considered on its own merits

Circular 1/2010 (Paras.16 and 18) (now Paras.17 and 20 of Circular 3/2012), supports the consideration of cumulative impacts of development over time. Where a cumulative impact is anticipated and noted in the Supplementary Guidance SG16 (CD180) and the relevant Settlement Statement, all new development should make a contribution to this. This is considered to be a fair and reasonable way of sharing costs both over time and across multiple sites. This also gives the development industry certainty regarding costs, which would not exist if a "first come first served" approach were adopted. Contributions towards transport, education provision and health care facilities in certain locations, is dealt with on a mostly cumulative basis in the Core Area. Further details on the rationale for this approach, is outlined within the relevant Supplementary Guidance documents. The Council does not therefore to agree to modify the Plan in response to this representation.

In response to the Walker Group (Scotland) Ltd's (SLDP_103) comments on Education:

The reference to a primary school at Stirling North relates to the requirement for a new primary school near Wallace High School. Originally, in the Draft Plan, this was envisaged as a double stream school (14 to 15 classes) when the Airthrey Kerse (H056) was proposed, in addition to a small extension to Bridge of Allan Primary. The removal of H056 reduces the

number of pupils produced in the area and as such the proposal has been amended to take this into account by building a single stream school. This will meet the shortage of primary school spaces within the city area and allow pressure to be released on neighbouring schools in line with the approach set out in the Education Provision Background Report (CD75). The inclusion of a school co-located with Wallace High follows established practices of using resources efficiently through a campus approach which has been applied elsewhere within the School Estate as demonstrated at Balfron High School and Stirling High School.

Further development within Plean remains an aspiration over the longer term, in order to deliver regeneration benefits to the village, although no specific allocation for housing is being made at this time in the Plan. Given these longer term aspirations however, Plean has been included in calculations for education requirement as set out within the Education Housing Sites List submitted as a Core Document (CD245).

With regard to the increased costs, the total primary school requirement has remained similar. However as discussed above, the reduction of the school size at H056 from double to single stream leaves a shortfall of available spaces. This is shown in Supplementary Guidance SG15 (Table 2) as unallocated capacity of five classrooms. The location of these 5 classrooms will be made later in the phasing to address required capacity. The Stirling North Primary School includes an increased cost of building a single stream school rather than a proportion of a double stream school and a cost of land purchase.

The housing mix is set out in Table 1 of SG15 (CD179) and reflects advice from officers, based on evidence from the Housing Need and Demand Assessment (CD66). It is recognised that the average indicated in the representation would create a higher developer's contribution in excess of £12.2M. However, it would also create a greater pupil product requiring more pupil places than those identified in the £12.2M option. The benefits of a variable pupil product model are discussed at Para.2.11 in the Education Background Report (CD75), and the education authority believes that this delivers a solution that responds to potential changing development patterns. The Council does not therefore to agree to modify the Plan in response to this representation.

The costings and calculations for the original £9.2M primary options are contained in the Draft Supplementary Guidance on Education (2011) (CD156). The latest £12.2M primary options are contained in the Proposed Supplementary Guidance SG15 (2012) (CD179). These detail the pupil products and the build and distribution of costs that would apply in either case. Secondary provision is based on the stated mix in SG15 (2012 – CD179, Table 1) as highlighted above. On a similar basis to primary, the Walker Group's suggested housing mix would generate more pupils and therefore requires greater expenditure on additional capacity. The Council does not therefore to agree to modify the Plan in response to this representation.

Details on the pupil products used are contained within both the Education Provision Background Report (CD75) and SG15 (CD179). Pupil products were established over the last 10 years and when examined at the Major Growth Area Inquiry (CD40), were considered to be in line with other local authorities' methods. These pupil products are regularly checked after the occupancy of developments and have reflected pupils from new development across the authority. Building costs were provided by staff when the Council's asset management service and reflect the cost of providing accommodation at the individual locations.

The 7,884 housing units used in the calculations are based on the list of indicative developments as listed in Education Sites List (CD245). It is recognised that this list was

taken at a particular point in time (September 2012) and that it may increase or decrease depending on the status of planning applications.

In response to the Walker Group's comments on transport:

The Council agrees with the Walker Group (Scotland) Ltd (SLDP_103) that the process for identifying the proposed contribution towards the City Transport programme needs to evidence "a full list of projects and their costs against which total trips arising from all future development contained in the plan can be divided". The full list of projects upon which the contribution is based is contained within the Draft City Transport Plan 2013/14 – 2015/16 (CD73a). This Plan is a revision of the City Transport Strategy (CD72) upon which the current City Transport programme contributions system is based. The Draft City Transport Plan has been developed to take into account the proposals contained in the Proposed Plan, their impact on future transport demands within Stirling City and a programme for addressing these travel demands over the period 2013-2028. Approval for the City Transport Plan 2013/14 – 2015/16 is being sought from the Council's Environment and Housing Committee in June 2013. In order to remain responsive, the phasing and detail of the programme will be reviewed every three years. This will also enable the level of City Transport contributions to be reviewed to reflect any changes in the total cost of the programme.

Walker Group (Scotland) Ltd (SLDP_103/001) - The Council does not expect the payment of up front developer contributions in all cases but there may be instances (e.g. schools), where it is necessary for the provision to be in place at the outset of the occupation of a phase in the development. These are matters which will be determined in agreeing the planning obligation. Para.23 has been added to Circular 3/2012 (CD17) and indicates that planning authorities should give consideration to the possibility of other funding mechanisms with costs being recovered through stage payments as the development progresses. This is also requested in the representations submitted to the Plan. The possibility of the Council forward funding infrastructure and recouping the cost is regarded as a significant financial risk to the Council. The Council is not considered to be an appropriate vehicle for minimising developer risk. However there may be circumstances where forward funding particular aspects of a development would be appropriate, where consistent with the vision and strategy of the Plan and the Council's aims and strategic objectives and where the financial risks to the Council can be satisfactorily managed. The Council has a good track record of working with other partner agencies, including private sector developers; such examples include Forthside and the recent National Housing Trust initiative with Steadfast Homes.

Policy 3.3 reflects the requirements of Circular 1/2010 (CD5) in a manner that is consistent with Circular 1/2009 (CD4). With its associated Supplementary Guidance it represents a fair and reasonable approach to issues of infrastructure provision in a way that is appropriate and will be sufficient for the purpose. The Council does not therefore to agree to modify the Plan in response to this representation.

Both Policy 3.3 and Supplementary Guidance SG16 (CD180) are meant to be read together. SG16 accepts that there may be exceptional circumstances where the provision of the required financial contribution might render a development unviable (Para.4.2), and the Council will consider reviewing the timing or phasing of paying financial contributions to assist the financial viability of a scheme. The Council does not agree with the objectors that viability will not be considered and also does not consider it necessary to include an additional clause as suggested by Homes For Scotland, Allan Water Developments Ltd and Stewart Milne Homes.

Story Homes (SLDP_1178) – The Council does not support the suggested wording, as consistency with Circular 1/2010 (CD5) is already covered in Policy 3.3 and it is not considered necessary to repeat policy that is available elsewhere.

The Council does not consider it necessary to make any of the modifications suggested by CALA Homes (West) (SLDP_230). The use of the terms 'critical' and 'necessary' within part (b) of Policy 3.3 relate to their definition and usage in SG16. Their distinction relates to timing in terms of provision and is therefore different to the necessity test set out in Circular 1/2010 (Paras.12 to 14). Both terms should remain within Part (b) to be consistent with SG16.

By using the words "consistent with" it is already implicit that planning obligations will require to meet the Circular and meet the tests therein.

The current use of the word "will" is stronger than the suggested "may" but the Policy criteria still allow for judgement on whether a contribution is required relative to a specific proposal.

Fair and reasonable (along with necessary and proportionate) is one of the tests in Circular 1/2010 and therefore the Council sees no reason to exclude it. Part (d) essentially provides a summation of the tests in one sentence.

Warren Planning Consultants (SLDP_192) – In terms of Part (c) of Policy 3.3, it may be necessary to make developer contributions towards affordable housing as well as provide it on site, but this will be proportionate to the overall affordable housing percentage required on the site (this is detailed in SG04 – CD161). The Council does not therefore agree to modify the Plan in response to this representation.

Warren Planning Consultants (SLDP_192) – In relation to Part (d)(i) of Policy 3.3, the Council does not agree to the suggested modification. The key principle proposed within Policy 3.1 Addressing the Travel Demands of Development, is that new developments are safely and realistically accessible by a choice of walking, cycling, public transport and motor vehicles. Accordingly, if a developer is unable to ensure that there is a safe and realistic choice of access without additional interventions being implemented by another body such as Stirling Council or Transport Scotland, then contributions may be sought to enable such interventions. The Council believes it is not possible to ensure a safe and realistic choice of access simply through ensuring that 'road standards are met' as this may not cover issues such as public transport provision, off-road walking and cycling routes etc (see SG14 – CD178 for further examples). The Council believes it is important that new development is accessible by a safe and realistic choice of access for the following reasons:

- Unless we can encourage a significant proportion of trips generated by new development to be undertaken by walking, cycling and public transport rather than by the car, then the ability of Stirling's road network to accommodate the additional new trips without resulting in congestion (and it's associated problems) will be compromised.
- If developments are not realistically accessible by a choice of modes then social exclusion problems amongst the non-car owning proportion of society will be increased.

The Council does not therefore to agree to modify the Plan in response to this representation.

Bank of Scotland plc (01322/008) – With regards to the Land Provision for Bring Site Provision - as stated in the Plan this would be looked at on a case by case basis. If the site was over 2ha but with a number of households where it was felt an additional bring site would not be required, i.e. there is a bring site close enough that would be able to withstand

the additional number of houses, then this would be taken into account and land provision for a bring site may not be required.

The financial contribution towards Bring Site Provision goes hand in hand with the previous contribution's stipulations - if there is no land provision required then the financial contribution will also be looked at on a case by case basis. This may involve upgrading an existing 'bring' site facility, i.e. additional banks to cope with the extra number of houses - this costs would involve hardstanding at the existing site only. If the existing site was felt could cope with the number of additional households then there would be no financial contribution required.

With regards to the financial contribution towards Household Waste Recycling Centre, every additional household affects Stirling Council's waste strategy and so requires additional facilities to deal with this waste. This is sought through contributions to upgrading Household Waste Recycling Centres within Stirling Council and would be used to upgrade the facility which would be affected by the development, whether that be, Lower Polmaise, Balfron or Callander.

Cycle Stirling (01039) request that "contributions should prioritise safe cycle infrastructure." Where contributions are specifically required to provide cycle infrastructure to ensure a realistic choice of access this will be the case. Where contributions to delivering the City Transport Plan (CD73a) are sought, they will be directed to measures to address the cumulative impact of development. This includes measure to induce a modal shift. To induce a modal shift, support for walking, cycling and public transport projects are required, and the distribution of funds between these modes will reflect a number of issues such as the potential for each mode to meet the demands for travel and hence contribute to the modal shift objective; the ability to maximise the benefits of any spend by ensuring it supports as many modes of travel as possible; the ability of funds to draw down match funding for projects within the City Transport Plan. The City Transport Plan therefore does not prioritise cycle projects over walking and public transport projects, but does prioritise projects to induce a modal shift over the early years of the plan.

The Council considers it would be wrong to prioritise City Transport contributions towards cycle infrastructure over all other modes – especially walking and public transport – but would wish to emphasise that the City Transport Plan does recognise cycle infrastructure as an important element of the wider package which aims to encourage a modal shift and manage traffic to support economic, environmental and social objectives. The Council does not therefore to agree to modify the Plan in response to this representation.

Reporter's conclusions:

Primary Policy 3

1. The matter of the legibility of the infrastructure proposals on the proposals maps appears to have been resolved by the authority through a non-notifiable pre-examination modification. No further action is therefore required.
2. The appropriateness of the overall Spatial Strategy is examined under Issue 3 of this report. A purpose of Primary Policy 3 is to guide how any infrastructure required to support that strategy can best be provided. Representees suggest that part (a) of the policy should direct new development to locations that can facilitate investment in infrastructure, rather than express a preference for reducing demands for new infrastructure.

3. The first sentence of part (a) of the policy highlights the problems that will arise if no new infrastructure is provided. There is therefore a strong implication, reinforced by other references in this part of the plan, that the authority does anticipate some need for new infrastructure. I interpret the second sentence of the policy to mean that efforts should be made to service new development using existing infrastructure first, before the provision of new infrastructure is contemplated as a further option. This approach is in line with paragraph 77 of Scottish Planning Policy which states that a key consideration in a settlement strategy should be the efficient use of infrastructure. It is also an approach that should serve to minimise costs for infrastructure providers, and potentially levels of developer contributions. I conclude from that, the plan's implied preference of making efficient use of existing infrastructure before providing new infrastructure is justified, and no modification is required.

4. Regarding whether a reference to site viability should be included in Primary Policy 3, I note that such a reference already exists at paragraph 4.2 of Proposed Supplementary Guidance SG16: Developer Contributions (CD180). Paragraph 139 of Circular 6/2013: Development Planning indicates that it is appropriate to place detailed material in supplementary guidance, including exact methodologies for the calculation of developer contributions. Once adopted, SG16 will carry full development plan status in decision-making. Therefore the statement relating to site viability should not be seen as having less weight because it is contained in supplementary guidance rather than the local development plan. On this basis I conclude that there is no need to transfer this statement into the local development plan.

Policy 3.2

5. Scottish Water's concerns regarding Policy 3.2 appear to have been resolved by the authority through a non-notifiable pre-examination modification. No further action is therefore required.

Policy 3.3

6. While the particular circumstances of any planning application should be considered individually and on its own merits, it is important that the planning authority's approach to developer contributions is clearly set out in the development plan. This should deliver consistent decision-making and provide a degree of certainty to the development industry.

7. A focus for many of the representations on this issue is a concern that the authority's approach to developer contributions runs contrary to the principles set out in the relevant Scottish Government circular (Circular 1/2010: Planning Agreements at the time the representations were made; now Circular 3/2012: Planning Obligations and Good Neighbour Agreements). Part (a) of Policy 3.3 is clear that contributions will only be sought where development 'creates a need for new, extended or improved public infrastructure, facilities or services'. Part (d) states that contributions will be fair, reasonable and necessary, as well as proportionate to the scale and nature of the development. The policy therefore establishes principles which tie reasonably closely to the 'necessity', 'relationship to proposed development', 'scale and kind' and 'reasonableness' tests from Circular 3/2012. Regarding the 'planning purpose' test, by setting out requirements in some detail in the development plan, the policy, along with its associated supplementary guidance, goes some way to establishing this in the way sought by paragraph 16 of Circular 3/2012.

8. Part (b) specifically states that planning obligations will be consistent with Circular 1/2010, so that it needs to be updated with reference to the new Circular 3/2012. The

planning authority states that the plan has been updated through a non-notifiable pre-examination modification, so that no further action is required. Aside from that, while policy wordings that require reference to be made to other documents in order to be understood are not ideal, cross referring with the circular should give some further reassurance to developers that the authority will act reasonably in its requests for developer contributions.

9. Overall I therefore conclude that the general approach set out in Policy 3.3 is consistent with national policy. The principles of the Circular 3/2012 tests are adequately reflected, and so the various wording changes that are suggested to reinforce these principles are not required.

10. A number of representees highlight the need to ensure that excessive demands for financial contributions do not threaten the viability of developments. Paragraph 23 of Circular 3/2012 refers to the need for planning authorities to consider other ways of funding infrastructure where there is such a risk. SG16 allows for some flexibility where financial contributions could render a development unviable. While it may have been desirable for this matter to have been included in Policy 3.3 due to its apparent and understandable significance to parts of the development industry, I do not consider it to be essential that this is done. Rather I am satisfied that policy to deal with the particular circumstances where development viability is threatened is a matter of detail that may appropriately be covered in supplementary guidance. Similarly, the treatment of lapsed consents, collaboration and phasing of payments are matters that can be adequately covered in supplementary guidance.

11. Much of the detail of the authority's approach to gathering developer contributions is contained in a number of pieces of proposed supplementary guidance. These comprise SG02: Green Network, SG04: Affordable Housing, SG06: Health Care Facilities, SG14: Ensuring a Choice of Access for New Developments, SG15: Education Provision, SG16: Developer Contributions and SG19: Waste Management Requirements for Development Sites. Many of the concerns expressed by representees relate to this suite of supplementary guidance and so are not matters that fall within the scope of this examination. Rather these are concerns for the authority to consider and, if necessary, address before adopting the individual pieces of guidance.

12. Regulation 27 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 requires supplementary guidance to cover topics specifically identified for it in the local development plan, and be limited to the provision of further information or detail. Paragraph 139 of Circular 6/2013 Development Planning specifically identifies exact levels of developer contributions or methodologies for their calculation as being a suitable topic for supplementary guidance. Whereas it identifies 'items for which financial or other contributions, including affordable housing, will be sought, and the circumstances (locations, types of development) where they will be sought' as matters that should be included in the local development plan itself.

13. Policy 3.3 includes appropriate hooks for the relevant pieces of supplementary guidance. In each case it identifies the items for which developer contributions will be sought. Part (a) of the policy describes in general terms the types of development that will be expected to contribute. In relevant cases the area within which contributions may be sought is described. Overall I conclude that Policy 3.3 provides an appropriate local development plan context for the detailed developer contribution requirements set out in the suite of linked supplementary guidance.

14. Turning to the individual items for which developer contributions are to be sought, considerable disquiet is expressed by a number of representees at the suggestion that developers should be expected to fund healthcare facilities.

15. There is no specific support in Scottish Planning Policy for seeking contributions towards health facilities, but Circular 3/2012 describes the generic tests that should be applied to justify requests for contributions towards new infrastructure. The payment of developer contributions, or the safeguarding of land, for new school buildings, where properly justified, is now well established. I see no difference in principle between seeking contributions towards education facilities and health facilities, as both serve the social and welfare needs of the community. Health-related agreements may however be more complex being likely to require three-way agreement between the developer, the planning authority and the health authority. However to accord with the tests set out in Circular 3/2012, there must be a direct relationship between the development and the infrastructure being required. It would therefore be much more difficult to justify requiring developer contributions towards regional health facilities or services than towards locationally specific infrastructure designed to directly serve the occupiers of identified new development sites.

16. While the content of SG06 falls outwith the scope of this examination, it does appear that the authority's intention is to secure land and funding for particular local facilities justified in relation to specific development areas. In some cases the requirement results from the cumulative effect of a number of developments, but this approach is supported in paragraph 20 of Circular 3/2012. Part (d)(v) of Policy 3.3 itself limits contributions to local infrastructure and specific locations. The provisions elsewhere in the policy, for example restricting contributions to circumstances where the development creates the need for the infrastructure, would apply equally to any demand for contributions towards healthcare facilities. Overall I therefore conclude that the proposed plan's provisions regarding developer contributions for health infrastructure complies with national policy and is reasonable in all other respects. The particular healthcare-related requirements relating to the development proposals at Bridge of Allan and Durieshill are discussed in more detail under Issues 40 and 52 respectively, with the conclusion that greater clarity of expression is needed to provide developer certainty. Similarly, detailed issues relating to Plean are examined in Issue 54. Aside from those other conclusions, no modification to this aspect of Policy 3.3 is required.

17. Regarding transport and accessibility, development may give rise to legitimate concerns that require mitigation beyond the simple application of roads standards. For instance many potential measures to ensure that the occupiers of new developments can conveniently use public transport or active travel modes will not be directly related to the physical standards of the road. I therefore conclude that part (d)(i) of Policy 3.3 is reasonable and no modification is required.

18. The proposed plan's approach to the provision of affordable housing is largely covered under Issue 9. Regarding part (c) of Policy 3.3, a straightforward reading of this would be that developers will normally be expected to deliver affordable housing on-site unless the planning authority prefers the alternative of off-site provision. The authority's response to the representation indicates that a combination of on-site and off-site provision may sometimes be contemplated, but this would be a proportionate split. There is no suggestion that developers may be expected to provide a full affordable housing contribution on-site and also contribute to off-site provision, and I do not consider that the policy could reasonably be read in this way. I therefore conclude that no modification is required.

19. The representation from Cycle Stirling concerns how developer contributions could best be spent, but does not specify what change to the plan they would like to see. As outlined above, there are limitations set out in Circular 3/2012 regarding the legitimate uses for developer contributions. However insofar as those limitations are adhered to, the current wording of Policy 3.3 would allow for spending on, for instance cycle facilities and green networks. I conclude that no modification is required.

Reporter's recommendations:

No modifications.

Issue 12	Low and Zero Carbon Buildings	
Development plan reference:	Policy 4.1 – Low and Zero Carbon Buildings (page 50)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
CALA Homes (West) Ltd (SLDP_230) Moray Estates Development Co Ltd (SLDP_27) Scottish Environment Protection Agency (SLDP_175)		
Provision of the development plan to which the issue relates:	This policy deals with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.	
Planning authority's summary of the representation(s):		
<u>Policy 4.1 – Low and Zero Carbon Buildings</u> Two objections were received to this policy. CALA Homes West (SLDP_230/005) - consider that the delivery of low and zero carbon development is no longer a planning matter and should be dealt with through the current Building Standards. Moray Estates Development Co Ltd (SLDP_27/006) - considers that the approach of the policy is unduly narrow in scope given the range of technologies and approaches to energy reduction that is available. Considers that low and zero carbon technologies are more suited to major development projects, and that a more flexible approach, requiring development proposals to demonstrate their contribution to reducing energy demand or carbon emissions, by a variety of means, would be more appropriate. Such measures could include: - The use of innovative resource efficiency measures, which aim to minimise demand for water, energy or other natural resources, - Provision for the generation of, or connection to, the decentralised renewable or low carbon sources, - Creation of areas of high biodiversity or other green infrastructure, beyond that which would normally be expected or required via other policies in the development plan, and, - An urban design layout which has made particular efforts to take advantage of site-based opportunities such as capturing passive solar gain, provision of exceptional choice for non-car travel, and innovative waste and recycling facilities. Also considers that the 50 sq.m. threshold is too low, and is therefore onerous. Considers that the benefit of their suggested approach is that it could be applicable to a broader set of development schemes that the policy is in its current form. Scottish Environment Protection Agency (SLDP_175/015) - supports the policy stating that the policy wording as a climate change mitigation measure is in keeping with our duties as a Planning Authority under the Climate Change (Scotland) Act 2009.		

Modifications sought by those submitting representations:
<p><u>Policy 4.1 – Low and Zero Carbon Buildings</u></p> <p>CALA Homes West (SLDP_230/005) - requests that the policy is deleted from the Plan.</p> <p>Moray Estates Development Co Ltd (SLDP_27/006) - requests that the policy is amended in line with their suggested approach, as set out above.</p>
Summary of responses (including reasons) by planning authority:
<p><u>Policy 4.1 – Low and Zero Carbon Buildings</u></p> <p>Section 72 of the Climate Change (Scotland) Act 2009 (CD27) inserts section 3F into the Town and Country Planning (Scotland) Act 1997 (as amended) as follows: “A planning authority, in any local development plan prepared by them, must include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.”</p> <p>This very clearly establishes the requirement for a policy to be included in the Plan on this subject area, and it is considered that Policy 4.1 meets the requirements of Section 72 of the Climate Change (Scotland) Act 2009. Scottish Planning Policy Para. 44 (CD1) provides further guidance to Planning Authorities on how to interpret the requirements of Section 72, for example that technical constraints which may exist should be taken into account, and that the Plan should set out the approach to be taken for existing buildings which are being altered or extended, including historic buildings, and it is considered that the Policy accords with this guidance.</p> <p>To conclude, the Council considers that the Plan does not require to be modified in respect of the representations made to this Policy.</p>
Reporter’s conclusions:
<ol style="list-style-type: none"> 1. Section 3F of the Town and Country Planning (Scotland) Act 1997 (as amended) contains a requirement for local development plans to include policies of the nature of Policy 4.1. I do not therefore consider it appropriate to delete this policy. 2. New development can be designed in a range of ways to minimise its impact on climate change, or indeed to have a positive impact. The representation from Moray Estates highlights a number of such measures, all of which have validity as potential matters for the planning system to consider. However, the proposed local development plan is to be read as a whole, and there are other policies that deal with the matters raised by Moray Estates, including the sustainable development criteria with the Overarching Policy. Most notably, Primary Policy 4 includes requirements to: optimise accessibility to active travel opportunities and public transport; employ sustainable construction materials and methods; provide energy and heat efficient accommodation; optimise passive environmental gains “(solar, shelter, water use etc.)”; and, where practical, to link to local area energy and heat networks. Primary Policy 6 seeks to reduce the amount of waste created and reduce the demand for new resources. I therefore conclude that the local development plan already

addresses many of the items identified by Moray Estates.

3. Policy 4.1 appears to be intended specifically to address the legislative requirements of Section 3F of the Planning Act, and as such I conclude that it is not necessary to widen its scope as suggested. Nor is it appropriate to change the mechanism proposed in this policy for delivering greenhouse gas reductions away from that set out in the Planning Act.

4. Regarding the 50 square metre threshold in Policy 4.1(b), Section 3F of the Planning Act refers to all new buildings without any reference to a size threshold. It may be practical to introduce such a threshold in order to minimise the burden of imposing this requirement on very small developments where the greenhouse gas reductions that could be achieved are likely to be very small. However given the terms of the Planning Act I conclude that it would not be appropriate to raise this threshold above the relatively small area stated in the local development plan.

Reporter's recommendations:

No modifications.

Issue 13	Protection of Carbon-Rich Soils	
Development plan reference:	Policy 4.2 - Protection of Carbon-Rich Soils (page 51)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Environment Protection Agency (SLDP_175)		
Provision of the development plan to which the issue relates:	Policy dealing with the protection of carbon-rich soils in the Plan area.	
Planning authority's summary of the representation(s):		
<u>Policy 4.2 - Protection of Carbon-Rich Soils</u> Scottish Environment Protection Agency (SLDP_175/016) - Factual inaccuracy in the text of Policy 4.2 : Protection of Carbon-Rich Soils should be amended as follows: <ul style="list-style-type: none">• Soils store carbon, and carbon dioxide is produced only when the stored carbon is released and reacts with oxygen in the air.• Paragraph 133 of SPP states "the disturbance of some soils, particularly peat, may lead to the release of stored carbon, contributing to greenhouse gas emissions. Where peat and other carbon rich soils are present, applicants should assess the likely affects associated with any development". Furthermore paragraph 230 of SPP states "All areas of peatland that retain a high level of natural heritage conservation interest, archaeological interest or area of value as carbon stores should be protected through development plans and development management decisions". Therefore in order that carbon rich soils and peat which are found on sites outwith designations or areas identified can be afforded the protection of this policy we recommend the expansion to the text.		
Modifications sought by those submitting representations:		
<u>Policy 4.2 - Protection of Carbon-Rich Soils</u> Scottish Environment Protection Agency (SLDP_175/016): <ul style="list-style-type: none">• In part (b) the first line should read: "The role of carbon-rich soils in storing carbon will be maintained by: - ".• Recommend that part (c) is split into two points with point (d) starting with the sentence: "A peat management plan". Also recommend the opening sentence is amended and expanded to read: - "Peat management plan must be submitted for sites identified by Scottish Natural Heritage documents or for sites outwith these areas where peat or carbon rich soils are found on site. The peat management plan must demonstrate..... ".		

Summary of responses (including reasons) by planning authority:Policy 4.2 - Protection of Carbon-Rich Soils

Scottish Environment Protection Agency (SLDP_175/016) - The Council is agreeable to modifying this Policy to accord with the Scottish Environment Protection Agency's suggested amendments to ensure consistency with Scottish Planning Policy guidance on the protection and management of peat and carbon-rich soils and to highlight the requirement for peat management plans. Stirling Council considers this to be a non-notifiable modification.

Reporter's conclusions:

1. The authority states it is agreeable to modifying the plan to accord with the Scottish Environment Protection Agency's concerns regarding this policy. While they have attempted to resolve the matter through a non-notifiable pre-examination modification, the terms of this modification as presented to the examination are not sufficiently precise. It would seem that the authority intends to adopt the wording proposed by the Agency but, to secure that and for the avoidance of doubt, I recommend a precise modification that can be incorporated into the proposed local development plan.
2. The Scottish Environment Protection Agency's observation that carbon-rich soils do not store carbon-dioxide is factually correct. The accuracy of part (b) of Policy 4.2 would therefore be improved by the wording change suggested by the Agency. The planning authority agrees and I conclude that this change should be made.
3. Paragraph 133 of Scottish Planning Policy requires applicants to assess the likely effects of their development on any carbon-rich soils that are present. The local development plan goes beyond this in requiring the submission of peat management plans.
4. Part (c) of Policy 4.2 deals with the carbon-rich soil considerations associated with renewable energy generating developments. That peat management plans are only mentioned in part (c) implies that the planning authority only expects such plans to be submitted alongside applications for such renewable energy developments. Placing references to peat management plans in a separate part of the policy, as sought by the Scottish Environment Protection Agency, would apply this requirement to any type of development on sites where peat or carbon-rich soils were present. This is arguably unnecessary given that the effect of Policy 4.2 is that it is only in the case of renewable energy developments that the planning authority may favourably entertain proposals that disturb peat or high carbon soils. However it may be that proposals for other types of development will emerge where developers believe they can, through detailed design and mitigation, avoid any significant impact. I therefore conclude that creating a separate part (d) to the policy to cover peat management plans, potentially in association with all types of development, is sensible.
5. The Scottish Environment Protection Agency also seeks the inclusion of additional text to clarify the nature of the sites for which a peat management plan would be required. This is not totally clear from the local development plan and I conclude that the plan should be improved as suggested.

Reporter's recommendations:

The local development plan should be modified by:

1. Replacing the first line of part (b) of Policy 4.2 to read: "The role of carbon-rich soils in storing carbon will be maintained by:"

2. Replacing all of part (c) of Policy 4.2 with:

"(c) Exceptions to the presumption against development may be permitted for renewable energy generating developments in areas of peat accumulations or areas of high carbon soils, where it can be demonstrated that the balance of advantage in terms of climate change mitigation lies with the energy generation proposal, as determined by the Scottish Government's 'Calculating carbon savings from wind farms on Scottish peat lands – A New Approach (June 2010)', or equivalent evidence.

(d) A peat management plan must be submitted for sites identified by SNH documents or for sites outwith these areas where peat or carbon-rich soils are found on site. The peat management plan must demonstrate that appropriate mitigation measures are in place to minimise impact on peat, including avoidance of development on areas of deep peat. Details of the requirements for a peat management plan are included in the "Developments on peatland: Guidance on the assessment of peat volumes, reuse of excavated peat and the minimisation of waste" guidance."

Issue 14	Flood Risk Management	
Development plan reference:	Primary Policy 5 – Flood Risk Management (page 52)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Environment Protection Agency (SLDP_175)		
Provision of the development plan to which the issue relates:	Policy dealing with flood risk management in the Plan area.	
Planning authority's summary of the representation(s):		
<p><u>Primary Policy 5 – Flood Risk Management</u></p> <p>Scottish Environment Protection Agency (SLDP_175/004) - Support this policy as it provides a comprehensive framework for decision making in accordance with sustainable flood management principles. However recommend a factual correction to the wording, removing “.... to determine the functional flood plain.” from part b), subsection 1. This would reflect that the functional flood plain is only applicable to sites at fluvial flood risk, whereas the policy text before this point in keeping with the requirements of the Flood Risk Management (Scotland) Act 2009, refers to areas at risk of flooding from any source. Furthermore Scottish Environment Protection Agency 's Technical Flood risk guidance referred to in subsection (ii) requires that the functional flood plain is identified for sites at fluvial flood risk.</p> <p>It is noted that there is no reference to the associated Supplementary Guidance SG18 within the policy wording and for completeness we recommend that this is included in the Plan. This is in accordance with Circular 1/2009 which states that if the supplementary guidance forms part of the development plan it should have the relevant 'policy hook' in the plan.</p>		
Modifications sought by those submitting representations:		
<p><u>Primary Policy 5 – Flood Risk Management</u></p> <p>Scottish Environment Protection Agency (SLDP_175/004) - Remove "to determine the functional flood plain." from part b subsection (i) of Primary Policy 5. Add reference to Supplementary Guidance SG18.</p>		
Summary of responses (including reasons) by planning authority:		
<p><u>Primary Policy 5 – Flood Risk Management</u></p> <p>Scottish Environment Protection Agency (SLDP_175/004) The Council is agreeable to modifying the Policy to accord with the Scottish Environment Protection Agency suggested amendments to ensure consistency with national flood risk management policy and guidance. The Council is also agreeable to modifying the Policy to accord with Scottish</p>		

Environment Protection Agency suggested amendments to provide a clearer cross reference from Primary Policy 5 to Supplementary Guidance SG18.

In both cases Stirling Council considers these to be non-notifiable modifications.

Reporter's conclusions:

1. The planning authority accepts the representation from the Scottish Environment Protection Agency (SEPA) that the plan wording "to determine the functional flood plain." contained in Primary Policy 5 (b) subsection (i) is incorrect and should be deleted as this phase would only apply to sites at fluvial flood risk. SEPA also seek inclusion of a reference in the policy wording to proposed Supplementary Guidance SG18: Planning and Flood Risk Management.

2. I am content that SEPA's concerns regarding flood risk appear to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required.

Reporter's recommendations:

No modifications.

Issue 15	Resource Use & Waste Management	
Development plan reference:	Primary Policy 6 - Resource Use & Waste Management (page 55)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
The Coal Authority (SLDP_110)		
Provision of the development plan to which the issue relates:	Policy dealing with the minimisation of use of resources and the minimisation of waste.	
Planning authority's summary of the representation(s):		
<u>Primary Policy 6 - Resource Use & Waste Management</u> The Coal Authority (SLDP_110/01) - The Coal Authority considers that this policy should also address the issue of land instability which is an issue at present in Stirling as a consequence of mining legacy.		
Modifications sought by those submitting representations:		
<u>Primary Policy 6 - Resource Use & Waste Management</u> The Coal Authority (SLDP_110/01) - Policy should be amended as follows “(b) On land that is contaminated or unstable, will require to be preceded by remediation to a standard commensurate with its new use.”		
Summary of responses (including reasons) by planning authority:		
<u>Primary Policy 6 - Resource Use & Waste Management</u> The Council is agreeable to amend Primary Policy 6 as suggested by the Coal Authority in order to provide clarity and ensure that land instability caused by previous resource use is addressed in facilitating new development. The Council considers this to be a non-notifiable modification.		
Reporter's conclusions:		
1. Parts of the plan area, particularly around Stirling, have been the subject of coal mining in the past. The Coal Authority has identified a number of legacy issues arising from past underground workings including surface cracks and fissures, the presence of hidden mine entries, emissions of mine gases and discharge of underground water. These issues may have to be addressed if sites are to be developed to ensure the stability of a site and to protect public safety. 2. The agreed position of the planning authority and The Coal Authority is that the wording of Primary Policy 6 criterion (b) should be amended to include specific mention of ‘unstable’		

land. In this way, developers will be made aware that any land instability issues will have to be addressed as part of a site remediation plan.

3. I am content that The Coal Authority's concerns appear to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required.

Reporter's recommendations:

No modifications.

Issue 16	Historic Environment	
Development plan reference:	Primary Policy 7: Historic Environment (page 58) Policy 7.1 - Archaeology and Historic Building Recording (page 58) Policy 7.6 : New/Replacement Shopfronts within Listed Buildings and Conservation Areas (page 61) Policy 7.7 - Energy Efficiency and Micro-Renewables (page 62) Policy 7.8 : Development affecting Battlefields, Gardens and Designed Landscape (page 62)	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Peter Pearson (01167) Warren Planning Consultants (SLDP_192) Mercat Cross & City Centre Community Council (SLDP_950)		Logie Community Council (SLDP_94) CALA Homes (West) Ltd (SLDP_230) Kippendavie Group Trust (SLDP_70)
Provision of the development plan to which the issue relates:	Policies in the Plan dealing with a range of aspects associated with the historic environment in the Plan area.	
Planning authority's summary of the representation(s):		
<p><u>Primary Policy 7: Historic Environment</u></p> <p>Peter Pearson (01167/002) - With reference to Menstrie Glen, because of this site's importance it should receive protection through the Plan and therefore the Royal Commission on the Ancient and Historical Monuments of Scotland recognition should be recorded as a criteria in Primary Policy 7: Historic Environment.</p> <p><u>Policy 7.1 - Archaeology and Historic Building Recording</u></p> <p>Warren Consultants (SLDP_192/007) - Archaeological investigation should only be a requirement if historical records point to a likelihood that the site will be worth an investigation. This is in accord with Scottish Planning Policy. Comments on one occasion when an archaeological investigation was required in an open field where there were no records pointing to any possibility of archaeological remains. Therefore the remote possibility of archaeological remains is not strong enough to warrant an investigation in terms of Scottish government advice.</p> <p><u>Policy 7.6 - New/Replacement Shopfronts within Listed Buildings and Conservation Areas</u></p> <p>Mercat Cross Community Council (SLDP_95/002) - With the shopfront facade scheme funded by Stirling Council improving parts of King Street, asks that a similar standard be enforced on any new signage and shop facades in the City Centre.</p>		

Policy 7.7 - Energy Efficiency and Micro- Renewables

Logie Community Council (SLDP_94/003) - Would like more recognition of the necessity of ensuring that measures for energy efficiency can be applied to listed buildings and conservation areas. The points set out in SG20 on micro-renewables and the thermal characteristics of buildings are noted and broadly supported. The essential point is that if these buildings are to be conserved for the future, then living in them must be affordable in a time of rising energy prices. In this connection it is noted that Policy 7.5 New/Replacement Windows – Listed Buildings and Conservation Areas does permit the use of double glazing as replacement of windows when the existing windows are beyond repair. We can see no valid reason to wait for the failure of existing windows to adopt energy saving measures and owners should be able to proceed directly to the use of energy saving windows. This would remain subject to the use of acceptable materials and retaining the detailed appearance correct to the period of the building.

Policy 7.8 - Development affecting Battlefields, Gardens and Designed Landscape

CALA Homes (West) (SLDP_230/006) - Policy should be amended to ensure clarity and accordance with guidance from Historic Scotland in the Inventory of Historic Battlefields (2011). The Inventory is designed to introduce a co-ordinated approach to the management of these battlefields not to inhibit development. Development still needs to be accommodated within the areas designated and the development process can add to the understanding of the battlefield through new site investigations as well as facilitating public access and interpretation across the battlefield. The Inventory includes substantial areas of battlefields which are already developed as well as greenfield sites both within the existing built up area and in the countryside beyond. Policy 7.8 would equally be applicable to development within settlement areas.

Kippendavie Group Trust (SLDP_70/008) - Object to the policy emphasis restricting use and change within designated battlefield inventories. This runs counter to the policy context and associated management issues within Historic Scotland's publication which is focused on the positive management of change in battlefields sites. This policy runs contrary to the policy framework for the Battlefield Inventory and the guidance contained with SG24. Raises the work undertaken with Kippendavie Group Trust, Historic Scotland and the Council on developing the Sheriffmuir Heritage Trail. This initiative is designed to deliver the guiding principles under the Battlefield Inventory in terms of setting a land use framework that can guide future land use activity, namely forestry and farming with tourism and recreation initiatives to enhance public enjoyment. This is a network trail linked to key user groups and demonstrates a proactive approach to managing land within a battlefield inventory site and how this can support a wide range of social and economic activities.

Modifications sought by those submitting representations:**Primary Policy 7: Historic Environment**

Peter Pearson (01167/002) - Royal Commission on the Ancient and Historical Monuments of Scotland recognition should be recorded as a criterion in Primary Policy 7: Historic Environment.

Policy 7.6 - New/Replacement Shopfronts within Listed Buildings and Conservation Areas

Mercat Cross & City Centre Community Council (SLDP_95/002) - A similar standard to that

being used in King Street should be enforced on any new signage and shop facades in the City Centre.

Policy 7.7 - Energy Efficiency and Micro- Renewables

Logie Community Council (SLDP_94/003) - Replacement of existing windows with double glazed, given full compliance on materials and preservation of appearance.

Policy 7.8 - Development affecting Battlefields, Gardens and Designed Landscape

CALA Homes (West) (SLDP_230/006) - Part (1) of the policy should be modified to read as follows:

"(1) Development which would have a significant adverse affect upon the archaeology, significant identified landscape features and character 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. Where approved, proposals and developments affecting Inventory sites will require an appropriate level of mitigation, and measures (to be agreed with the Planning Authority) in consultation with Historic Scotland."

Kippendavie Group Trust (SLDP_70/008) - Request that policy is aligned with the policy framework with that contained in Historic Scotland's Historic Battlefields Interim Guidance (2011) and SG24. This should provide that the guiding aim of Battlefield Inventory is to manage change in a sympathetic way that respects the value of battlefields as change occurs, protects, conserves and enhances the landscape characteristics, important features and archaeological deposits in situ for the future and facilitates the potential to make a positive contribution to communities, the environment and tourism.

Reference should be made to associated recreation and tourism related activities linked to Central Scotland Green Network Proposed SG02 and the synergy between facilitating public access and enjoyment of the countryside in combination with the historic environment.

Summary of responses (including reasons) by planning authority:

Primary Policy 7: Historic Environment

Peter Pearson (01167/002) - Scottish Historic Environment Policy (p 63) (CD 19) notes the Royal Commission on the Ancient and Historical Monuments of Scotland "is a non-departmental public body sponsored by Historic Scotland whose work in survey and record-keeping underpins a significant proportion of Historic Scotland's work of designation...."? The 2001 Royal Commission on the Ancient and Historical Monuments of Scotland's survey of the pre-clearance 18th century farming landscape at Menstrie Glen (CD 232) does not, in itself, award the landscape any status or designation. Historic Scotland has options to designate this landscape by means of listing or Scheduling. They have not done so. Primary Policy 7 does however state that, amongst other things, the historic environment will be managed and development proposals assessed against Historic Landscape Assessment reports, a Geographical Information System data base prepared by the Royal Commission on the Ancient and Historical Monuments of Scotland in 2007 and showing the extent of past and present Land-use defined by period of origin, form and function. As shown in (CD 229) Menstrie Glen includes Medieval/Post-medieval Settlement and Agriculture and this will be a consideration at the development management stage in

accordance with the requirements of Primary Policy 7. The Council is of the opinion there are sufficient safeguards in place to manage change in the historic environment of Menstrie Glen and therefore does not propose to modify the Plan in the manner requested.

Policy 7.1 - Archaeology and Historic Building Recording

Warren Consultants (SLDP_192/007) - Scottish Planning Policy (para.123) (CD 1) states: - "The presence and potential presence of archaeological assets should be considered by planning authorities when allocating sites in the development plan and when making decisions on planning applications". In addition, Planning Advice Note (PAN) 2/2011: Planning and Archaeology (2011), para. 20 (CD 11) states: - "Where the professional judgment of the authority's archaeological advisor, based on available evidence, indicates that significant archaeological remains may exist, it is reasonable for the planning authority to request the prospective developer to arrange for an archaeological field evaluation."

The Council considers Policy 7.1 - Archaeology and Historic Building Recording accords with the above advice. Recommendations for archaeological evaluations are based solely on the presence or proximity of known archaeological finds or other records to the proposed development site, thus demonstrating the potential for the site to contain similar remains. The Council does not therefore agree to modify the Plan in response to this representation.

Policy 7.6 - New/Replacement Shopfronts within Listed Buildings and Conservation Areas

Mercat Cross & City Centre Community Council (SLDP_95/002) - The recent shopfront enhancement works in King Street were funded largely by grant from Historic Scotland and Stirling Council, awarded through the Stirling City Heritage Trust. The scheme offered a good financial incentive (grant of up to 75%) to shop owners to undertake the improvement works. A greater 'enhancement' effect could therefore be achieved than is possible through normal control of development and advertisement by the planning authority. It is also not possible for the Council to 'enforce' works to shopfronts other than where unauthorised works have been undertaken. Policy 7.6 is designed to apply to shopfronts where development is proposed within a listed building and/or conservation area, to ensure the retention of good historic shopfronts where they remain, and ensure well-designed new shopfronts or alterations. The policy is supported by Supplementary Guidance SG22 – Shopfronts (CD 183) which gives greater detail and information on good shopfront design. It is considered that Policy 7.6, particularly with the support of SG22, adequately deals with the development scenarios relating to the preservation and enhancement of shopfronts in the historic environment. The Council does not therefore agree to modify the Plan in response to this representation.

Policy 7.7 - Energy Efficiency and Micro- Renewables

Logie Community Council (SLDP_94/003) - Policy 7.7 Energy Efficiency and Micro-Renewables states in respect of Listed Buildings and Conservation Areas that the sensitive introduction of energy efficiency measures and/or micro-renewables installations 'will be supported'. More detailed advice is set out in Supplementary Guidance SG20 Energy Efficiency and Micro-renewables in the Historic Environment (CD 182). This policy has however to work in conjunction with other existing/proposed local and national policies and guidance, which all expect historic fabric to be retained.

In almost all cases traditional timber windows can be repaired, refurbished and draught proofed, making a noticeable difference to energy costs and room temperatures. By setting out strict criteria for the replacement of traditional windows Policy 7.5 - New/Replacement

Windows, seeks to both retain historic fabric and encourage energy efficient repair and refurbishment. Sub-paragraphs (c) and (d) details the circumstances where double glazing (i.e. replacing single glazing with suitable double glazing units) and secondary glazing may be acceptable. Further guidance and advice is again set out in SG20.

The Council therefore is of the opinion that, with respect to windows in the historic environment, the Plan correctly balances requirements to retain historic fabric, encourage energy efficient repair and refurbishment and allow for, in exceptional circumstances, replacement windows, double glazing to replace single glazing or secondary glazing. The Council does not therefore agree to modify the Plan in response to this representation.

Policy 7.8 - Development affecting Battlefields, Gardens and Designed Landscape

Historic Scotland's publication - The Inventory of Historic Battlefield in Scotland: An Introductory Guide (2011) pg. 12 (CD 23) states that:- "The aim of the Inventory is to ensure that necessary changes happen in a way that takes the battlefield landscape and its constituent elements into account sympathetically and avoids unnecessary damage to this finite resource. This means seeking to retain key elements of the battlefield, including landscape characteristics and important physical features, and protecting, managing, enhancing and promoting them as appropriate while the landscape continues to accommodate modern demands."

Historic Scotland's Managing Change in the Historic Environment: Historic Battlefields: Interim Guidance 2011 (CD 20) states, in paragraph 4.3, that:- "Planning authorities should identify Inventory Sites within local development plans, establish appropriate policies and development management guidance for the areas defined, and develop appropriate conditions and agreements to protect and enhance sites on the Inventory."

Paragraph 5.4 states that:- "The guiding aim is to manage change in a sympathetic way that respects the value of battlefields as change occurs; protects, conserves and enhances key landscape characteristics, important features and archaeological deposits in-situ for the future and facilitates their potential to make a positive contribution to communities, the environment and tourism."

In relation to representations from CALA Homes (West) (SLDP_230/006); Kippendavie Group Trust (SLDP_70/008), Policy 7.8 and Supplementary Guidance SG24 - Battlefields (CD 184) are considered to fully comply with the above advice and requirements for managing land use change in Inventory Battlefields. Key surviving characteristics of Inventory Battlefields are identified which the Guidance seeks to protect and enhance. Those areas less sensitive to change are also identified, including areas already built on where there are fewer surviving features.

The modifications proposed by CALA Homes (West) (SLDP_230/006) removes mention of 'character and setting' from the text and proposes to offer protection to only 'significant identified' landscape features. The former omission removes protection for the landscape context of the surviving features while the latter addition appears to permit discrimination amongst the surviving features of a designated battlefield. On balance it is considered the proposed changes would significantly weaken the protection offered to the setting and nature of the key characteristics identified within the designated area, contrary to Historic Scotland's advice and guidance. The Council does not therefore agree to modify the Plan in response to this representation.

With respect to comments from Kippendavie Group Trust (SLDP_70/008), whilst the Council

acknowledges the benefits of partnership working with local landowners and the Central Scotland Green Network to improve physical access to, and interpretation of, Inventory Battlefields, there is no need to modify the wording of Policy 7.8, particularly as Policy 1.3 – Green Networks and Open Spaces and Supplementary Guidance SG02, already provide sufficient policy guidance in this regard. The Supplementary Guidance SG30 Stirling and Clackmannanshire Forestry and Woodland Strategy (CD 189) also identifies Inventory Battlefields as being sufficiently sensitive in their own right to trigger a ‘sensitive area’ categorisation for new woodland planting, thereby supporting relevant historic environment and landscape protection policies in the Plan. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter’s conclusions:

Primary Policy 7: Historic Environment

1. The planning authority is satisfied that Primary Policy 7 provides sufficient safeguards to manage change in the historic environment, including Menstrie Glen. There seems to be little doubt that Menstrie Glen has an extensive archaeological and historic importance. However, Primary Policy 7 provides a clear and comprehensive approach to the management of the historic environment at Menstrie Glen and elsewhere within the area of the local development plan.
2. As explained by the planning authority, the role of the Royal Commission on the Ancient and Historic Monuments of Scotland essentially involved survey and record-keeping. However, it would not be appropriate to include a reference to the Royal Commission in Primary Policy 7, as RCAHMS is at an advanced stage of the process of merging with Historic Scotland. The new, integrated organisation will therefore become the appropriate consultee for matters relating to the historic environment in Scotland.
3. On the basis of the foregoing, there is no requirement to modify the local development plan.

Policy 7.1: Archaeology and Historic Building Recording

4. The planning authority believes the policy accords with guidance in terms of Scottish Planning Policy and Planning Advice Note 2/2011, Planning and Archaeology. Archaeological evaluations are only required where there is evidence to suggest the potential for a site to contain remains. Policy 7.1 (b) limits the requirement for an evaluation to sites where there is the “possibility that archaeological remains may exist”. This is a measured approach and, on this basis, there is no requirement to modify the local development plan.

Policy 7.6: New/Replacement Shopfronts within Listed Buildings and Conservation Areas

5. The King Street scheme relied largely on grant aid provided by Stirling Council and Historic Scotland. By implication, it would appear that the potential for such schemes is limited by the availability of finance. Certainly, in financial terms, it does not seem feasible that similar schemes could be introduced across the area of the local development plan.
6. The planning authority argues that Policy 7.6, supported by the detailed guidance in Supplementary Guidance 22, Shopfronts, provides adequate development management advice.

7. Whilst financial assistance for shop front preservation and enhancement has clearly been both welcome and beneficial in King Street, the terms of Policy 7.6 provide a clear guide to the principles to be applied through the development management process. The provision of design advice through supplementary guidance is also appropriate.

8. All-in-all, Policy 7.6 and the supplementary guidance offer suitable development management advice and there is no requirement to modify the local development plan.

Policy 7.5: New/Replacement Windows within Listed Buildings and Conservation Areas

and

Policy 7.7: Energy Efficiency and Micro-Renewables within Listed Buildings and Conservation Areas

9. The planning authority explains that support for the introduction of energy efficiency measures (under both Policy 7.7 in general and Policy 7.5 in respect of windows) requires a balanced approach. There is an over-arching requirement to retain historic fabric.

10. Whilst the concern of the community council is noted, it is necessary for the policies to strike the balance hoped for by the planning authority. Windows are often an important feature in listed buildings and within conservation areas. It is correct to retain original windows where possible and carefully control any replacements that might be allowed under certain circumstances. Equally, it is appropriate to support energy efficiency measures subject to sensitive control of character and appearance.

11. Overall, Policy 7.5 and 7.7, along with the supporting supplementary guidance, achieve the appropriate balance and there is no requirement to modify the local development plan.

Policy 7.8: Development affecting Battlefields, Gardens and Designed Landscapes

12. Cala Homes and the Kippendavie Group Trust both seek to not unduly inhibit development that would affect a battlefield. The policy should reflect the guidance provided by Historic Scotland and, indeed, the planning authority's published supplementary guidance.

13. The Inventory of Historic Battlefields in Scotland recognises the possibility of change affecting battlefields. Any change should take the battlefield landscape and its constituent elements into account sympathetically. Historic Scotland recognises that battlefields are "a fragile resource, vulnerable to the impact of change in complicated ways". The supplementary guidelines also pursue this approach and acknowledge that the Inventory does not intend to preserve the entirety of a battlefield. A positive attitude is required and development should demonstrate how the resource would be conserved or enhanced in the face of proposed change.

14. As is often the case in respect of matters involving cultural heritage, the resource is finite and a careful balance must be achieved when new development is proposed. It is this tension that the policy should address in the hope that the development management guidance enables appropriate new development involving change whilst at the same time respecting the heritage value of battlefield sites.

15. The planning authority believes Policy 7.8(a) strikes an appropriate balance and meets the requirements of national guidance. Indeed, when consulted on the supplementary

guidance, Historic Scotland indicated that the guidance provided a useful interpretation of the entries within the battlefield inventory. The alternative suggested by Cala Homes would remove some important objectives and therefore would not provide developers with a full indication of the planning authority's requirements. Other plan policy and associated supplementary guidance is available in respect of tourist and recreation related activities. There is no requirement to include a cross-reference in Policy 7.8 as the policies are clear and stand in their own right.

16. All-in-all, there is no requirement to modify the local development plan.

Reporter's recommendations:

No modifications.

Issue 17	Conservation and Enhancement of Biodiversity	
Development plan reference:	Primary Policy 8 – Conservation and Enhancement of Biodiversity (page 63)	Reporter: Iain G Lumsden
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Natural Heritage (SLDP_ 33)		
Provision of the development plan to which the issue relates:	Policy dealing with the conservation and enhancement of biodiversity within the Plan area.	
Planning authority's summary of the representation(s):		
<u>Primary Policy 8 – Conservation and Enhancement of Biodiversity</u> Scottish Natural Heritage (SLDP_ 33/005) - As currently worded, Primary Policy 8 does not set out what the approach will be to determining an application that could have adverse impacts on SSSIs. In the context of the very clear policy approach to developments affecting Natura sites (Primary Policy 8(b)) and National Scenic Areas (Policy 9.1(a)), this seems something of an oversight. As worded, Primary Policy 8 Part 8(c) is a rather vague commitment to take account of the law regarding certain protected species. It neither informs developers of any specific requirements nor explains what the approach of the planning authority is likely to be to proposals that could affect protected species. In addition the policy does not include species protected by the Wildlife and Countryside Act. We note that Policy 8.1(b) sets out a broad policy approach to development and biodiversity. However, as it stands it is easy to imagine a development that could comply with 8.1(b) but still require a species licence. This is another reason why we recommend clearer wording for Policy 8(c).		
Modifications sought by those submitting representations:		
<u>Primary Policy 8 – Conservation and Enhancement of Biodiversity</u> Scottish Natural Heritage (SLDP_ 33/005) - Add the following paragraph after Primary Policy 8(b) (as a separate bullet): "Development proposals that adversely affect the integrity of SSSIs or the qualities for which it has been designated will not be in accordance with the plan unless it can be demonstrated that those effects are clearly outweighed by social, environmental or economic benefits of national importance." Replace the text at 8(c) with the following: "Where proposals may affect protected species, developers must carry out species surveys and produce mitigations 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 (with reference to any relevant "purposes" and "tests") that such a licence will be likely to be granted. SG26 provides more detail on the species to which this policy applies."		

Summary of responses (including reasons) by planning authority:
<p><u>Primary Policy 8 – Conservation and Enhancement of Biodiversity</u></p> <p>Scottish Natural Heritage (SLDP_ 33/005) - Primary Policy 8 cross references to Proposed Supplementary Guidance SG26 Biodiversity Conservation (CD 186). Amongst other matters this guidance assists site developers to identify the potential for projects and proposals to impact on biodiversity. Section 8.0 of this Guidance refers to issues to be considered by the Planning Authority. Amongst other things, it states impacts on international, national and locally designated sites will be a prime consideration. With reference to protected species mention is made of both European Protected Species and species listed in: Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981. Further information is set out in Appendix 1 and a link is provided to SNH's website.</p> <p>Stirling Council are therefore of the view that the Guidance fulfils the requirements for Supplementary Guidance to contain 'detailed material' (Planning Circular 1/09: Development Planning - para.96) (CD 4), and that the concerns raised are adequately addressed in the Guidance.</p> <p>That being said, given the national importance of the biodiversity interests under consideration the Council are agreeable to modifying the Policy to accord with SNH's suggested amendments and provide clarity in the policy itself. The Council considers this to be a non-notifiable modification.</p>
Reporter's conclusions:
<p>1. The planning authority considers that the matters raised in this representation are already addressed in general terms in Primary Policy 8 and the associated Supplementary Guidance on Biodiversity Conservation (SG26). However, for the avoidance of doubt and to provide greater clarity to users of the plan, the authority has accepted that, given the national importance of conserving the biodiversity interests covered by the policy, it would be appropriate to modify Primary Policy 8 to reflect the views of Scottish Natural Heritage. The planning authority has therefore made non-notifiable pre-examination modifications to Primary Policy 8 to reflect Scottish Natural Heritage's comments. On that basis, no further action is required.</p>
Reporter's recommendations:
<p>No modifications.</p>

Issue 18	Local Landscape Areas	
Development plan reference:	Policy 9.1 – Protecting Special Landscapes (page 67)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
SportScotland (SLDP_178)		
Provision of the development plan to which the issue relates:	Sets out the Council’s policy for protecting special landscapes.	
Planning authority’s summary of the representation(s):		
<u>Policy 9.1 - Protecting Special Landscapes</u> Sport Scotland (Planning Team) (SLDP_178/008) - Considers the policy should be amended to make explicit reference to the role of Local Landscape Areas in safeguarding and promoting important settings for outdoor recreation in accordance with Scottish Planning Policy paragraph 139. Concerned that the crucial role Local Landscape Areas will play in protecting and promoting outdoor sport and recreation interests will be missed with the focus of the policy being on the protection of scenic qualities.		
Modifications sought by those submitting representations:		
<u>Policy 9.1 - Protecting Special Landscapes</u> Sport Scotland (Planning Team) (SLDP_178/008) - Amend the policy wording to make explicit reference to the role of Local Landscape Areas in safeguarding and promoting important settings for outdoor recreation.		
Summary of responses (including reasons) by planning authority:		
<u>Policy 9.1 - Protecting Special Landscapes</u> Sport Scotland (Planning Team) (SLDP_178/008) - Para 139 of Scottish Planning Policy (CD1) provides general advice and guidance on local landscape and natural heritage designations. Para 140 sets out three separate purposes for designating local landscape areas, i.e.: (i) Safeguard and enhance the character and quality of values local landscapes; or (ii) Promote understanding and awareness if distinctive character and special qualities of local landscapes; or (iii) Safeguard and promote important settings for outdoor recreation and tourism locally. The Plan designates seven local landscape areas, based on established Areas of Great Landscape Value. Proposed Supplementary Guidance SG27 Protecting Special		

Landscapes (CD187) supports policy 9.1 : Protecting Special Landscapes by identifying the special qualities, sensitivities to change, etc. for each area. Para. 4.1 of SG27 refers to the Scottish Planning Policy criteria. In each area various recreational interests are identified, in the main core paths and hill walking routes, but also other features such as fisheries, local tourist attractions, golf courses and a caravan and camping site. The exception is the Rednock Local Landscape Area (LLA 6) and the two potential new local landscape areas on the Western Carselands, which are primarily designated for landscape reasons only.

The Council is therefore of the opinion that proper account has been taken of the requirements of Scottish Planning Policy as it relates to local landscape area designations, including recreational interests, and for these reasons does not agree to modify the Plan in response to this representation.

Reporter's conclusions:

1. The expectation in Scottish Planning Policy (SPP) is that local landscape areas should be identified and protected through the development plan, and the factors to be taken into account in development management decision-making should be set out. Among the possible purposes of local landscape areas in SPP are that they should safeguard and promote settings for outdoor recreation and tourism, but there is no requirement that they should be designated only for that specific purpose (paragraph 140). Rather, SPP give this as one possible reason for making such a designation.

2. Policy 9.1 satisfies SPP in so far as it states that the consideration of development proposals in designated areas will take into account the level of importance and qualities of the designated area as identified in the citations in proposed Supplementary Guidance SG27: Protecting Special Landscapes (CD187). Part (b) of the policy then adds the circumstances under which proposals will be supported. These include where the landscape character, scenic interest and qualities for which the area has been designated will not be harmed. That said, neither directly mentions outdoor recreation or tourism.

3. The planning authority argues that outdoor recreation and tourism are adequately referred to in SG27. Circular 6/2013: Development Planning identifies detailed policies where the main principles are already established as a suitable topic for supplementary guidance (paragraph 139). Further, this kind of national policy requirement can be met through supplementary guidance because it will ultimately form part of the development plan.

4. While the content of SG27 falls outwith the scope of this examination, it clearly incorporates the explicit SPP purpose of safeguarding and promoting important settings for outdoor recreation and tourism (CD187, paragraph 4.1, page 11). SG27 then adds that its maps and citations identify key characteristics and landscape qualities of value. While the way that the guidance is structured and presented does not make totally clear whether or not recreational considerations are amongst the 'qualities for which the area has been designated', it seems reasonable to assume that they are in most instances. For example, all but three of the individual citations describe general recreational features such as core paths. In addition, the Keir Local Landscape Area citation directly mentions the network of paths as one of its 'special qualities' (page 50). On that basis, while it seems probable that few of the local landscape areas have been designated primarily for recreation and tourism qualities as the representation requests, there is a frequent general reference to recreation throughout SG27, as well as to landscape setting as an important supporting component of that and tourism.

5. Taking all of this together, recreational and tourism qualities would be captured, albeit indirectly, so that Policy 9.1 need not be modified. Further, it would be excessive and repetitive to include recreation and tourism as explicit considerations in Policy 9.1.

Reporter's recommendations:

No modifications.

Issue 19	Forests, Woodlands and Trees	
Development plan reference:	Primary Policy 10 - Forests, Woodlands and Trees (page 70)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish National Party Group (00711) SportScotland (SLDP_178) Peter Pearson (01167)		
Provision of the development plan to which the issue relates:	Policy dealing with the strategy for forest and woodland protection and expansion in the area, and the protection of woodland and important trees.	
Planning authority's summary of the representation(s):		
<u>Primary Policy 10 - Forests, Woodlands and Trees</u> Scottish National Party Group (00711/019) - Seeking amendments to Primary Policy 10: Forests, Woodlands and Trees, as specified. SportScotland (SLDP_178/009) - Requests changes to help support the Plan's Vision of more woodland, especially where it creates recreational opportunities. Peter Pearson (01167/001) - Objects on the basis that the interpretation of Primary Policy 10 in the Draft Forestry and Woodland Strategy, conflicts with other policies in the Plan i.e. Primary Policy 7 Historic Environment, Policy 7.8 Development affecting Battlefields, Gardens and Designed Landscapes, Primary Policy 9 Managing Landscape Change, Policy 9.1: Protecting Special Landscapes.		
Modifications sought by those submitting representations:		
<u>Primary Policy 10 - Forests, Woodlands and Trees</u> Scottish National Party Group (00711/019) Modify - Primary Policy 10: Forests, Woodlands and Trees, as follows: Para. (a) (i) Amend to read "Adopt a vision for protection, future expansion (only on land of limited agricultural value) and restructuring of woodland to meet national and local needs. Para. (a) (iii) Add at the end of the sentence "and avoid, where possible, block planting on good agricultural land and in large blocks which may affect the viability of the local agricultural industry and the critical mass of downstream industries both of which play a role in the Stirlingshire economy". SportScotland (SLDP_178/009) - Insert the word 'recreational' after the word 'natural' in Part (b) (ii) of Primary Policy 10: Forests, Woodlands and Trees.		

Summary of responses (including reasons) by planning authority:Primary Policy 10 - Forests, Woodlands and Trees

Scottish National Party Group (00711/019); Peter Pearson (01167/001) - Primary Policy 10 notes that Stirling Council has prepared a draft Proposed Supplementary Guidance SG 30 Forestry and Woodland Strategy (November 2012) (CD 189) in partnership with Clackmannanshire Council and Forestry Commission Scotland. As a partnership project it has been the subject of a separate but complimentary public consultation exercise alongside the Plan consultation process. Separate Strategic Environmental and Habitats Regulations Assessments have also been produced. As with other Supplementary Guidance connected to the Proposed Plan it is intended to adopt the Strategy at the same time as the adoption of the Plan.

The Forestry Commission's 'The Right Tree in the Right Place - Planning for Forestry and Woodlands' (2010) provides detailed advice on the different roles that forestry and woodlands can play and the multiple benefits they can deliver when well planned and managed. The Proposed Forestry and Woodland Strategy provides a local expression of the national vision and also seeks to contribute to the Central Scotland Green Network. Reference to section 4.3 Interpretation' (pages 49-51), Map 6. Potential for Woodland Expansion (page 51) identifies suitable locations for new planting using categories in the Forestry Commission's policy:

- Preferred land - That which offers the greatest scope to accommodate future expansion of a range of woodland types.
- Potential land - That which offers considerable potential to accommodate future expansion of a range of woodland types, but where at least one significant sensitivity exists.
- Sensitive areas - Where a combination of sensitivities means there is limited scope to accommodate further woodland expansion.

In the case of the Strategy certain sensitivities, by their very nature, are also deemed to be of sufficient weight to trigger a 'sensitive area' categorisation in their own right.

With reference to the concerns of the Scottish National Party Group (00711/019) agricultural land having a land capability for Agriculture comprising Class 2 (Land Capable of Producing a Wide Range of Crops) and Classes 3.1 and 3.2 (Land Capable of Producing a Moderate Range of Crops), is identified as a significant sensitivity resulting in a 'Potential' categorisation for new woodland planting (see page 50 Figure 9 – Sensitivity Data Sets).

With reference to the concerns of Peter Pearson (01167/001) that the Strategy conflicts with specified policies, the finalised version of the Strategy (to be published September 2013) will identify the following:

- Inventory Battlefields and Inventory Gardens and Designed Landscapes as being sufficiently sensitive in their own right to trigger a 'Sensitive' categorisation for new woodland planting; and
- Local landscape designations and sensitive historic/archaeological landscapes as significant sensitivities resulting in a 'Potential' categorisation for new woodland planting.

The Council therefore considers the Strategy will incorporate sufficient safeguarding criteria with respect to good quality agricultural land, the historic environment and landscape

protection. Consequently:

- The Policy does not need to be modified in the manner suggested by the Scottish National Party Group (00711/019), and
- The aforementioned safeguards in the Strategy will ensure that there is no inherent conflict with relevant historic environment and landscape protection policies in the Plan.

Attention is also drawn to advice in the Strategy (page 49) that the mapping is intended as a guide towards suitable sites and to highlight areas where particular objectives apply. Site-specific constraints and opportunities exist within each land classification and a range of regulatory controls allows a detailed assessment of individual woodland creation proposals in relation to a broad range of environmental and land use criteria, including those mentioned in the representations.

In response to SportScotland (SLDP_178/009), the Council is agreeable to modifying Primary Policy 10 - Forests, Woodlands and Trees to accord with the suggested amendment, which would highlight the multiple benefits of woodlands. The Council considers this to be a non-notifiable modification.

Reporter's conclusions:

1. The suitability of land for new woodland planting depends on a wide range of factors including landscape and climate as well as the value of existing uses (e.g. agricultural land) or the possible desirability of retaining open land (e.g. battlefields). Primary Policy 10 does not attempt to capture this range of factors. Nor does the local development plan set out to identify suitable locations for new woodland in a site-specific way. Rather, part (a) of the policy seeks to place the authority's approach to woodland within the context of the broader vision of the plan, and provide a 'hook' for the Forest and Woodland Strategy as supplementary guidance. Part (b) of the policy focuses on matters where land use planning has a particular role to play.
2. Paragraph 146 of Scottish Planning Policy suggests that woodland strategies should be prepared as supplementary guidance. It is also the case that the planning system has a limited role to play in determining the location of new woods. In these circumstances it is reasonable for Primary Policy 10 to take a relatively high level approach. This includes not listing the range of factors, including agricultural land, that may influence decisions on where particular woodland planting should take place, and not identifying specific preferred locations for planting. Such considerations may appropriately and sufficiently be covered in the Forest and Woodland Strategy, which is itself subject to public consultation.
3. The authority proposes to adopt the Forest and Woodland Strategy as supplementary guidance (SG30, CD189) in due course. The proposed content of SG30 is outwith the scope of this examination.
4. The local development plan is to be read as a whole. While Primary Policy 10 provides a broadly positive framework for woodland expansion, other policies serve to protect important historic and landscape assets. For instance Primary Policy 7 resists proposals that would have a negative impact on the historic environment; Policy 7.8 provides specific protection for battlefields; and Policy 9.1 protects designated landscapes. It is unnecessary to repeat the need to protect these assets elsewhere in the plan. Whether the detailed proposals of the Forest and Woodland Strategy are in conflict with these policies is a matter for the authority to consider in finalising its supplementary guidance.

5. Regarding the suggested recognition of recreational value as a reason to protect existing woodlands, this representation appears to have been resolved by the authority through a non-notifiable pre-examination modification. No further action is therefore required.

Reporter's recommendations:

No modifications.

Issue 20	Minerals and Other Extractive Industries	
Development plan reference:	Primary Policy 11: Minerals and Other Extractive Industries (page 72)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Liz Albert (SLDP_939) Cllr Mark Ruskell (01218)		
Provision of the development plan to which the issue relates:	Policy dealing with the extraction of mineral deposits and other reserves.	
Planning authority's summary of the representation(s):		
<u>Primary Policy 11: Minerals and Other Extractive Industries</u> Cllr Mark Ruskell (01218/001) – Primary Policy 11 does not provide an adequate strategic framework for controlling the extraction of unconventional gas such as coal bed methane or shale gas via hydraulic fracturing techniques. It fails to distinguish between different forms of gas extraction and applies an identical policy to all extractive industries from coal bed methane through to aggregate quarrying. The Plan in effect creates a strong presumption in favour of unconventional gas extraction ruling against other forms of development that could make reserves unavailable for exploitation in the future. The extraction of unconventional gas would directly contravene the Plan's main theme B - 'Climate Change adaptation and mitigation' through increasing emissions from the extraction and burning of a fossil fuel. There is no evidence that unconventional gas would displace other more energy intensive fossil fuels. In addition there is the potential for fugitive emissions, where methane escapes from the seams or the well head into the atmosphere. Unconventional gas extraction may also create other problems. The policy also does not consider the cumulative impact of multiple applications for unconventional gas exploration in the current Petroleum Exploration Drilling License (PEDL) area covering Stirling Council nor future licensing rounds planned. The exploitation of the already granted PEDL 133 area covering the Forth may require an estimated 600+ extraction wells and yet this context is not considered by the Policy. This Policy contrasts strongly with Supplementary Guidance SG33 for wind energy development which creates a spatial framework for development with detailed consideration required around cumulative impact issues. It is therefore inconsistent with existing energy planning frameworks. Liz Albert (SLDP_939/002) - Considers that with coal bed methane, there are specific risks. Firstly, methane has 20 times more impact as a greenhouse gas compared to CO2 and therefore any accidental escape of methane during production would be extremely serious. In addition, considers the use of coal bed methane for power releases a high level of carbon into the atmosphere. For both these reasons, feels it must be recognised as a high carbon-release fuel, and therefore a fuel to be avoided when possible.		

Modifications sought by those submitting representations:
<p><u>Primary Policy 11: Minerals and Other Extractive Industries</u></p> <p>Cllr Mark Ruskell (01218/001) - Revise policy now to fully reflect issues concerned with unconventional gas extraction over the timeframe of the Plan.</p> <p>Liz Albert (SLDP_939/002) - Considers policy should specifically state the particular risks associated with extraction of coal-bed methane, so that these factors are not overlooked in considering planning applications.</p>
Summary of responses (including reasons) by planning authority:
<p><u>Primary Policy 11: Minerals and Other Extractive Industries</u></p> <p>Cllr Mark Ruskell (01218/001) – The Council accept that the Plan does not set out explicitly the requirement set out in Scottish Planning Policy (CD1 Para.237) that “Development plans for areas covered by PEDL licences should identify the factors that will be taken into account when deciding planning applications for wellheads and transmission infrastructure”. Scottish Planning Policy already lists these factors at Para.237 and it is not considered appropriate to repeat this in the policy itself. Also, there are a range of policies within the Plan dealing with the factors referred to in Para.237 which would be relevant in determining any planning application for such uses. Again, it is not considered appropriate to repeat these in the policy itself. Primary Policy 11 does not operate in isolation and the Plan is clear at Para.3.4 (Page 11), that the fact that a particular policy or proposal does not mention say flood avoidance, historic environment etc, does not mean that such issues are irrelevant; all aspects need to be fully considered. The Council does not therefore support the modification suggested to the Policy.</p> <p>It is also accepted that the Plan does not distinguish between different forms of gas extraction or minerals and applies an identical policy to all extractive industries from coal bed methane to aggregate quarrying. However, there is a note in the Stirling Council Local Development Plan Action Programme - P71 (CD48) that refers to the “Production of Supplementary Guidance to support Primary Policy 11 considering the availability, quality, accessibility and requirement for minerals in the Stirling area and identify any search areas for minerals.” This was written with the extraction of solid materials in mind but could be expanded to include details on coal bed methane and shale gas extraction as and when the Scottish Government provide additional guidance and direction on how planning authorities should address this issue.</p> <p>Liz Albert (SLDP_939/002) - It is not within the duties of the Planning Authority to list the particular risks associated with coal bed methane. The Scottish Environment Protection Agency are the regulatory body for the issues that have been raised here and would monitor and raise any issues that arose as part of a planning application and beyond, to production. It is therefore considered that no modifications should be made to the Plan in this respect.</p>
Reporter’s conclusions:
<p>1. Scottish Planning Policy (SPP) (paragraph 237) makes it clear that development plans for areas covered by a Petroleum Exploration Drilling Licence (PEDL) should identify the factors that will be taken into account when deciding planning applications for wellheads and transmission infrastructure. SPP lists a number of relevant factors that may be included</p>

such as noise disturbance, potential pollution of land, air and water and the impact on local communities, the economy, the historic environment, natural heritage and transport infrastructure.

2. A new Draft SPP was published for consultation in April 2013. It sets out a broadly similar remit for local development plans in their approach to areas covered by PEDLs: It states that development plans should:

- recognise that exploration and appraisal is likely to be the initial focus of development activity, with production probably requiring a separate decision;
- address constraints on production and processing;
- identify factors that will be taken into account when determining planning applications for wellheads and transmission infrastructure; and
- provide a consistent approach to extraction where licences extend across local authority boundaries.

3. In January 2014 the Scottish Government issued a Position Statement on Scottish Planning Policy. It noted that Ministers are minded that the proposed policy changes in the Draft SPP on onshore oil and gas will go forward into the final version of the SPP. Scottish Government has convened an Independent Expert Scientific Panel to look at the evidence on unconventional oil and gas. The Panel has expertise across the range of disciplines and will provide the SG with a well researched, peer-reviewed evidence base upon which policy can be developed.

4. In light of the existing and emerging policy advice from Scottish Government, I find that the 4 criteria (a) to (d) listed as part of Primary Policy 11 are wholly inadequate and fail to reflect the advice contained in SPP and the Draft SPP in relation to PEDL-related proposals. They do not identify relevant factors to be taken into account in assessing development proposals. Instead, the criteria are founded on a number of generalised development management issues more appropriately related to extractive industries such as quarrying or surface mining.

5. The planning authority intends to prepare Supplementary Guidance (SG) to support Primary Policy 11 and this would be adopted in 2015. In response to the representations, the planning authority suggests that the SG could be expanded to include details on unconventional gas extraction as and when Scottish Government provide additional guidance. However, this ignores the failure of Primary Policy 11 to reflect current Scottish Government advice already contained in SPP and as may be expected in the Draft SPP.

6. Therefore, in advance of preparation and agreement on the SG, I consider that Primary Policy 11 should be modified to recognise the prospect of proposals coming forward for wellheads and transmission infrastructure during the life of the plan, and to identify the broad criteria against which these proposals will be assessed. These criteria should reflect advice in SPP. The SG could then set out more detailed assessment criteria and methodologies to guide prospective developers. However, it is too early in the evolution of national advice for Primary Policy 11 to be transformed into a spatial policy framework as suggested by Cllr Mark Ruskell. These are matters to be considered at local development plan level once appropriate national guidance is available.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting all the existing wording of Primary Policy 11(d) and substituting "Proposals for the exploration, appraisal and the development of wellhead and transmission infrastructure for unconventional gas extraction (coal bed methane, shale gas and other forms of onshore oil and gas) shall be assessed against their impact on the environment, the economy, local communities, heritage, the historic environment, landscape assets and transport infrastructure. Proposals shall comply with the detailed advice in Supplementary Guidance to be prepared in support of Primary Policy 11".

Issue 21	Renewable Energy and Wind Turbines	
Development plan reference:	Primary Policy 12: Renewable Energy (page 73) Policy 12.1 - Wind Turbines (page 73)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
TACTRAN (SLDP_193) RES UK & Ireland (1171) GreenPower Developments Ltd (01323) SportScotland (SLDP_178)		RSPB Scotland (SLDP_154) RPS (SLDP_361) Moray Estates Development Co Ltd (SLDP_27)
Provision of the development plan to which the issue relates:	Policies supporting the provision of renewable energy and setting out how wind turbines will be assessed.	
Planning authority's summary of the representation(s):		
<p><u>Primary Policy 12: Renewable Energy</u></p> <p>TACTRAN (SLDP_193/014) - It is suggested that reference to making provision for electric vehicles and associated infrastructure should be included.</p> <p>RES UK & Ireland (01171/001) - Second paragraph is unduly negative and unnecessary given suggested changes to the rest of the paragraph.</p> <p>Green Power Developments Ltd (01323/001) - The way Paragraph 2 is worded suggests that there is a presumption against wind turbines (in particular large scale developments) and that only other types of renewable energy development will be considered. Green Power does not believe this is the intention - it is our view that wind turbine developments, including large scale developments; should be considered on their merits in their specific locale and there certainly should not be a broad presumption against this type of development.</p> <p><u>Policy 12.1 - Wind Turbines</u></p> <p>Moray Estates Development Company Limited (SLDP_27/005) - Policy approach considered overly restrictive. Does not accord with the strategic aims of the Plan to deliver appropriate climate change mitigation and adaptation measures and more renewable energy generation, and Scottish Government's target to meet 100% electricity demand from renewable resources. Efficient large scale renewable energy is required. Advantages in further development of existing facilities, minimising visual impacts and infrastructure demands.</p> <p>RSPB Scotland (SLDP_154/001) - Recommends further consideration of mitigation measures to minimise environmental effects of SG33 and also ensure the adverse effect on the integrity of any European site is avoided, in line with Scottish Governments guidance on Habitats Regulations Appraisal (HRA).</p>		

SportScotland (SLDP_178/010) - Objects to the lack of reference in the policy to the need to take into consideration the impact of wind farm proposals on recreational interests. Refers to Scottish Planning Policy (Para.187), which states that the impact on wind farm proposals on recreation interests should be taken into account, and Para.190, which identifies recreational interests as a potential constraint on wind farm development. Requests policy is revised to ensure that the potential impact of wind turbine proposals on sport and recreation interests is considered.

RPS (SLDP_361/001) - Does not agree that Policy 12.1 should be adopted in its current form for the following reasons:

- Consider that the proposed Areas of Search are unduly restrictive and seek to severely limit commercial scale wind energy developments in the Stirling Council area.
- Policy 12.1 is not in the spirit of the approach set out by the Scottish Government in Scottish Planning Policy to identify areas of search for wind farm proposals. It is noted that the proposed areas of search in SG33 (Appendix 2) excludes a number of areas which were previously identified as areas of search for wind farm development in the Clackmannanshire and Stirling Structure Plan (2002), albeit that the landscape character of these now excluded areas is not considered to have changed dramatically.
- Have a number of concerns over the findings and conclusions of the Stirling Landscape Sensitivity and Capacity Study for Wind Energy Development which is given significant weight in Policy 12.1.

RES UK & Ireland (01171/002) - Amend part (b) of the policy.

Modifications sought by those submitting representations:

Primary Policy 12: Renewable Energy

TACTRAN (SLDP_193/014) - Include reference to making provision for electric vehicles and associated infrastructure.

RES UK & Ireland (1171/001) - On second paragraph delete: - "Wind turbines may have specific implications for landscape character and visual intrusion, particularly with regard to larger scale developments, in terms of both overall height and numbers of turbines". The rest of the paragraph should subsequently be amended to read: "All renewables and low carbon energy developments will be considered where they are sensitively introduced....."

Green Power Developments Ltd (01323/001) - Suggest that the paragraph be re-worded as follows:

"Whilst wind turbines may have specific implications for landscape character and visual intrusion, particularly with regard to larger scale developments, in terms of both overall height and numbers of turbines, the significant contribution they can make towards the Scottish Government's target for renewable energy means that they should be considered on a site by site basis. Where the developer can demonstrate that any implications for landscape character and visual intrusion are acceptable then wind turbine developments will be considered. Other renewables and low carbon energy developments will be considered where they are to be sensitively introduced. Renewable energy generation projects will therefore require to accord with Policies 12.1 (where appropriate) and 12.2".

Policy 12.1 - Wind Turbines

Moray Estates Development Co Ltd (SLDP_27/005) - Identify appropriate sites for efficient large scale renewable energy projects.

SportScotland (SLDP_178/010) - Revise policy to ensure that the potential impact of wind turbine proposals on sport and recreation interests is considered.

RSPB Scotland (SLDP_154/001) - Additional text to be added to Policy 12.1 Wind Turbines to highlight that biodiversity is also a primary consideration to read as follows:

"Conservation of the character and quality of landscapes and conservation of biodiversity are primary considerations (see Primary Policy 9, SG27, SG28 and Primary Policy 8, SG26)".

RPS (SLDP_361/001) - A more positive approach putting the onus on the wind energy industry itself to present well designed proposals that achieve the best fit with the landscape. Changes to the policy approach should reflect the need to consider wind farm applications against more detailed landscape and visual impact assessments rather than against the findings of the Landscape Sensitivity and Capacity Study.

Further justification needs to be provided on areas where it is considered that cumulative limits have been reached. The criteria for determining all wind farm applications, including those within areas of significant protection, should be clearly listed within Policy 12.1.

The criteria for determining wind farm proposals should be revised to include the contribution to renewable energy generation targets and also socio-economic impacts.

RES UK & Ireland (01171/002) - Amend part (b) to read:- "Developments will be permitted if they are of a scale, layout and nature such that significant adverse environmental impacts, including cumulative impacts, are avoided or minimised to the satisfaction of the planning authority."

Summary of responses (including reasons) by planning authority:**Primary Policy 12: Renewable Energy**

TACTRAN (SLDP_193/014) - This policy specifically relates to renewable energy rather than sustainable transport. It is therefore not appropriate to amend the policy in the manner suggested. The Plan's sustainable development criteria (p29) include: -
"3. Reduce the need to travel and encourage active travel and other more sustainable travel and transport opportunities."

National planning policy on the provision of electric vehicle infrastructure is still at a formative stage, and this criterion provides a link to the Plan from which further supplementary guidance can be developed as and when required.

Policy 12.1 Wind Turbines

RSPB Scotland (SLDP_154/001) - Policy 12.1 (a) refers to various assessment criteria including:

- i) National Planning policy and guidance
- ii) Current locational and design guidance of Scottish Natural Heritage.

Proposed Supplementary Guidance SG33 'Wind Farms and Wind Turbines' (CD190) provides further information and detail in respect of Policy 12.1, e.g. Para 3.1.2(a)(ii) Current locational and design guidance of Scottish Natural Heritage; Para 3.2.5 Habitats and Wildlife (including protected species) and Para. 3.2.6 Impacts on the Quality of the Water Environment. Para 3.2.5 also refers to the Appropriate Assessment of Policy 12.1, as detailed in Appendix 1 in Proposed Supplementary Guidance SG33. The Council considers that Policy 12.1 and Proposed Supplementary Guidance SG33 incorporate sufficiently detailed advice on environmental and biodiversity considerations relative wind farms and wind turbine and, accordingly, there is no need to modify the Plan.

SportScotland (SLDP_178/010) - Policy 12.1 (a) refers to various assessment criteria including National Planning policy and guidance. This clearly includes Scottish Planning Policy. Proposed Supplementary Guidance SG33 'Wind farms and Wind Turbines' provides further information and detail in respect of Policy 12.1. The Council accepts that this Guidance does not mention recreational interests as a potential consideration and is agreeable to amending the Guidance in this respect so as to accord with Scottish Planning Policy. The Council considers this minor amendment to be a non-notifiable modification.

Primary Policy 12: Renewable Energy & Policy 12.1 Wind Turbines

RES UK & Ireland (01171/001) (01171/002); Green Power Developments Ltd (01323/001); RPS (SLDP_361/001); Moray Estates Development Co Ltd (SLDP_27/005) -

These representations raise similar concerns regarding what is perceived as negative, unduly restrictive guidance for wind energy developments, contrary to Scottish Government and the Plan's vision that promotes renewable energy, sustainable development and climate change mitigation and adaptation. In support of these concerns the representations also comment on Proposed Supplementary Guidance SG33. Whilst the Council considers representations on SG33 are normally outwith the remit of the Examination, in this particular case, criteria in Policy 12.1 (a)(iii) and (iv) make specific reference to SG33 and the supporting Landscape Capacity Study. Following from this it is considered appropriate to also respond to representations made against SG33.

SG33 provides further information and detail in respect of Policy 12.1. This Guidance is a consolidated version of Stirling Council's Supplementary Planning Guidance – 'Interim Locational Policy and Guidance for Renewable Energy Developments (Wind Turbines)', adopted in March 2011 (CD85).

Background reports presented to the Council and minutes of meetings (CD's 209, 210, 211 & 212) demonstrate the extent of work undertaken to prepare and finalise the Interim Guidance and the prompt and effective adherence to Scottish Government advice on preparing spatial strategies for wind farm developments, as set out in:

- Scottish Planning Policy (Paras.187-191) (CD1);
- Planning Advice Note 45 – Annex 2, Spatial Frameworks and Supplementary Planning Guidance for Wind Farms (November 2008 - now superseded) (CD12); and
- Scottish Government online advice - Process for Preparing Spatial Frameworks for Wind Farms (first published February 2011 and last updated August 2012) and Onshore Wind Turbines (first published February 2011 and last updated October 2012) (CD13).

This Council's approach has included the following:

- Commissioning of a methodical baseline Landscape Capacity Study, in partnership with Scottish Natural Heritage and the Loch Lomond and the Trossachs National Park Authority (CD81). This was adopted as a material consideration by the Council in March

2008 (see (CD210) Background Report of May 2010 Para 3.1)

- 8 week public consultation on the draft guidance, May - July 2009, with further consultation with Community Councils carried out in Autumn 2009. (see (CD 210) Background Report of May 2010, paras. 3.2 and 3.15. Appendix 3 summarises the consultation responses).
- Strategic Environmental Assessment of the emerging guidance, with the Environmental Report the subject of public consultation during May - July 2009 (see para. 3.14 of (CD210)).
- Detailed consideration and partial adoption at the Council meeting (CD211).
- Detailed consideration and full adoption at the Council meeting (CD's 209 & 212). The adopted guidance forms Appendix 1 of (CD209). In particular, attention is drawn to Para. 3.7 of (CD209) which notes that, as of February 2011, Planning Advice Note 45 Annex 2 has been replaced with web based renewables advice. The updated methodology for spatial frameworks is however considered to have the same staged approach and terminology. The web based advice also notes that 'Areas of Search' and 'Areas of Significant Protection' would normally be expected to be map based and recognises the increasing prevalence of wind farms of less than 20mW capacity and supports extending planning policies to deal with these. It is noted the recommended policy for Stirling includes this.

The Council thus considers Primary Policy 12 and Policy 12.1, and Proposed Supplementary Guidance SG33 properly reflect Scottish Government advice regarding spatial frameworks for wind farms and wind turbines.

A principal finding of the Landscape Sensitivity and Capacity study was the unique juxtaposition of high and lowland landscapes, focused around the Forth Valley, within which there are a number of distinct landscape features including the Ochil, Campsie, Touch, Gargunnock and Fintry Hills, the Carselands, Highland Boundary Fault and landmark protrusions of Stirling Castle and the Wallace Monument. The Study also took account of the established wind farms at Earlsburn and Braes of Doune. Following detailed and thorough analysis, the Study concluded that there is very limited capacity for windfarm developments. Thus the extensive 'Area of Significant Protection' that already contains the operational Braes of Doune, Craigengelt and Earlsburn Windfarms, and in which a further nine 115 m. turbines are to be added adjacent to Earlsburn, and very limited areas of search, are well founded.

Overall it is concluded that Policy 12.1 and SG33 does not materially contravene relevant updated Scottish Government advice such as would have justified a review of the recently adopted Interim Locational Policy and Guidance for Renewable Energy Developments (Wind Turbines)' (March 2011) guidance. The recent dismissal (November 2012) of an appeal (CD97) against a deemed refusal of planning permission for six 126 m. high turbines in the northern slopes of the Carron Valley, demonstrates the robustness of the adopted locational guidance.

In response to other matters raised in these representations:

- Applications will always be considered on their own merits, in line with advice in Scottish Planning Policy.
- The differences between the Structure Plan Areas of Search and current guidance, is explained in the Landscape Study (CD81, p6), principally the introduction of two new windfarms to the area, but also the trend towards use of much larger machines, to which the Stirling landscape scale is particularly sensitive.

Reporter's conclusions:

1. These conclusions cross-refer with those for Issue 3.

Primary Policy 12

2. The topic of Primary Policy 12 and its associated sub policies is renewable and low carbon energy generation. Electric vehicles and their associated infrastructure may have a part to play in a low carbon future, but are not forms of energy generation. Therefore, Policy 12 is not an appropriate location in the local development plan to include a reference to this technology.

3. Scottish Planning Policy identifies that the planning system should support the installation of infrastructure to support new technologies, such as charging points for electric vehicles (paragraph 165). The planning authority points to the plan's Sustainable Development Criterion 3 which requires development to encourage more sustainable transport opportunities. While this is a high level reference, with no specific mention of electric vehicles, the approach is appropriate given the general format of the plan, which is to leave matters of detail to supplementary guidance. In this case, the relevant piece of proposed supplementary guidance is SG14: Ensuring a Choice of Access to New Development, which includes a section encouraging the provision of charging points for electric vehicles (CD178, page 16). Given this reference and the fact that SG14 will ultimately form part of the development plan, the issue will be covered sufficiently in the development plan as a whole.

4. Two representees criticise a perceived negativity in the wording of Primary Policy 12 towards wind turbines, and have proposed alternative text. Taking the policy as a whole, its first paragraph references the Scottish Government's renewable energy targets and states that the plan area has potential to contribute through most renewable and low-carbon energy generation technologies. The second paragraph then notes the specific implications wind turbines may have on landscape and visual interests. Overall therefore the policy maintains a balance between acknowledging on the one hand the need and potential for these technologies, and on the other their potential implications. The wording of the policy could not reasonably be construed as a presumption against wind turbine development. Rather it highlights important factors that the planning system will inevitably have to weigh up when proposals emerge. On that basis, no modification is required.

Policy 12.1

5. Many representees regard this policy (particularly part (b)) as too narrowly focussed on landscape concerns. Suggestions are made that the policy should remove the particular reference to landscape conservation. Alternatively, the policy should be changed to include a wider range of criteria including contributions to renewable energy targets, and recreational, biodiversity and socio-economic impacts.

6. The planning authority point out that part (a) of Policy 12.1 references national planning policy and guidance, and that the matters of concern to representees are covered there. They also argue that some of these matters are covered (or could potentially be covered) in the relevant piece of proposed supplementary guidance. While these statements are correct, it remains the case that Policy 12.1(b), in stating that "conservation of the character and quality of landscapes is a primary consideration" elevates landscape considerations above all other factors. Because there is no support for this approach in Scottish Planning

Policy, the final sentence of Policy 12.1(b) should be deleted and replaced by a more comprehensive list of criteria that the planning authority will consider in determining applications for wind farm developments. This list could reflect that set out in Scottish Planning Policy (paragraph 187). An alternative approach would be for Policy 12.1 to remain as a more high level statement with a fuller list of the criteria the planning authority will apply being set out in supplementary guidance.

7. A number of representations comment adversely on the content of proposed Supplementary Guidance SG33: Wind Farms and Wind Turbines (CD190). While this examination has no locus to recommend changes to the planning authority's proposed supplementary guidance, Issue 3 of this examination considers the need to incorporate the spatial framework for onshore wind (currently in SG33) into the local development plan. The conclusion for Issue 3 is that SG33 fails to comply with national policy in a number of ways. The spatial framework cannot therefore be incorporated into the local development plan in its current form. The recommendation at Issue 3 is that the supplementary guidance on onshore wind must be refreshed in line with national policy. To reflect this requirement, the text at the end of Policy 12.1 relating to supplementary guidance also needs to be replaced.

8. That said, SG33 discusses many of the criteria listed in Scottish Planning Policy (paragraph 187), but it does not mention the potential contribution of developments to renewable energy generation targets or the effect on the local and national economy and tourism and recreation interests. In the case of recreation, the planning authority have stated that they are willing to amend SG33, but there is no indication that the other missing criteria, some of which may be expected to counter-balance, for instance, landscape considerations, will be included. Because I am not confident that a reliance on supplementary guidance to achieve the expectations of Scottish Planning Policy will suffice in this case, the criteria that will be considered in determining applications for wind farms should be set out in the local development plan itself. The criteria from Scottish Planning Policy would be suitable for this purpose.

9. Turning to more specific matters, sportscotland has requested that potential impacts on recreational interests be taken into account. The planning authority states that it has made that change as a non-notifiable pre-examination modification to the plan and will also amend the supplementary guidance. These changes should satisfy the requirements of Scottish Planning Policy and no further action is therefore required.

10. The Royal Society for the Protection of Birds' request for text to be added regarding biodiversity has been addressed through the recommended inclusion of a reference in Policy 12.1 to effects on the natural heritage. While 'natural heritage' is a broader term, it encompasses biodiversity. It also reflects the language in Scottish Planning Policy (paragraph 187). It would not be appropriate to refer to biodiversity as a primary consideration: rather it is one important consideration to be balanced against others.

Reporter's recommendations:

The local development plan should be modified by:

1. Replacing the final sentence of Policy 12.1(b) with:

"Proposals will be assessed against the following criteria:

- landscape and visual impact,
- effects on the natural heritage and historic environment,

- contribution of the development to renewable energy generation targets,
- effect on the local and national economy and tourism and recreation interests,
- benefits and disbenefits for communities,
- aviation and telecommunications,
- noise and shadow flicker, and
- cumulative impact.”

2. Replacing the text in square brackets beneath Policy 12.1 on page 73 of the LDP with:

“[New supplementary guidance will be prepared and adopted within one year of the adoption of this local development plan that will comprise Stirling Council’s spatial framework for onshore wind. The adopted spatial framework will then be incorporated into the local development plan at the first review. See also Policy 4.2 for criteria relating to the protection of carbon-rich soils.]”

Issue 22	Water Environment	
Development plan reference:	Primary Policy 13 – The Water Environment (page 75)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Environment Protection Agency (SLDP_175)		
Provision of the development plan to which the issue relates:	Policy dealing with the protection of the water environment including water supply catchments.	
Planning authority's summary of the representation(s):		
<u>Primary Policy 13 – The Water Environment</u> Scottish Environment Protection Agency (SLDP_175/009) - Support policy as it accords with the Council's duties under the Water and Environment and Water Services (Scotland) Act 2003. However a factual inaccuracy should be amended. The River Basin Management Plans provide an integrated framework for coordinating action which contributes to achieving the protection and improvement objectives of the Water Framework Directive. As such, the reference in the policy wording to the protection and improvement objectives of the Scotland River Basin Management Plan is incorrect and should be amended.		
Modifications sought by those submitting representations:		
<u>Primary Policy 13 – The Water Environment</u> Scottish Environment Protection Agency (SLDP_175/009) - Delete the following text - “the protection and improvement objectives of the Scotland River Basin Management Plan and relevant Area Management Plans...” and insert: - “.....the protection and improvement objectives of the Water Framework Directive and assist the delivery of measures in the Scotland River Basin Management Plan”		
Summary of responses (including reasons) by planning authority:		
<u>Primary Policy 13 – The Water Environment</u> Scottish Environment Protection Agency (SLDP_175/009) - The Council is agreeable to modifying the Policy to accord with the Scottish Environment Protection Agency's suggested amendments, to ensure consistency with national water quality guidance. The Council consider this to be a non-notifiable modification.		
Reporter's conclusions:		
1. The planning authority accepts that the wording of Primary Policy 13 (a) is inaccurate and agrees the revised wording proposed by the Scottish Environment Protection Agency (SEPA). The proposed wording change refers to the objectives of the Water Framework		

Directive.
2. I am content that SEPA's concerns appear to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required.
Reporter's recommendations:
No modifications.

Issue 23	Soil Conservation and Agricultural Land	
Development plan reference:	Primary Policy 14 - Soil Conservation and Agricultural Land (page 76)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Warren Planning Consultants (SLDP_192) Scottish Environment Protection Agency (SLDP_175) Scottish National Party Group (00711)		
Provision of the development plan to which the issue relates:	Policy dealing with soil management measures.	
Planning authority's summary of the representation(s):		
<u>Primary Policy 14 - Soil Conservation and Agricultural Land</u> Warren Consultants (SLDP_192/008) - This policy seems to go further than the long-standing Scottish government advice on the protection of agricultural land. It extends the protection to category 3.2 land. The long standing Scottish government advice was brought in because agricultural surpluses were so great that the protection of land below category 3.1 on the Macaulay scale was not deemed to be worthwhile. We are not aware of any special circumstances in Stirlingshire to warrant a more restrictive attitude to development on agricultural land than in other parts of the Central Belt. Scottish Environment Protection Agency (SLDP_175/010) - Support the principle of this policy as a climate change mitigation measure, which is in keeping with your authority's duties under the Climate Change (Scotland) Act 2009. The protection and enhancement of soil quality and functionality will improve resilience to climate change as well as having wider environmental benefits by reducing erosion, compaction and contamination. However for clarity recommend changes to be consistent with Policy 4.2. Scottish National Party Group (00711/020) - Add as 14.1 (e) - "The Council will support the contribution of the agricultural sector to the local economy. Furthermore the council will support developments which enhance the productive efficiency of rural businesses in terms of primary production and downstream industries such as marketing or other activities which support employment locally or produce food locally".		
Modifications sought by those submitting representations:		
<u>Primary Policy 14 - Soil Conservation and Agricultural Land</u> Warren Consultants (SLDP_192/008) - No comment Scottish Environment Protection Agency (SLDP_175/010) - After "peat" in part b of the policy include "carbon rich soil". Scottish National Party Group (00711/020) - Add new criterion 14.1 (e) - "The Council will support the contribution of the agricultural sector to the local economy. Furthermore the		

council will support developments which enhance the productive efficiency of rural businesses in terms of primary production and downstream industries such as marketing or other activities which support employment locally or produce food locally".
Summary of responses (including reasons) by planning authority:
<p><u>Primary Policy 14 - Soil Conservation and Agricultural Land</u></p> <p>Warren Consultants (SLDP_192) - The contributor does not suggest any specific modifications to the plan. The Council accepts Scottish Planning Policy (Para.97) presumes against development on prime agricultural land (CD 1). Prime Agricultural Land is defined in the Scottish Planning Policy Glossary as being of 'Class 1, 2 or 3.1 in the land capability classification for agriculture as developed by the Macaulay Land Use Research Institute'. Primary Policy 14 is not however seeking to protect such land from development but rather to heighten awareness of soils as a key non-renewable resource and encourage good practice in soil management at site preparation, construction and reinstatement, with appropriate emphasis given to 'good quality agricultural soils'. This reflects the principle aim of the Scottish Soils Framework (CD 30) to 'Promote the sustainable management and protection of soils consistent with the economic, social and environmental needs of Scotland (Para 1.8).'</p> <p>Scottish Environment Protection Agency (SLDP_175/010) - The Council is agreeable to modifying the Policy to accord with the suggested amendments, to ensure consistency in policy wording. The Council considers this to be a non-notifiable modification.</p> <p>Scottish National Party Group (00711/020) - The suggested policy wording includes references to "... other activities which support employment locally....". Criteria to assess such developments are already set out in the Plan's Policy 2.9: Economic Development in the Countryside. Other aspects of the proposed policy wording are considered to be sufficiently covered by the criteria set out in of Policy 14 (a). Following from this it is not proposed to modify the Plan in the manner suggested.</p>
Reporter's conclusions:
<p>1. Warren Planning Consultants argue that the inclusion of Land Capability for Agriculture Classification 3.2 land within the definition of good quality agricultural soil is unwarranted. Scottish Planning Policy defines prime quality agricultural land as being of Class 1, 2 or 3.1 in the land capability classification for agriculture as developed by the Macaulay Land Use Research Institute. Paragraph 97 of Scottish Planning Policy resists much development on such land.</p> <p>2. Primary Policy 14 does not appear to be concerned with resisting development in principle, but rather with implementing soil management measures. Therefore it is not necessary to use the national definition of prime quality agricultural land in this policy because that definition has been developed for a different purpose. The use of the different term 'good quality agricultural soils' in Primary Policy 14 assists in maintaining the distinction between the national policy protection for prime quality agricultural land from development, and Primary Policy 14's concern with how soils are managed. There is no reason why these distinct and complementary policy approaches should necessarily apply to precisely the same classifications of agricultural land. I am therefore satisfied that the definition used in Primary Policy 14 is not inconsistent with Scottish Planning Policy and no modification is required.</p>

3. The representation from the Scottish Environment Protection Agency appears to have been resolved through a pre-examination non-notifiable modification. No further action is therefore required.
4. The Scottish National Party Group suggests Primary Policy 14 could be augmented by a clause relating to support for the agricultural and related economy. Given that Primary Policy 14 is about soil conservation, it would not be an appropriate place for such a statement. However, it may still be desirable to express support for the agricultural economy elsewhere in the local development plan.
5. Policy 2.9 of the proposed plan relates to economic development in the countryside. Part (a) of this policy includes support for developments supporting rural economic activity, particularly in Rural Activity Areas and close to villages. It is not clear from the local development plan or the supplementary guidance supporting this policy (stated in the plan to be SG10 and SG11) where these Rural Activity Areas are to be found. The plan's glossary definition is also unhelpful because it says no more than that these areas are suitable for employment development appropriate to a rural area. However, Policy 2.9 provides a broadly supportive context for considering agricultural and other rural economic development. In addition, Policy 14.1(a) supports development associated with local food production and associated activities such as processing, distribution and marketing. Together, these policies appear to address the representee's concerns. On that basis, I conclude that no modification is required.

Reporter's recommendations:

No modifications.

Issue 24	Tourism	
Development plan reference:	Primary Policy 15: Tourism and Recreational Development (page 77) Policy 15.1 - Tourism development including facilities and accommodation (page 78) Figure 14 - Major Visitor Attractions (page 78)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Christine Howe (SLDP_1049) Cycle Stirling (01039) David Prescott (SLDP_1029)		Friends of the Ochils (SLDP_141) Kippendavie Group Trust (SLDP_70) SportScotland (SLDP_178)
Provision of the development plan to which the issue relates:	These policies set out the Plan's policy framework for the assessment of proposals for tourism and recreational development. The associated diagram provides an illustrative representation of some of the visitor attractions in the Plan area.	
Planning authority's summary of the representation(s):		
<p><u>Primary Policy 15: Tourism and Recreational Development</u></p> <p>SportScotland (SLDP_178/011) - considers that it is unreasonable to require proposals for recreational development to make a contribution to the economy of Stirling. Considers policy should make reference to the health, well-being, and quality of life benefits that recreational developments can deliver, in addition to economic ones, thus supporting the Plan's vision for a healthy population with a high quality of life.</p> <p>Friends of the Ochils (SLDP_141/006) - supports the Policy, particularly part (b).</p> <p><u>Policy 15.1 - Tourism development including facilities and accommodation</u></p> <p>Kippendavie Group Trust (SLDP_70/009) - objects to the presumption that chalet development will only be supported if the landscape can accommodate development without it being visually prominent. Also objects to the accompanying references in Proposed Supplementary Guidance SG25 Chalet Developments (CD185) that such development will be sited in unobtrusive locations, and only sites that are well screened from major viewpoints by existing landform are likely to be suitable for development. Considers that this approach runs counter to national policy on architecture and design, which seeks to encourage good design that responds to and makes a positive contribution to the landscape.</p> <p>Cycle Stirling (01039/006) - considers the policy should seek to improve cycle links/networks and National Cycle Network links to promote cycle tourism.</p> <p><u>Figure 14. Major Visitor Attractions</u></p> <p>Christine Howe (SLDP_1049/001) - states that Figure 14 shows the main visitor attractions/monuments in the Stirling area but does not show Dunblane Cathedral, the Leighton Library (Dunblane), Dunblane Museum and Doune Castle. David Prescott (SLDP_1029/004) also objects to Dunblane Cathedral being omitted from Figure 14, and</p>		

considers that it is at least equal in importance to Cambuskenneth Abbey, which is shown in the diagram, and is important as part of the development of Dunblane as a tourist centre.

Modifications sought by those submitting representations:

Primary Policy 15: Tourism and Recreational Development

SportScotland (SLDP_178/011) - requests that the policy is amended to make reference to the health, well-being, and quality of life benefits that recreational developments can deliver, in addition to economic ones.

Policy 15.1 - Tourism development including facilities and accommodation

Kippendavie Group Trust (SLDP_70/009) - requests that the policy is amended to foster high quality design in the delivery of new chalet projects as opposed to a unilateral restriction on design styles.

Figure 14. Major Visitor Attractions

Christine Howe (SLDP_1049/001) - requests the addition of Dunblane Cathedral, Leighton Library, Dunblane Museum and Doune Castle to Figure 14.

David Prescott (SLDP_1029/004) also requests the addition of Dunblane Cathedral to the diagram.

Summary of responses (including reasons) by planning authority:

Primary Policy 15: Tourism and Recreational Development

SportScotland (SLDP_178/011) - This policy deals with built development requiring planning permission that is tourism or recreation-based. The purpose of the requirement of part (a) is to ensure that such development improves or adds to, rather than detracts from, the tourism and recreation economy of the Local Development Plan area. This can be achieved by being located and/or designed so as to increase visitor numbers and the duration of visitors' stay. It is acknowledged that not all tourism or recreation activities will make a discernable contribution to the economy, but the policy is only intended to cover activities that require planning permission. The creation or improvement of cycle paths etc., do not generally require planning permission. It is therefore considered that the policy should not be modified in this respect.

With regard to the policy making reference to the health, well-being, and quality of life benefits that recreational developments can deliver, it is accepted that these sentiments are valid but these are adequately covered in the overarching Policy and Sustainable Development Criteria in the Plan. It is not therefore considered necessary to repeat these references in every relevant policy. Guidance on using the Plan is set out within Para.3.4 of the Plan (page 11) and highlights the need to fully consider all the relevant aspects of the Plan when assessing development proposals. It is therefore considered that the policy should not be modified in this respect.

Policy 15.1 - Tourism development including facilities and accommodation

Kippendavie Group Trust (SLDP_70/009) - the Council considers it entirely appropriate to

seek to limit the visual prominence of chalet developments given that the majority of such developments will take place in countryside locations, where landscape considerations are of particular importance. The policy makes no reference to design styles that are likely to be appropriate; this is a detailed matter covered in the associated Supplementary Guidance SG35 (CD185), which states that it encourages high-quality chalet design that reflects appropriate elements of traditional Scottish architecture, and is in harmony with the local context. The guidance does not preclude innovative or contemporary designs (Paragraph 4.1). Therefore, it is considered that the policy should not be modified in this respect.

In response to the comments from Kippendavie Group Trust on SG35, issues related to the modification of Supplementary Guidance will be dealt with separately, outwith and after the Examination process, to ensure that the Guidance accurately reflects any amendments made to the Plan during the Examination.

SportScotland (SLDP_178/01) - while cycle tourism is recognised as being important to the economy of the local area, and the Council would certainly seek to encourage this type of activity, the purpose of Policy 15.1 is to assess proposals for development requiring planning permission that is tourism or recreation-based. It is a criteria-based policy that seeks to provide a framework for the assessment of planning proposals, and adding a general statement of support to the policy to the effect that the Council is supportive of improvements to cycle routes and networks would do nothing to improve or change it with regard to its interpretation or application. Such matters are dealt with in the Vision and Sustainable Development Criteria within the Plan (applicable to all development) and Policy 1.3 and 3.1. It is not therefore considered necessary to repeat these references in every relevant policy. Guidance on using the Plan is set out within Para.3.4 of the Plan (page 11) and highlights the need to fully consider all relevant aspects of the Plan when assessing development proposals. It is therefore considered that the policy should not be modified in this respect.

Figure 14. Major Visitor Attractions

The purpose of Figure 14 is to provide a simple visual representation of the major visitor attractions in the Plan area, as an accompaniment to Primary Policy 15 and Policy 15.1, in order to remind Plan users of the significant (some nationally significant) tourism assets in the Plan area but also to provide some visual interest in the Plan document. It is not intended to be an exhaustive map of all tourism attractions in the Plan area, and indeed it does not cover the full extent of the Plan area. To conclude, the Council does not consider that the Plan should be modified in respect of these representations.

Reporter's conclusions:

Primary Policy 15: Tourism and Recreational Development

1. SportScotland is concerned that this policy emphasises the economic contribution of tourism and recreational development without recognising that recreational proposals can deliver well-being and quality of life benefits.
2. It appears that the planning authority takes a rather narrow view of the prospective outputs of recreational development. This type of development could require planning permission, and may be brought forward by community, sports, social or other not-for-profit organisations. These bodies may have community well-being, health or quality of life objectives rather than purely economic ones. I find that the proposed policy wording and

criteria do not recognise this type of development objective and so could be interpreted as not providing policy support for such proposals.

3. I accept that the plan's Sustainable Development Criteria support healthy and safer lifestyles by promoting access to open space and other recreational opportunities. However, these criteria have a wider purpose and they are not substitutes for clear policy advice on recreational development which should be set out in Primary Policy 15. Therefore, I support SportScotland's representation and I consider that the addition of another criterion (d) to the policy would make it clear that the plan supports recreational proposals with community well-being, health and quality of life objectives.

Policy 15.1 - Tourism development including facilities and accommodation

4. Policy 15.1 sets out the key policy principle for the location of chalet developments namely; they will be supported where the landscape can accommodate them without the developments being visually prominent. More detailed design and locational advice is contained in Supplementary Guidance SG35: Chalet Developments.

5. Together, Policy 15.1 and SG35 provide policy and detailed advice. They do not preclude high quality or innovative chalet designs. However, Policy 15.1 makes it clear that the starting point in assessing a chalet proposal is that the landscape should be able to accommodate it without the development being visually prominent. I consider that this approach is broadly consistent with the advice contained in the Scottish Government's policy document Creating Places – A policy statement on architecture and place for Scotland (June 2013). The statement notes that “considered approaches to siting and design of development, which recognise landscape character and landscape capacity, will help to guide appropriate landscape change.”

6. On this basis, I do not consider that Policy 15.1 should be modified. It is not appropriate for me to consider the representation from Kippendavie Group Trust on the contents of SG35 as these are matters to be considered by the planning authority outwith the examination process.

7. Cycle Stirling seeks a policy commitment to improve cycle links and networks to promote cycle tourism. I find that the purpose of Policy 15.1 is not to promote particular tourism developments but, rather, to provide a policy basis to guide and control tourism development proposals that would come forward from other parties. The policy wording specifically supports tourism development that promotes responsible access to the natural environment. I consider that this overarching policy would support the principle of development linked to new cycle links and networks and cycle tourism.

8. The local development plan contains wider policy support for cycle development including plan Policy 3.1: Addressing Travel Demands of New Development, especially part (b), which aims to reduce travel demands and to encourage safe and realistic choice of access, including by cycling. Support can also be found in SG14: Ensuring a Choice of Access for New Developments (CD178), which includes detailed advice on Stirling Council's cycle provision requirements. Appendix A to SG14 also addresses cycle matters (pages 9 to 11). Cycling is covered again for some developments by Policy 3.3: Developer Contributions, including explicitly under part (d)(i). This policy is augmented by SG16: Developer Contributions (CD180), which expects the provision of necessary infrastructure such as for cycling.

9. Based on all of this, I find that there is wide policy support for cycle infrastructure in the plan's over-arching transport and development policies. Therefore, I do not consider that any modification is required to this specific tourism development policy to address the representation from Cycle Stirling.

Figure 14. Major Visitor Attractions

10. Figure 14, which is in fact on page 77 of the local development plan, is a diagrammatic representation showing the broad location of major visitor attractions. While many attractions have been omitted from it, the purpose Figure 14 appears to be largely illustrative, given its graphic format and geographical extent. Importantly, Figure 14 has no policy purpose. Primary Policy 15 and Policy 15.1 make no reference to it and do not rely on it to support any policy content. I accept that there will be differing views on what visitor attractions should be illustrated on the map, but that makes no difference to the substance of the local development plan. The planning authority has chosen to identify 6 locations that it regards as major, as an illustrative tool and, in light of the above, I do not consider that it would serve any real plan purpose to identify more. Therefore, the local development plan should not be modified in this regard.

Reporter's recommendations:

The local development plan should be modified by:

1. Adding the following extra criterion to Primary Policy 15:

“(d) Where appropriate, improve the provision of recreational facilities which promote local community well-being, health and quality of life benefits.”

Issue 25	Action Programme (CD48)	
Development plan reference:	Vision (Chapter 4) Spatial Strategy (Chapter 5) Policies (Chapter 7) Settlement Statements (Chapter 10) Appendix B	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Government (SLDP_188) TACTRAN (SLDP_193)		Gladman Developments Ltd (SLDP_350) Story Homes (SLDP_1178)
Provision of the development plan to which the issue relates:	The Action Programme (CD48) is part of the implementation of the Plan and therefore relates to the Vision, Spatial Strategy, Policies and all the site allocations in the Settlement Statements and Appendix B.	
Planning authority's summary of the representation(s):		
<p>Scottish Government (SLDP_188/009) - The transport appraisal work undertaken to identify suitable Park and Ride sites to the south of Stirling identified that this site does not meet the objectives set out in Scottish Government's Strategic Transport Projects Review. Therefore, while it has merit at a local level, it is not considered to be in line with the Review. Transport Scotland is listed in the 'Responsibility & Contact for Action' column. Transport Scotland will be a consultee and will continue to engage with the Council, the developer and other stakeholders in relation to trunk road impacts. However the Agency will not be responsible for delivering the actions listed in the 'Actions/Milestones/Status' column. It is recommended that the Action Programme is updated to reflect progress on the projects.</p> <p>TACTRAN (SLDP_193/018) - Other than STPR projects, no transport schemes are listed in the Draft Action Programme. These should include projects contained within the Regional Transport Strategy Delivery Plan.</p> <p>Gladman Developments Ltd (SLDP_350/004) - Gladman supports the allocation at Barbush, Dunblane (R08) for a convenience superstore of 3900 sq m. The supporting text omits reference to full planning permission secured.</p> <p>Story Homes (SLDP_1178/008) - In reviewing the programme and considering sites of 100+ units, it has become clear that the proposed deliverability of some of the larger sites, allocated 'green', should in fact be 'red' e.g. Durieshill (H057). The Action Programme has not gone far enough to provide a realistic picture of the delivery of sites over the plan period. There are several sites which remain constrained and show no signs of overcoming such constraints in the allocated timescales, and as such require to be reclassified in the Programme. A re-classification of the 'traffic light' system shows that several sites planned for 2014-2024 delivery will in fact fall short or require to be rolled forward into the second period in their entirety. In meeting the housing land requirement and the vision and objectives of the Plan then, the Council are required to ensure the Action Programme is realistic and ensure that sites free of constraint in accordance with the PAN 2/2010 test are allocated in the immediate future.</p>		

Modifications sought by those submitting representations:
<p>Scottish Government (SLDP_188/009) -</p> <p><u>Action P9</u> - Add Scottish Government (Historic Scotland) input within the Action Programme under SG02 – Stirling Heritage Park.</p> <p><u>Action N2</u> - Remove reference to STPR from the Action Programme text.</p> <p><u>Action 78</u> - Transport Scotland should be removed from the 'Responsibility & Contact for Action' column or this column should read 'SCP, Walker Group, SCP and other SC Services, in consultation with Transport Scotland'.</p> <p><u>Action N3</u> - Update the table to include the following comment: "Transport Scotland is currently undertaking preliminary assessment work to identify and prioritise potential improvements between Keir Roundabout at Dunblane and Luncarty, just north of Perth".</p> <p><u>Action N1</u> replace with “Phase 1 of EGIP, timescale 2016, Transport Scotland/Network Rail, and progress covering new services on the Edinburgh Glasgow via Shotts line, electrification of Haymarket Tunnel, route clearance works in advance of the EGIP electrification contract awarded, redevelopment of Haymarket Station underway, new additional services on the Edinburgh Glasgow Via Carstairs line in December 2012 timetable”.</p> <p>TACTRAN (SLDP_193/018) - Include projects contained with the Regional Transport Strategy Delivery Plan, specifically the Kildean Link road and M9/A811 slip roads, as included within the Key Diagram on page 18 of the Proposed Plan.</p> <p>Gladman Developments Ltd (SLDP_350/004) – Add to the supporting text for Barbush, Dunblane (R08) reference to full planning permission secured on 23.10.12 for a Class 1 foodstore (12/00289/ FUL).</p> <p>Story Homes (SLDP_1178/008) - Amend the Action Programme to ensure a realistic picture of development and development constraints is presented.</p>
Summary of responses (including reasons) by planning authority:
<p>Scottish Government (SLDP_188/009) –</p> <p><u>Action P9 (SG02)</u> – The Council has no objection to the addition of Historic Scotland as a participant in relation to Stirling Heritage Park to provide additional clarity. This is considered to be a non-notifiable modification.</p> <p><u>Action N2 (Bannockburn Park and Ride)</u></p> <p>Transport Scotland’s Strategic Transport Projects Review included a Strategic Park & Ride/Park & Choose Strategy. This intervention is intended to “deliver a series of strategic Park-&-Ride/Park-&-Choose sites....served by either rail services or express bus links to and from the city centres and areas of economic activity, including appropriate bus priority measures at congested locations. These would interface with existing urban bus priority systems”. One of the proposed sites included a site at “Bannockburn, serving Edinburgh, Glasgow and Stirling”.</p>

Recognising this aspiration of Transport Scotland; as well as Stirling Council and TACTRAN's aspiration for a park and ride site to the south of Stirling; the identification of a park and ride site as part of a package of measures to address travel demands arising from the major growth area at Durieshill; and the benefit of identifying a site to be protected within the emerging Local Development Plan, Stirling Council, TACTRAN and Transport Scotland undertook a joint study to identify a site which would support all objectives, including the strategic objectives identified in STPR. Neither during or after the study did Transport Scotland suggest that the preferred site would not meet the strategic objectives. If Transport Scotland retain the aspiration of a park and ride site "at Bannockburn, serving Edinburgh, Glasgow and Stirling" and until we understand what additional work Transport Scotland propose to go through to identify a park and ride site to meet strategic objectives then the Council suggests that the work undertaken to date remains relevant. Hence the responsibility for bringing forward a site which meets the objectives of STPR should remain identified in the Plan Action Programme as a joint responsibility of the respective agencies. The Council does not therefore agree to modify the Plan in respect of this representation.

Action 78 (Durieshill) - Transport Scotland request that they are removed from those who should be identified as having 'Responsibility and Contact for Action' in relation to the transport infrastructure required for the major growth area at Durieshill. The proposed development feeds directly onto the trunk road network at M9 Junction 9 Pirnhall/Bannockburn. The impact on this part of the trunk road network could be significant, and while Stirling Council and Transport Scotland will work together on the broader package of measures to firstly reduce and then secondly mitigate against the impact of the development on the trunk road, it is assumed that Transport Scotland should take the lead on issues in relation to the trunk road network, and therefore be identified as a key agency against this project in this regard. The Council does not therefore agree to modify the Plan in respect of this representation.

Action N3 – The Council agrees to provide an update to progress by adding: "Transport Scotland is currently undertaking preliminary assessment work to identify and prioritise potential improvements between Keir Roundabout at Dunblane and Luncarty, just north of Perth". This is considered to be a non-notifiable modification.

Action N1 – At the time of writing the Action Programme, electrification to Stirling/Dunblane/Alloa via the EGIP had been put on hold, with no clarity as to when this would be resumed. The text in the Action Programme reflects this. Following the publication of Network Rail's 'Strategic Business Plan for Scotland' in January 2013 it has been clarified that electrification to Stirling/Dunblane/Alloa is intended to be undertaken, not as part of EGIP, but as part of a "rolling programme of electrification...commencing from the completion of EGIP" (Network Rail's 'Strategic Business Plan for Scotland', January 2013). It is suggested that the Action Plan text be updated with the following text rather than that proposed by Transport Scotland (which relates to EGIP, which is no longer relevant to Stirling):

"Action = rolling programme of electrification

Timescale = March 2019

(contact, remains the same)

Progress = The rolling programme of electrification will be commenced upon completion of EGIP, currently estimated to be 2016)"

This is considered to be a non-notifiable modification as it simply provides an update in terms of status.

Action 37 – This action identifies the delivery and monitoring of Stirling’s Local Transport Strategy which is required to support delivery of the Plan. Within the City area the Local Transport Strategy is delivered via the proposed City Transport Plan (CD73) which includes the schemes referenced to by TACTRAN. The Council suggests that this text could be amended to state “Delivery & monitoring of Stirling Local Transport Strategy and the Regional Transport Strategy” in order to provide additional clarity, if frequent and severe congestion is not to undermine the delivery of the Plan’s growth aspirations. This is considered to be a non-notifiable modification.

Gladman Developments Ltd (SLDP_350/004) – Due to the publication date of the Proposed Plan and supporting Action Programme (October 2012), it has not been possible to update the Action Programme with regard to specific proposals. The Action Programme will be adopted within 3 months of the Plan being adopted, at which point any updates can be reflected.

Story Homes (SLDP_1178/008) – This objection relates to comments made about the effectiveness of specific development proposals. These have been responded to under Issue 4 Housing Land Requirement.

Reporter’s conclusions:

1. The scope and purpose of this examination is confined to the consideration of issues raised in representations on the proposed local development plan. The preparation of the action programme runs in parallel to the local development plan but is entirely for Stirling Council to administer and consult upon. This examination has no locus to recommend modifications to the action programme.
2. However, given that the action programme is an important supporting document to the plan, it is conceivable that representations on it may be relevant to the examination’s consideration of the deliverability of policies or proposals in the plan itself. In particular, the matters raised by Story Homes regarding the deliverability of the housing allocations identified in the plan. These concerns are examined as part of Issue 4 (Housing Land). Other detailed issues are also examined elsewhere in this report. For example, the transport issues are covered by Issue 3 (Spatial Strategy), and Dunblane and Durieshill are the subject of Issues 42 and 52 respectively.

Reporter’s recommendations:

No modifications.

Issue 26	Strategic Environmental Assessment	
Development plan reference:	Strategic Environmental Assessment (separate document)	Reporter: Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Callum Blackburn (00066) Joanne Blackburn (01250)		
Provision of the development plan to which the issue relates:	The strategic environmental assessment of the Plan.	
Planning authority's summary of the representation(s):		
Callum Blackburn (00066/003); Joanne Blackburn (01250/003) - Considers the Strategic Environmental Assessment does not account for several issues adequately and is not competent for the Plan in the Causewayhead area; cumulative impact of a series of major developments over the last 10 years; short term construction sites operating for over 10 years; and, worsening air quality due to increased traffic coming from Clackmannanshire which has not be been factored into the cumulative impact assessment.		
Modifications sought by those submitting representations:		
Callum Blackburn (00066/003); Joanne Blackburn (01250/003) - No comment		
Summary of responses (including reasons) by planning authority:		
<p>The Council has published an Updated Environmental Report (CD82) for the Proposed Plan. With reference to Planning Advice Note 1/2010 – Strategic Environmental Assessment of Development Plans (CD9), Para. 4.41 states that: - “As the environmental report is not part of the proposed plan, any comments on the revised environmental report at this stage should be made in the form of representations on the plan itself, to allow the appointed person (e.g. a Reporter) to take them into consideration during the Examination.” In the case of these particular representations, separate comments submitted in relation to these matters are considered under Issue 41 H056 Airthrey Kerse and Issue 40 Bridge of Allan Settlement Statement.</p> <p>With reference to para. 4.46 of Planning Advice Note 1/2010, these representations will also be considered in the Strategic Environmental Assessment post-adoption statement which sets out how the findings in the environmental report and the associated consultation responses were taken into account during the preparation of the Plan.</p>		
Reporter's conclusions:		
1. The scope and purpose of this examination is confined to the consideration of issues raised in representations on the proposed local development plan. The strategic environmental assessment process runs parallel to the local development plan but is entirely		

for Stirling Council to administer and consult upon. This examination has no locus to recommend modifications to the strategic environmental assessment. However, given that the strategic environmental assessment is an important supporting document to the plan, it may be that comments made on it are relevant to the examination's consideration of individual plan policies or proposals. Indeed, Planning Advice Note 1/2010 states: "As the environmental report is not a part of the proposed plan, any comments on the revised environmental report at this stage should be made in the form of representations on the plan itself, to allow the appointed person (e.g. a Reporter) to take them into consideration during the Examination" (paragraph 4.41).

2. In this case, the representees' substantive concern is with site H056 Airthrey Kerse, which is examined in detail elsewhere in this report under Issue 41.

Reporter's recommendations:

No modifications.

Issue 27a	Doune	
Development plan reference:	Chapter 10: Doune Settlement Statement (page 144-147) H095 - Doune	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Alistair Suttie (01306) Charles Gore (01215) Deborah Hackett (SLDP_1304) Hugh Brown (01057) James Innes (SLDP_1338) Jayne & David Field (01105) John & Juliet McCracken (SLDP_1250) John Blackwood (01307)		Kathleen Johnstone (01313) Kenneth & Diana Campbell (00269) Kilmadock Community Council (SLDP_91) Lynne Abrams (00276) Moray Estates Development Co Ltd (SLDP_27) Stewart Milne Homes Ltd (SLDP_272)
Provision of the development plan to which the issue relates:	The Doune Settlement Statement is the section of the Plan that sets out the approach to development in Doune. All of the sites and designations considered under this Issue are contained within the Doune Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Doune Settlement Statement</u> Moray Estates Development Co Ltd (SLDP_27/004) - Not clear whether the suggestion in the Plan for Wood of Doune as a multi purpose woodland/park, is a firm position or an option under consideration. Consideration of it as an option is inappropriate for a Local Development Plan. Notwithstanding this, the Estate objects to this. The woodlands are already managed for multiple benefits which include timber production, public access, amenity and ecology. This has been undertaken in consultation with the Community and is subject to long term agreement with the Forestry Commission. <u>H095 - Doune</u> Lynne Abrams (00276/001); Kenneth & Diana Campbell (00269/001); Hugh Brown (01057/001); James Innes (SLDP_1338/001); Kathleen Johnstone (01313/001); John Blackwood (01307/001); Alistair Suttie (01306/001); Deborah Hackett (SLDP_1304/001); Jayne & David Field (01105/001); Charles Gore (01215/001); John & Juliet McCracken (SLDP_1250/002) - All object to the identification of this site in Period 2, citing one or more of the following reasons: <ul style="list-style-type: none">• Environmental impact such as loss of a greenfield site which is farmland, impact on the rural nature of the settlement, loss of views and village amenity. Concerns over the adverse impact on historic village and Conservation Area and destroying the open aspect of Moray Park and impact on Commonty Walk.• Breach of the natural envelope of Doune which is not contiguous with the other developments, and loss of a natural green boundary.• The previous designation of Doune as a rural centre puts too much pressure on services. Services cannot support further development i.e. traffic, parking, schooling, sewage, water, gas, electricity and health services. There is a lack of local employment opportunities.		

- An excessive scale of development that will lead to loss of character and sustainability of the community (designation now as a tier 4 is more appropriate).
- Premature identification of site when so many houses have yet to be built. Additional houses are unsustainable and may set a precedent for further development. Other areas have not taken their fair share of development.
- The site has an inappropriate narrow access.
- Overwhelming community opposition to the proposal.

Kilmadock Community Council (SLDP_91/001) - States that the Community are unanimously against this site. Considers that as there are 85 homes to still be built out in Doune, and it is not yet known how the whole 153 will integrate with the village, it is inappropriate to seek additional development. Considers that there are infrastructure problems in Doune and that the combined development in Deanston and Doune could easily destroy the character of the area. Considers that time is needed to allow assimilation of the development into the villages.

Stewart Milne Homes (SLDP_272/006) - Council considers H095 cannot be delivered during the Plan period due to school capacity and access which would have to be taken through H096 / H097 (unlike alternative sites proposed in Deanston which have no such constraints). Comments in the Site Assessment for H095 (CD45) in relation to landscape and settlement characteristics are scarcely believable given comments made to sites in Deanston. Stewart Milne considers H095 to be highly visible and would appear as urban sprawl on the landscape. Enclosure by trees is lacking. The claim that the site is within walking distance of the main public transport corridor is false as the distance from other sites, discounted, in Deanston is shorter but have been described as too far. Two sites in Deanston area available which have no restrictions such as these and which would integrate into the landscape far easier.

Modifications sought by those submitting representations:

H095 - Doune

Lynne Abrams (00276/001); Kenneth & Diana Campbell (00269/001); Kilmadock Community Council (SLDP_91/001); Hugh Brown (01057/001); James Innes (SLDP_1338/001); Kathleen Johnstone (01313/001); John Blackwood (01307/001); Alistair Suttie (01306/001); Deborah Hackett (SLDP_1304/001); Jayne & David Field (01105/001); Charles Gore (01215/001); John & Juliet McCracken (SLDP_1250/002) - Delete the site H095 and all references to it in the LDP.

Stewart Milne Homes (SLDP_272/006) - Site H095 should be deleted. The existing planting along the eastern boundary of H096 and H097 should be reinforced as the logical edge to the settlement. Sites in Deanston should be included as suitable additions to the housing land supply but should be for development in the short to medium term instead.

Summary of responses (including reasons) by planning authority:

Doune Settlement Statement

Moray Estates Development Co Ltd (SLDP_27/004) - The Doune Settlement Statement (Page 145) makes reference to the Woods of Doune stating that they 'could be considered for a multi purpose woodland/park'. This is not a specific aspiration borne out of the Plan, but is provided as background information taken from the Stirling Council, Open Space

Strategy Settlement: Opportunity Plans for Doune (CD 57) as something that could be explored. It is considered that the necessary action to argue against this statement would need to be taken up with the Open Space Strategy rather than the Plan and no amendments are proposed as a result.

H095 - Doune

Lynne Abrams (00276/001); Kenneth & Diana Campbell (00269/001); Kilmadock Community Council (SLDP_91/001); Hugh Brown (01057/001); James Innes (SLDP_1338/001); Kathleen Johnstone (01313/001); John Blackwood (01307/001); Alistair Suttie (01306/001); Deborah Hackett (SLDP_1304/001); Jayne & David Field (01105/001); Charles Gore (01215/001); John & Juliet McCracken (SLDP_1250/002); Stewart Milne Homes (SLDP_272/006) - This site is in Period 2 and is not being put forward as an allocation within the Proposed Plan. The site boundary is not defined within the Plan and the number of housing units is indicative only. The Plan only allocates land for the first 10 years of the Plan i.e. up to 2024. The land identified for this period is considered adequate and it will be for a future review of the Local Development Plan to determine whether any Period 2 sites are required. If future reviews determine this is the case, Key Site Requirements will be set out accordingly which will address some of the numerous concerns raised. It should be noted however, that the Plan is not the place for some of the detailed matters raised and these will be addressed through any eventual planning application.

The Council agrees with Kilmadock Community Council in that time is needed to allow assimilation of the development into both Deanston and Doune. This is one of the reasons why additional development (beyond that allocated in the current Local Plan) is not identified for these villages in the period to 2024.

Reporter's conclusions:

Doune Settlement Statement

1. The management arrangements already in place at Wood of Doune appear to meet the open space objectives set out in the settlement statement of the local development plan. Indeed, it is clear that the management of the wood includes long-term plans involving the owner and the Forestry Commission. Consequently, it is unnecessary to include the sentence, "The Woods of Doune could be considered for a multipurpose woodland / park and there may be scope to increase community involvement in the management of this."

2. As has been pointed out by the planning authority, it would be necessary to pursue this matter through the Open Space Strategy within which there is a reference to the possibility of a "Review of the Wood of Doune." Accordingly, despite the existing management arrangements, should it be decided that a review is indeed required, the Open Space Strategy would be the appropriate document to support this course of action.

3. On the basis of the foregoing, the reference in the settlement statement to the future use and management of the Wood of Doune should be deleted.

H095 - Doune

4. In response to those who are concerned about the level of new housing already being undertaken and the consequent impact on Doune in terms of character and infrastructure capacity, the planning authority emphasises that allocation H095 relates to the post-2024

period. The settlement statement itself explains “further development in Doune is constrained by available infrastructure and will be subject to further detailed assessment as part of the future review of the Local Development Plan.”

5. Insofar as there are qualifications on the future development of allocation H095 in terms of both timing and the need for infrastructure assessment, the fears of many of those making representations have already been addressed in the settlement statement. However, whilst accepting the value of providing an indication of longer-term land use potential, problems can also arise should development aspirations subsequently prove to be unfounded. For instance, it may not be possible to overcome the development constraints. This same issue applies to other similar designations throughout the proposed local development plan.

6. In the case of allocation H095, in addition to objections to the principle of additional development in Doune, concern has been expressed about the suitability of the site for residential development. In general, it has been claimed that housing on the site would have adverse impacts on the historic character and the setting of Doune.

7. The site assessment undertaken by the council states that a masterplan approach would be required to ensure the site would be designed “to fit with its surroundings”. Careful design would also be required to ensure integration with the Station Wynd development, currently underway.

8. Whilst the development of site H095 would, perhaps, not give rise the impression of urban sprawl, as has been claimed, there is no doubt that it would extend the village envelope into an area of land that has little visual containment, other than by means of the rising ground to the north-east. Prior to including this site, even indicatively, for post-2024 development, it would be advisable to undertake a full landscape character and visual impact assessment. Such an assessment would provide a more measured appraisal of the potential for development at this point on the boundary of Doune. In the meantime, the reference to the site should be deleted.

Reporter’s recommendations:

The local development plan should be modified by:

1. Deleting the sentence “The Woods of Doune could be considered for a multipurpose woodland/ park and there may be scope to increase community involvement in the management of this” from paragraph 4 of the Infrastructure Considerations from the Doune Settlement Statement.
2. Deleting all reference to site H095.

Issue 27b	Deanston	
Development plan reference:	Chapter 10: Deanston Settlement Statement (page 140-143)	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Stewart Milne Homes (SLDP_272) CSR Stroyan (01309) Alasdair M Fowler (SLDP_1377)		
Provision of the development plan to which the issue relates:	The Deanston Settlement Statement is the section of the Plan that sets out the approach to development in Deanston. All of the sites and designations considered under this Issue are contained within the Deanston Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Deanston Settlement Statement</u> Stewart Milne Homes (SLDP_272/007) - The Council's Conservation Area Character Statement records that Deanston is a model industrial village. The key parts of the Conservation Area are the original mill and the related workers accommodation. It is noted that there is no particular visual link between this core of the Conservation Area and Deanston House, particularly the area proposed for housing in Deanston House grounds. The Character Statement notes a number of important landmarks however Deanston House does not appear amongst them. There is nothing to suggest that the area proposed for development is in any way essential to the character or the setting of the Conservation Area. The remnant woodlands around Deanston House do contribute to the wider setting of the Conservation area to some degree. However, this does not require Conservation area status as the woods could be covered by a Tree Preservation Order. The Conservation area status does not in and of itself preclude sensitive development in the grounds of Deanston House and there is no logical reason why the area to the west of Deanston House should be removed from the Conservation Area and not the disused parkland to the south and east. CSR Stroyan (01309/001) - Strongly supports the Conservation Area. Alasdair M Fowler (SLDP_1377/001) - Supports the decision to limit development in the village to H093, H094 and B46. Delighted that development has not been allowed in the grounds at Deanston House. Considers this would involve a very dangerous pedestrian access from Deanston to Doune across Teith Bridge which cannot be easily addressed and considers that there are limited community facilities in Deanston. Consider Deanston House grounds development would not meet the criteria set out in the Sustainable Communities Initiative published by the Scottish Government because the proposed development would mean that residents were encouraged to use cars as a principle means of access to and from plots. Considers further development in Deanston would impact on safety issues at the junction with the A84, that there is insufficient drainage and sewage infrastructure to accommodate additional development and the community are very much against additional development.		

Representations to non-allocated sitesSS03 - Deanston

Stewart Milne Homes (SLDP_272/005) - The Council's brief unsubstantiated statements in relation to the site in the Site Assessments from the Main Issues Report (CD42) and Draft Proposed Plan (CD46) stages, are not borne out by the facts presented to the Council in the contributor's submitted Masterplan Development Framework (March 2011) or Supplementary Statement (December 2012). For the site at Deanston House Grounds (Main Issues Report, ref: DEAN01), the woodland setting of Deanston House can absorb development and there would be no adverse effects on the Listed Building/Conservation Area. Development would allow the management and enhancement of the parkland around the site. The site is visually separate from Deanston but is adjoining and there are existing/proposed functional linkages between the site and village and development would represent suitable 'infill' between Deanston and Doune. Development would be within walking distance of an existing bus service.

The Council have assessed that the employment area B46 Lochills is 'well placed for the population of Deanston and Doune' but that the contributor's second proposed development site, south of the B8032 (Main Issues Report, ref: DEAN02) 'is too remote from Deanston to be suitable for development' which is inconsistent since the housing is nearer. Allocating this site will add to the generous land supply in the area and will assist in providing affordable housing. Consider that the site south of the B8032 can absorb development against the backcloth of mature woodland and existing building. Development would not be out of keeping with the surroundings. It would not be an isolated car based suburb as it is surrounded by built development for a wide range of uses. The indicative layout for the site follows current guidance of successful placemaking and can be considered sustainable, as it is accessible by a range of means of transport, whilst recognising that rural sites do have an expected higher level of car usage. The Scheduled Ancient Monument on the site can be carefully integrated and preserved with the setting enhanced and development would consolidate the urban edge. Currently, the developments along the A84 on the approach to Doune and in the Lochill area south of Ashmill Road, lack cohesion and appear isolated, with non-conforming uses in the countryside. Development here would represent appropriate 'infill' development providing much needed consolidation of the urban edge.

Considers that both sites have no school capacity issues unlike H095. They can be easily accessed, are available in Period 1, and are visually well contained with established woodland or existing development. Both are nearer to the bus stops in Deanston, than H095 is to stop in Doune.

The precise status and purpose of the Open Space Strategy is unclear. The Strategy wrongly identifies both these sites as semi natural open space. One is in private ownership accessible only via a private road and the other is also in private ownership used as pasture.

Modifications sought by those submitting representations:Deanston Settlement Statement

Stewart Milne Homes (SLDP_272/007) - The area to be excluded from the Deanston Conservation Area should be extended to cover the disused parkland area to the south and east of Deanston House.

Representations to non-allocated sitesSS03 Deanston

Stewart Milne Homes (SLDP_272/005) - Deanston Settlement Statement should be amended to identify a site at Deanston House for housing development with an indicative capacity of 60 units in the short to medium term, and a site south of the B8032 for housing with an indicative capacity of 80 units for development in the short to medium term. H095 should be deleted and these two sites put in its place in the short to medium term.

Deanston House ground should be shown on the Open Space Strategy as 6.2 Private Gardens or Grounds and the other area south of the B8032 should be excluded from the typology map and shown as white.

Summary of responses (including reasons) by planning authority:Deanston Settlement Statement

Stewart Milne Homes (SLDP_272/007) - The Proposed Supplementary Guidance SG07 - Deanston Conservation Area Character Statement (CD165) recommends only one change to the original Deanston Conservation Area boundary from 1977, to remove that part of Deanston House grounds to the north and west which has been developed with modern detached houses in the 1980s and early 90s. The Character Statement justifies the proposed removal of this area from the conservation area on the basis that the developments 'bear no relationship to its character and appearance'. The proposed alteration to the conservation area boundary is therefore to remove an area of inappropriate development and allow the conservation area boundary to clearly reflect the area of special architectural or historic interest, as it exists today i.e. the house and its remaining grounds, the planned village and mill and the river.

The loss of the designed landscape to the north and west of Deanston House in the 1980's and early 1990's, and the current proposal from the Council to remove this area from the conservation area is unfortunate. However, this does not in any way justify the removal of further areas. The remaining designed landscape at Deanston House lies to its south and east representing the designed landscape largely to the front of the house between the lodge entrance and arrival at the house. The house and this undeveloped area of its grounds have been deliberately retained within the conservation area boundary for their special architectural and historic interest and important contribution to the complex of buildings and spaces that represent the history and character of the planned industrial village of Deanston.

The Council considers that the objector's assessment of the significance of the parkland landscape to the character of Deanston conservation area is seriously misguided as it seems based only on what elements of it are visible from the approach to the village. It is the Council's view that Deanston House and its grounds are integral elements of the character of the conservation area representing the home and designed landscape of the mill owners/managers over the history of the creation of the industrial village at Deanston. It is not the case that all elements that contribute to the character of any conservation area must be intervisible at any point in experiencing that area in order to contribute positively. The mill owners decision to build Deanston House in its location, on elevated ground slightly above the valley in which the mill and village are located, likely reflects social and practical reasons such as a desire to avoid some of the noise and smoke etc. from the mill and village but still remain close in terms of management.

It is entirely appropriate that the conservation area boundary at Deanston include all of the elements that contribute to its architectural and historic interest, including Deanston House, its grounds, lodge, gates and gate piers, all of which are Listed Category B. Conservation area designation by its very nature and intention is about the designation of an area as opposed to individual elements in the environment such as an individual trees or listed buildings; it is the character of an area which is important.

Further detail on the conservation area review is provided in Stirling Council Conservation Report on Stewart Milne Representations (CD246).

Representations to non-allocated sites

SS03 - Deanston

Stewart Milne Homes (SLDP_272/005) - The representation seeks the allocation of land at Deanston, in two locations for residential purposes. The Council has carefully considered the various reasons put forward in support of the proposed modification, but remains of the view that there continues to be insufficient justification to allocate this land for development.

Development in Deanston does not conform with the Spatial Strategy as set out in Issue 3 'Spatial Strategy' as it is not considered to be an area where services and facilities are readily available. Furthermore, with significant development currently taking place, it is considered that the housing growth of the village has reached its optimum limit with respect to its range of limited services and facilities.

The Plan allocates sufficient land for residential use, as demonstrated by the on Housing Land Requirement Background Report, Stirling Council (CD61) and discussed more fully in Issue 4 Housing Land Requirement. Both sites have been considered previously through the Site Assessment process at the Main Issues Report stage (CD42), Draft Proposed Plan (CD46) and Proposed Plan (CD45) under references DEAN01 and DEAN02. The assessments, although taking account of some statements made by the developers in terms of items that can be addressed, have been consistent in reiterating that the sites are inappropriate locations for new housing development.

The developer considers that the Council has not taken on the details provided in their supporting documents to address the various concerns in relation to the parkland setting, Conservation Area, connectivity and access, in relation to DEAN01 at Deanston House, and setting, landscaping and Scheduled Ancient Monument in relation to DEAN02. In recognising that the proposals could to some extent, address some of the concerns raised, the Council retains the position that even with careful siting and design, these sites are not appropriately located to meet any future housing needs.

In general, both sites are subject to education constraints. The additional numbers of pupils generated by a development of this scale would likely be too large for Deanston Primary and utilising Doune Primary presents issues in terms of public safety and crossing Teith Bridge. Further, McLaren High School is currently operating at 83% occupancy and has approximately 130 available spaces, highlighted in Proposed Supplementary Guidance SG15 Education Provision (2012) (CD179). There is significant development underway both within Doune and Callander. Timing with developers will be important to ensure that pupils from developments can be accommodated. The developer suggests that the site is effective but there is no evidence to suggest that secondary capacity has been considered. With the catchment of McLaren taking in the rural west as well as areas within the National Park, it is paramount that timing of development is considered prior to asserting a site is effective.

The following provides a response to the issues raised for each site submitted:

Deanston House - DEAN01

- Historic Scotland's Managing Change – Setting (CD21) states that “An understanding of the impact of a proposed change on setting should not be confined to whether key views to and from the historic asset or place are interrupted, but should also assess whether the proposed change would dominate or detract in a way that affects our ability to understand and appreciate the historic asset” (Para 4.13). Development of the parkland south of Deanston House would significantly detract from the ability to understand and appreciate the relationship of the parkland landscape to the setting of the house and the historic meaning and connections between this affluent house and landscape and the planned village of Deanston. The Council considers that the masterplan and supplementary statement submitted by the objector to be neither informed nor sensitive but to be based on an insufficient understanding of the value of the historic assets at Deanston.
- The interdependence of each element within the conservation area in ensuring a cohesive representation of an important nineteenth century planned industrial/company village is significant. The landscape at Deanston House contributes positively to the character of the conservation area, not only in those elements of the landscape that can be seen from elsewhere within the conservation area but in physically representing history and meaning that adds to the authenticity and integrity of the wider conservation area.
- The Council considers that the management of the woodland in the grounds of the house is not justification for allowing damaging suburban style development in a 19th Century designed landscape, detrimentally affecting the setting of the B listed Deanston House and the character of the Deanston conservation area. Further detail on the conservation area review is provided in the Council's Conservation Report on Stewart Milne Representations (CD246).
- The Council retains its concern that being visually separated from the village, despite functional linkages, any new development will feel detached from the village and will be considered as a 'suburban estate'. A separate road entry separate the village, confirms this detached nature of the site and will not stimulate 'emotional connectivity' to the village.
- It is accepted that the new bus stop proposed would go some way to addressing the issues of public transport accessibility.
- The objector considers that the site is appropriate infill because it is surrounded on all sides by woodland and is considered to be screened from effecting the settlement of Doune. It is this precise argument used by the proposed developers, that the Council considers makes this site so inappropriate for development. Outwith the issues of the Listed Building, Conservation Area and management of the designed parkland, the woodland barrier creates a contained pocket for development that ensures the site is visually separate and enhances the feeling of being discrete from the village.
- The site is not considered to be effective as the developer themselves has stated that there is capacity issues in the waste water treatment works and growth funding would be required. Although it is agreed that this is not a barrier to development, a fact supported by Scottish Water, resolving issues like this takes time and the site cannot be considered immediately effective for 60 units.
- Deanston House is specifically mentioned in Supplementary Guidance SG28 Landscape Character Assessments (CD188) as L5 Teith Valley Rolling Valley Farmland and page 48 of this document highlights the 'Particular Sensitivities' in the area as including “Safeguarding the setting of important historic buildings and associated designed landscapes.” Deanston House landscape is therefore recognised as being of

importance in a landscape where “character at lower levels relies on a balance of diverse smaller scale landscape features.” Therefore the fact that there are scarce views into the site is largely irrelevant in a landscape where smaller scale features define the character.

- The Council has concerns regarding pedestrian access to Doune via A84 bridge and associated considerations in relation to the increase volume of traffic that may use the Bridge and junction adjacent to it at A84 and B8032. The Reporter may wish to seek the views of Transport Scotland on these issues.

Therefore, the Council does not agree to modify the Plan in response to this representation.

Land South of B8032 - DEAN02

- The employment allocation at Lochills (B46) is appropriate to locate within a countryside location as it is not reliant on the same services and facilities as is needed to support residential development. Although sustainable location principles apply to both land uses, households require access to schools, shops and other services which makes residential development in or adjacent to a settlement, a key objective of the Spatial Strategy.
- The developer refers to the lack of cohesion and isolation in terms of developments along the A84 on the approach to Doune and in the Lochills area south of Ashmill Road and that infill at DEAN02 would provide much needed consolidation of the urban edge. The Council's interpretation of this area when approaching along the A84 is of an organically grown mixed use area in the countryside. It is generally a well managed area with clearly defined boundaries between each land use. The dispersed rural character of this area does not lead the Council conclude that the area needs to be ‘filled in’ with housing.
- Housing development at this site would not reduce the isolated nature of the area from the settlements of Doune and Deanston. As the developer points out, the site does not affect the visual setting of the settlements - the Council agrees with this and concludes that this is because it is physically and visually removed from the settlements themselves.
- Despite references to road narrowing, the reduced speed limit and the Doune village entry sign, street lighting etc, the Council consider that the area still has a distinct rural feel and in no way feels like an ‘urban edge’ requiring ‘much needed consolidation’ as suggested. Mature trees and landscaping soften the entry to the village and do not create an urban feel.
- The setting of Tulloch Knowe Cairn (Scheduled Ancient Monument) has clearly been impacted by both modern development and tree planting, however, housing represents a permanent impact on setting, whereas forestry represents a potentially temporary impact, and a relatively small period in the lifespan of a 4-6000 year old monument. Felling of the trees to the north has the potential to reopen wider views to and from the Cairn and partially re-establish its landscape context. The proposed construction schemes DEAN01 (Deanston House) and DEAN02 (Land South of B8032) permanently remove this option. While the proposed scheme makes reference to enhanced management of the cairn which is to be welcomed, this lacks detail and it is not clear who will be responsible for its long term maintenance and how if at all the erosion caused by increased visitor numbers will be mitigated and repaired, all of which would of course require Scheduled Monument Consent. Given the proposed scheme involves the transition of the cairn from private to in effect accessible public land and indeed becoming open space within a dense estate, this represents a significant and inevitable impact which is not addressed by the proposal.
- The site is not considered to be effective as the developer themselves has stated that

there is capacity issues in the waste water treatment works and growth funding would be required. Although it is agreed that this is not a barrier to development, a fact supported by Scottish Water, the truth is resolving issues like this take time and the site cannot be considered effective for 80 units.

- The Council agree there is a strong woodland setting around DEAN02 however, it is considered that the glimpses of buildings against this backcloth would change significantly with the development of up to 80 houses, even with the introduction of additional wooded areas. It is considered that a suburban cul-de-sac formation of new housing development would be completely alien and incongruous to the character of the area.
- Figure 4 in the submission DEAN02, shows blocks of development to explain the context for the 'infill'. However, these are misleading as these areas are not purely concreted over, they are substantially wooded and green, not the same scale of physical development as would result from buildings and infrastructure created by an urban housing development, even one incorporating landscaping.
- Notwithstanding supporting information submitted with the representation, the Council still has significant concerns regarding accessing services and traffic impacts including pedestrian safety over use of the Teith Bridge and the increase in traffic using the junction of the A84 and B8032 in its vicinity. The Reporter may want to seek comment on this from Transport Scotland.

Therefore, the Council does not agree to modify the Plan in response to this representation.

Comments made on the Open Space Strategy cannot be taken up within this Council response as they refer to a separate process and consultation than the Local Development Plan.

Reporter's conclusions:

Deanston Settlement Statement

Deanston Conservation Area

1. The settlement statement proposes a boundary change to the Deanston Conservation Area. The conservation area was originally designated in 1977 to encompass the planned village of Deanston including the former cotton mill and mill lade, employees' housing, Deanston House, occupied by the mill manager, and the grounds to the south, east and west of the house. The land to the west included a walled garden and arboretum, both of which were lost when houses were built in the 1980s and 1990s. It is this area to the west that the planning authority now proposes to remove from the conservation area. The planning authority does not agree with the suggestion that the land to the south and east of Deanston House should also be excluded from the designated area.

2. The statutory designation process for conservation areas is set out in sections 61 and 62 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. Scottish Historic Environment Policy 2011 (SHEP) explains that Scottish Ministers consider it important that before the designation of a conservation area, planning authorities should give the public ample opportunity to comment, either through responses to local plans or, where no local plans are in preparation, through another convenient consultation process. In this case, where boundary changes to a designated conservation area are proposed, public comment was invited through the local development plan preparation process.

3. The local development plan preparation process, however, is not in itself a vehicle for the designation a conservation area or boundary changes to an existing conservation area. As pointed out in SHEP, once a planning authority has decided to designate a conservation area or make changes to the boundary, notice must be published in the Edinburgh Gazette and at least one local newspaper. Scottish Ministers must be notified formally of the designation or changes and provided with details.
4. The planning authority has considered the representations received in respect of the proposed change to the boundary of the Deanston Conservation Area but this, as explained, has been in the context of the local development plan preparation process. The response of the planning authority to the representations was that there should be no modification to the local development plan, that is, the land to the south and west of Deanston House should be retained in the conservation area. In terms of the procedure outlined above, it would be open to the planning authority to pursue the final steps in the formal change in the boundary of the designated conservation area. However, insofar as the representations have been submitted in the course of the local development plan preparation process, they must be considered as part of this examination.
5. It is generally agreed that the remaining grounds of Deanston House comprise mainly of poor quality woodland and suffer from lack of management. The land is not included in the Inventory of Gardens and Designed Landscapes and therefore cannot be regarded as being of national importance. Nevertheless, the planning authority explains that the parkland was designed as part of the Deanston planned village and therefore is integral to the character of the area. The historic and architectural character of Deanston, including the remaining designed landscape, justifies conservation area status. On this basis, contends the planning authority, the extent of the designated area should not be reduced beyond the change shown in the local development plan.
6. In support of the case seeking the removal of the parkland from the designated conservation area it has been emphasised that the woodland is in a state of decline. Continued designation as a conservation area will not reverse this decline although the introduction of some residential development would allow a management plan leading to restoration of the woodland. (The potential for residential development is considered below.)
7. In any event, it is argued, the woodland area does not relate to the remainder of the conservation area the key parts of which are the original mill and the workers' accommodation. The Conservation Area Character Statement points out that there is no visual link between the core of the area and Deanston House and, particularly, the woodland to the east and south. There is nothing to suggest that the woodland is essential to the character or setting of the conservation area. Although the woodlands contribute to the wider setting to some degree, the required protection could be achieved by means of a tree preservation order.
8. The Character Statement explains that the conservation area boundary was drawn to include the whole of the original planned village, mill infrastructure and Deanston House - a category B listed building - and its extensive grounds. Indeed, the planning authority claims that Deanston is probably the most complete remaining example in Scotland of a planned industrial or company village. Insofar as section 61 of the 1997 Act refers to the designation of areas determined to be of special architectural or historic interest or the appearance of which it is desirable to preserve or enhance, the planning authority has taken a reasonable and justified decision to retain the parkland within the boundary of Deanston Conservation Area.

9. It is immaterial whether one section of the conservation area has direct visual links with other parts. The role of the constituent parts within the total area is an important consideration in the determination of conservation area status. In this case, despite its current condition, the designed landscape to the south and west of Deanston House has an undoubted value and historical relevance. In this respect, although a tree preservation order would offer protection, an order would not be akin to the wider heritage significance derived from conservation area status.

10. The poor quality of the woodland is generally recognised and it has been suggested that only the introduction of development would be able to secure improvement. Section 63 of the 1997 Act places a duty on planning authorities to formulate and publish, from time to time, proposals for the preservation and enhancement of any parts of their district which are conservation areas. Clearly, the condition of the woodland within the designed landscape in the grounds of Deanston House could be the subject of preservation and enhancement proposals. Whilst it is not for this examination to consider how best the conservation area might be preserved and enhanced, the designation provides the opportunity, indeed, this is a duty, to bring forward appropriate proposals.

11. Overall, the argument that the boundary of the conservation area should be further reduced than shown in the local development plan is not persuasive and there is no requirement to modify the local development plan in this respect.

Representations to non-allocated sites

Deanston House - DEAN01

12. A modification is required by Stewart Milne Homes whereby the land to the south and east of Deanston House is allocated for residential development. An indicative capacity of up to 60 units in the short to medium term has been suggested. As explained, it is argued that development would allow the management of the woodland and the restoration of the designed landscape, currently in poor condition.

13. The area proposed for housing is that involved in the foregoing examination of the Deanston Conservation Area boundary. It is concluded above that the land should remain formally designated within the conservation area. The retention of the land within the conservation area does not mean that development is precluded. SHEP provides guidance in this respect and emphasises that the protection of the historic environment is not about preventing change. Indeed, SHEP also explains the Scottish Ministers believe that “change in this dynamic environment should be managed intelligently and with understanding.” On this basis, the retention of the land within the conservation area does not, in itself, rule out the possibility of development.

14. The terms of the 1997 Act require the planning authority to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. In this respect, it has been suggested that the woodland setting of the site has the capacity to absorb development without adverse impact on either the conservation area or the setting of Deanston House, a listed building. “Sensitive” development is proposed and an indicative site layout has been prepared.

15. It is noted that the planning authority has commented adversely on the masterplan and supplementary statement submitted in support of the allocation of the land for residential development. Of course, should a formal development proposal come forward, it would be for the planning authority to assess that proposal under development management

procedures.

16. However, insofar as this examination of the local development plan is concerned, the central issue is whether the principle of development is acceptable. In this respect, wider policy issues have been considered elsewhere in this examination.

17. The examination of the conservation area boundary concluded that it was not necessary for direct visual relationships to be maintained between the various components of the conservation area. Nevertheless, whilst the land to the south and east of Deanston House is not visually linked with other parts of the conservation area, it is an essential part of the wider historic planned village. However, in terms of residential development, any new housing on the suggested site, DEAN01, would be both physically and, for the most part, visually separated from the modern village of Deanston. Although the masterplan shows the western part of the proposed development to be adjacent to housing at the south-eastern extremity of Deanston, in effect there would be virtually no relationship between the two in terms of village structure or access arrangements.

18. As argued by the planning authority, the site would effectively be detached from the existing village and cannot be regarded as an infill opportunity. Being clearly not part of the built form of Deanston, the site is correctly allocated as being subject to the countryside policy.

19. There is an issue in respect of waste-water treatment capacity and possible difficulties involving pedestrian and vehicular traffic in the proximity of the bridge across the River Teith. However, these matters are not as fundamental as the inappropriate location of the site for a housing allocation. On this basis, there should be no modification to the local development plan in respect of the land to the south and east of Deanston House (site DEAN01).

Land South of B8032 - DEAN02

20. A modification is required by Stewart Milne Homes whereby land to the between the B8032 and the A84 should be allocated for residential development. An indicative capacity of up to 80 units in the short to medium term has been suggested.

21. Wider policy issues have been considered elsewhere in this examination and it is necessary here to consider whether or not the principle of residential development would be acceptable on this site.

22. The site itself is in agricultural use with a small industrial estate to the west and some residential development to the north-west and south-east corners of the site. The village of Deanston lies a short distance to the west along the B8032. It has been suggested that the development of the site would represent “appropriate infill” and provide a “much needed consolidation of the urban edge”. Development would not be “isolated” as claimed by the planning authority. The planning authority supports this claim of isolation by arguing that the area has a distinct rural character and is physically and visually removed from other settlements.

23. As indicated by the planning authority, the land has no relationship with the built form of the settlements of Deanston or Doune despite their proximity. To this extent the planning authority is correct to describe the proposal as representing isolated development. In turn, despite the level of existing development nearby, the site has a generally rural ambience and is properly located within the countryside as defined in the local development plan.

24. It is difficult to accept the description of the proposed development as “infill”. In any event, even if residential development were to be regarded as infilling the area between existing houses and industrial development, the planning benefit of such development, in spatial terms, is hard to discern. Certainly, development would not lead to consolidation of the urban edge as claimed. There simply is no urban edge to consolidate at this location.

25. The outcome of development at this point, as described by the planning authority, would be alien and incongruous. Certainly the masterplan layout, again in the terms used by the planning authority, provides the impression of a suburban cul-de-sac design.

26. Attention has been drawn to various potential development constraints in respect of traffic generation and pedestrian safety, waste-water treatment capacity and the setting of the Tulloch Knowe Cairn, a scheduled monument. These constraints may be capable of resolution to the planning authority’s satisfaction as may be the layout of any development. However, these matters do not enable setting aside the fundamental concern about the principle of residential development at this location.

27. All-in-all, the site should be retained within the designated countryside and the local development plan should not be modified in respect of suggested site DEAN02.

Reporter’s recommendations:

The local development plan should be modified by:

1. Deleting paragraph 6 from the “Spatial strategy considerations” section of the Deanston Settlement Statement, which states “The current consultation on the Proposed Plan affords opportunities to comment on the Conservation Area Appraisals (or Statements) and the merits of suggested boundary changes and changes to Article 4 Directions”.

Note: this recommendation confirms the provisions of the local development plan. It is for the planning authority to pursue the designation of the conservation area separately under the terms of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. The planning authority should also be aware of the following extract from Note 2.22 of the Scottish Historic Environment Policy December 2011 that “When varying a conservation area, a planning authority should preferably cancel the existing boundaries and simultaneously redesignate the new area as a single whole....”.

Issue 28	Thornhill Conservation Area			
Development plan reference:	Chapter 10: Thornhill Settlement Statement (Pages 232 – 235)	Reporter: Richard G Dent		
Body or person(s) submitting a representation raising the issue (including reference number):				
<table><tr><td>Thornhill & Blairdrummond Community Council (SLDP_104) Gordon McClure (00828) Sir John MacMillan (00830) Marjory H Brown (00832) Jane MacLaren (00833) Neil Aitkenhead (00834) Sam Walker (00835) Clara Walker (00836) Agnes Stewart (00827) Alison Lawrance (01335) Duncan Illingworth (01331) John H Berry (01298) Sandra Stewart (01299) Bruce Harvey (00837) Mrs E Dykes (01007) Robert Dykes (01011) C Dykes (01013) Patricia Henderson (01082) Peter Rickard (01102) M Margaret Brown (01133) Robert Brown (01135) Cheryl Crockett (01146)</td><td>Carole McCulloch (01170) Anne Woodley (01177) Scott Paterson (01186) John Woodley (01187) A M Vernon (01204) Lady Belinda MacMillan (01221) Lynne Rickard (01244) Bryn Coulthard (01237) Frances Berry (01300) Mr & Mrs MacLeod (01301) Martyn Steedman (01185) John Norman McBean (00840) Mr & Mrs J Bruce MacAlpine (01053) Graham Speirs (01205) Fiona MacDougall (00998) Marilyn Davidson (1025) David & Agnes Clark (01210) Douglas & Myra Cumming (01235) Lin Waller (00839) Lawrence Waller (00838) Lisa San Jose (00831) Margo M Ritchie (00368) Brian Devlin (00829)</td></tr></table>			Thornhill & Blairdrummond Community Council (SLDP_104) Gordon McClure (00828) Sir John MacMillan (00830) Marjory H Brown (00832) Jane MacLaren (00833) Neil Aitkenhead (00834) Sam Walker (00835) Clara Walker (00836) Agnes Stewart (00827) Alison Lawrance (01335) Duncan Illingworth (01331) John H Berry (01298) Sandra Stewart (01299) Bruce Harvey (00837) Mrs E Dykes (01007) Robert Dykes (01011) C Dykes (01013) Patricia Henderson (01082) Peter Rickard (01102) M Margaret Brown (01133) Robert Brown (01135) Cheryl Crockett (01146)	Carole McCulloch (01170) Anne Woodley (01177) Scott Paterson (01186) John Woodley (01187) A M Vernon (01204) Lady Belinda MacMillan (01221) Lynne Rickard (01244) Bryn Coulthard (01237) Frances Berry (01300) Mr & Mrs MacLeod (01301) Martyn Steedman (01185) John Norman McBean (00840) Mr & Mrs J Bruce MacAlpine (01053) Graham Speirs (01205) Fiona MacDougall (00998) Marilyn Davidson (1025) David & Agnes Clark (01210) Douglas & Myra Cumming (01235) Lin Waller (00839) Lawrence Waller (00838) Lisa San Jose (00831) Margo M Ritchie (00368) Brian Devlin (00829)
Thornhill & Blairdrummond Community Council (SLDP_104) Gordon McClure (00828) Sir John MacMillan (00830) Marjory H Brown (00832) Jane MacLaren (00833) Neil Aitkenhead (00834) Sam Walker (00835) Clara Walker (00836) Agnes Stewart (00827) Alison Lawrance (01335) Duncan Illingworth (01331) John H Berry (01298) Sandra Stewart (01299) Bruce Harvey (00837) Mrs E Dykes (01007) Robert Dykes (01011) C Dykes (01013) Patricia Henderson (01082) Peter Rickard (01102) M Margaret Brown (01133) Robert Brown (01135) Cheryl Crockett (01146)	Carole McCulloch (01170) Anne Woodley (01177) Scott Paterson (01186) John Woodley (01187) A M Vernon (01204) Lady Belinda MacMillan (01221) Lynne Rickard (01244) Bryn Coulthard (01237) Frances Berry (01300) Mr & Mrs MacLeod (01301) Martyn Steedman (01185) John Norman McBean (00840) Mr & Mrs J Bruce MacAlpine (01053) Graham Speirs (01205) Fiona MacDougall (00998) Marilyn Davidson (1025) David & Agnes Clark (01210) Douglas & Myra Cumming (01235) Lin Waller (00839) Lawrence Waller (00838) Lisa San Jose (00831) Margo M Ritchie (00368) Brian Devlin (00829)			
Provision of the development plan to which the issue relates:	The proposed Conservation Area is shown in the Thornhill Settlement Statement.			
Planning authority's summary of the representation(s):				
<u>Objections to the Proposed Thornhill Conservation Area</u> Thornhill & Blairdrummond Community Council (SLDP_104/001) - The village has existed for a long time without this designation. Communities do change and development in the village should not be constrained by a narrow set of rules governed by Conservation Area status. Considers the way in which the proposed designation has been brought forward has not given sufficient time to consider the matter and includes a copy of a community survey undertaken by the Community Council in early 2012 which showed that 12 people supported the proposal and 86 were against. Gordon McClure (00828/001); Sir John MacMillan (00830/001); Marjory H Brown (00832/001); Jane MacLaren (00833/001); Neil Aitkenhead (00834/001); Sam Walker (00835/001); Clara Walker (00836/001); Agnes Stewart (00827/001); Alison Lawrance				

(01335/001); Duncan Illingworth (01331/001); John Berry (01298/001); Sandra Stewart (01299/001); Bruce Harvey (00837/001); Mrs E Dykes (01007/001); Robert Dykes (01011/001); C Dykes (01013/001); Patricia Henderson (01082/001); Peter Rickard (01102/001); Margaret Brown (01133/001); Robert Brown (01135/001); Cheryl Crockett (01146/ 001); Carole McCulloch (01170/001); Anne Woodley (01177/001); Scott Paterson (01186/001); John Woodley (01187/001); A M Vernon (01204/001); Belinda MacMillan (01221/001); Lynne Rickard (01244/001); Bryn Coulthard (01237/001); Frances Berry (01300/001); Mr & Mrs MacLeod (01301/001); Brian Devlin (00829) - All of the above contributors have raised one or more of the following issues in their representations:

1. Thornhill does not Merit Conservation Area Designation

Objections include:

- Harm caused by previous poor planning decisions
- Forty new houses have been built in the area proposed for designation
- There is no housing vernacular - village is simply a mishmash of housing types
- The fact that Thornhill remains relatively unchanged over time is not unremarkable and does not identify it for merit over similar villages in the area
- There is little green space, trees or landscape which set the village apart from others in the area
- Reference in the character appraisal to some archaeological significance is ridiculous
- Village has unremarkable architectural significance and offers nothing in terms of historical interest other than being a route to somewhere else.

2. Conservation Area Status is not Needed

Objections include:

- Village has existed for a long time without designation
- Cannot see any advantages only disadvantages of a conservation area'
- Modernisation has already happened
- Existing planning regulations are sufficient to protect village
- There is sufficient local interest from residents who will object to any 'out-of-character' proposals
- Who will benefit from the designation?
- Conservation area status has had a detrimental effect on other villages in the area.

3. Conservation Area Status will Prevent Development

Objections include:

- Conservation area status will stifle development
- Village needs more development. For village to succeed, more family and low-cost housing is required and designation will prevent this. Village needs development to ensure it has a future
- It is following the fad for nostalgia which will stop this country developing into the 21st Century.

4. Added Planning Restrictions will cost Time and Money and Contradict Government policy

Objections include:

- Will be off-putting to people buying houses in the area
- More bureaucracy for even minor household improvements
- Repairs and improvements will be restricted to old fashioned methods and materials and

will be expensive

- Planning restrictions or costs may prevent upgrading of homes to make them more energy efficient e.g. triple glazing, solar panels etc
- Permitted development rights would be waived.

5. Conservation Area Status is not Wanted

Objections include:

- The majority of villagers are opposed to proposal
- Will cause a split in the village
- Village is being pushed into conservation area designation by Council
- Timing of consultation was wrong – should have been done prior to the plan rather than after.

6. Planned new Housing Development is a Threat to the Character of the Village

Objections include:

- The designation will not be able to guarantee that no further changes will take place in the village
- Council is planning 34 new houses on the edge of the village and this will destroy character more than any minor alterations.

Martyn Steedman (01185/001) - Part of farmland is included in proposed designated area (to the south of the South Common), and is planted with temporary trees grown for firewood. These are not of historical value or in an area that should be conserved. Land has been included only because it was assumed it was part of the South Common. It should not be included as this piece of land has planning permission for caravans and wigwams that were on the site before trees were planted. These will be reinstated when trees are all used for firewood. If land is included within designation, trees will be cut down. Also has concerns about the amount of farmland to the south of the village included in designation. Has seen number of local shops close. Many reasons for this, but one is lack of development. Village needs houses to sustain shops/services.

Support for the Proposed Thornhill Conservation Area

John N McBean (00840/001); Mr & Mrs J Bruce MacAlpine (01053/001); Graham Speirs (01205/001); Fiona MacDougall (00998/001); Marilyn Davidson (SLDP_1025/001); David & Agnes Clark (01210/001); Douglas & Myra Cumming (01235/001); Lin Waller (00839/001); Lawrence Waller (00838/001); Lisa San Jose (00831/001); M M Ritchie (00368/001) - The above contributors support the designation of the Thornhill Conservation Area on one or more of the following grounds:

- The village merits designation – it has so much history and character.
- Designation will allow the important preservation and enhancement of the village; it may encourage improved working practices from some Council services in the treatment of the village; will possibly lever in funding from other sources for environmental improvements; and protect landscape and trees.
- Modern development in the village is incongruous and an eyesore; it is important that future alterations to buildings or future developments are controlled so that the visual character of the village will be preserved; although designation will not improve the mistakes or poor development of the past it will ensure that the village is developed with a sympathetic approach to its character; and the village will benefit from sympathetic controls and guidance for the careful alteration of buildings;

- Future generations of Thornhill will look back and be glad if we promote attention to detail; what will they think if we accept sporadic, uncontrolled and careless development?
- Conservation area status will empower the community to be active in its historic future.
- Those who object are only thinking of 'their pockets'.

Suggested Boundary Changes to the Conservation Area

Mr & Mrs J Bruce MacAlpine (01053/001); John N McBean (00840/001) - Supportive of the proposed designation of a conservation area at Thornhill but would like to see Piper's Cottage and the three traditional cottages at the eastern end of the Main Street, included within the conservation area.

Modifications sought by those submitting representations:

Objections to the Proposed Thornhill Conservation Area

Thornhill & Blairdrummond Community Council (SLDP_104/001); Gordon McClure (00828/001); Sir John MacMillan (00830/001); Marjory H Brown (00832/001); Jane MacLaren (00833/001); Neil Aitkenhead (00834/001); Sam Walker(00835/001); Clara Walker (00836/001); Agnes Stewart (00827/001); Alison Lawrance (01335/001); Duncan Illingworth (01331/001); John Berry (01298/ 001); Sandra Stewart (01299/001); Bruce Harvey (00837/001); Mrs E Dykes (01007/001); Robert Dykes (01011/001); C Dykes (01013/001); Patricia Henderson (01082/001); Peter Rickard (01102/001); Margaret Brown (01133/001); Robert Brown (01135/001); Cheryl Crockett (01146/001); Carole McCulloch (01170/001); Anne Woodley (01177/001); Scott Paterson (01186/001); John Woodley (01187/001); Belinda MacMillan (01221/001); Lynne Rickard (01244/001); Martyn Steedman (01185/001); Bryn Coulthard (01237/001); Frances Berry (01300/001); Mr & Mrs MacLeod (01301/001); Brian Devlin (00829) - All request the removal of the designation of the Conservation Area.

A M Vernon (01204/001) - Remove designation. If this does not happen, include all of the village within the designation, including the area of land within a radius of 2 miles of village.

Martyn Steedman (01185 / 001) - Remove designation. If this is not possible, remove my land from designation and all of the farmland to the south of the village to allow for future growth. Cost of applications that are currently covered by Permitted Development Rights should be waived.

Agnes Stewart (00827/001); Sandra Stewart (01299/001) - If designation is implemented, requests that full funding or grant aid is provided for the costs of adhering to Conservation Area rules, and that quick and sympathetic advice is given to applications for new houses and extensions, and micro-renewables.

Sam Walker (00835/001) - Requests the Listing of the only two buildings of note (the Lion and Unicorn public house and Blairhoyle).

Suggested Boundary Changes to the Conservation Area

John N McBean (00840/001) - Amend boundary to include Knowehead, Burnside and Burnhead Cottages.

Mr & Mrs J Bruce MacAlpine (01053/001) - Extend designation to include Piper's Cottage.

Summary of responses (including reasons) by planning authority:Objections to the Proposed Thornhill Conservation Area

The Council's response to the objections to the Conservation Area is as follows:

1. Thornhill does not Merit Conservation Area Designation

The Planning (Listed Buildings & Conservation Areas)(Scotland) Act 1997 (CD18) states: "every planning authority shall from time to time determine which parts of their district are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and designate such areas as conservation areas".

In line with the above legislation and the advice contained within Planning Advice Note PAN71: Conservation Area Management (CD15) and Scottish Historic Environment Policy (SHEP) (CD19), Stirling Council commissioned a Character Appraisal (Proposed Supplementary Guidance SG07 Thornhill Conservation Area, Character Appraisal) (CD167) of the village of Thornhill to assess whether the character and appearance of the village merited conservation area designation. The findings of the Appraisal clearly identifies Thornhill's merit for conservation area designation due to it being a very early example of a feued village from the turn of the 17th Century which has retained its important historic plan form and distinct character, of a strong linear Main Street with a coherent grouping of traditional houses dating from the 18th and 19th centuries and enclosed to the north and south by the historic village Commons. The character and merit of Thornhill is clearly identified through the Appraisal. The Appraisal also assesses the extent of loss, intrusion or damage to the character of the village and considers these issues in the assessment of Thornhill's significance for conservation area designation. Whilst the Appraisal recognises that some changes have had a negative effect, these do not outweigh the strong evidence in the appraisal of significant merit and the conclusion that Thornhill does justify designation as a conservation area. Therefore the Council does not agree to modify the Plan in response to this issue.

2. Conservation Area Status is not Needed

The Thornhill Appraisal identifies the main negative factors that have resulted in loss or damage to the character of the area. These negative factors include the scale and design of new housing, public realm works, and most noticeably - detrimental changes to the design and materials of the walls, roofs, windows and doors of buildings within the area. The appraisal balances the effects of such change against the merits of the area and concludes that the character and significance of the village is strong and merits designation.

The ability to manage change in the future, in a positive way to preserve or enhance the character of the village, can be achieved through conservation area designation. Without such a designation, the negative types of change identifies in the Appraisal would be ongoing and in fact more difficult to manage than in the past as a result of the changes to the householder permitted development rights introduced by the Scottish Government in February 2012. These changes considerably increased the range of development allowed without consent and within the context of an historic village such as Thornhill the impact of detrimental, incremental change would be worsened.

It is considered that the character of the village will be less vulnerable to these negative factors and its character and appearance able to be managed to ensure its preservation or

enhancement, through the designation of a Thornhill conservation area. The Council considers that the designation of a conservation area at Thornhill is needed and therefore does not agree to modify the Plan in response to this issue.

3. Conservation Area Status will Prevent Development

Conservation area designation does not preclude development. It is not an embargo on change but about managing change in a way that preserves or enhances the character of the conservation area. The approach to managing development in conservation areas is set down in Scottish Planning Policy (CD1), Scottish Historic Environment Policy (SHEP) (CD19) and the existing and proposed Stirling Council conservation area policy in the development plan. Neither national nor local policy prevents development per se, but sets down a policy framework within which to manage development to ensure that the character of the place is protected or improved. In some instances this may mean that individual development proposals are not supported, where they are contrary to the preservation or enhancement of the area. However, most planning applications for development within Stirling Council's 28 conservation areas are approved - 96% in 2012/13. Therefore the Council does not agree to modify the Plan in response to this issue.

4. Added Planning Restrictions will cost Time and Money & Contradict Government policy

The aim of conservation area designation at Thornhill is to ensure better management of change in the area to preserve and enhance the character of the village. The Council acknowledges that the need to obtain planning consent, for works that might otherwise (outwith a conservation area) be permitted development, will incur a planning fee and time cost. Whilst the Scottish Government have relaxed the planning controls over householder developments generally, these controls have not been relaxed within conservation areas in recognition of the value of these areas and the need for closer management of development. In order to preserve or enhance the character of the area it is often the case that traditional materials or design are the preferred option. This can result in increased up-front costs but there can also be benefits in the use of more traditional materials and designs which can be more sustainable, and often have increased life-spans, as well as helping to retain the character of the conservation area. The use of appropriate modern materials can also be acceptable depending on the individual development concerned.

The Council recognises the value of its historic places and the importance of energy efficiency measures and micro-renewables. The Proposed Plan introduces policy and supplementary guidance relating to energy efficiency and micro-renewables in conservation areas and on listed buildings (Policy 7.7 and SG20), and aims to ensure that energy efficiency and micro-renewables are encouraged wherever they preserve or enhance character. Therefore the Council does not agree to modify the Plan in response to this issue.

5. Conservation Area Status is not Wanted

The Council is aware of the differences and strength of opinion across the village population in respect of the proposed conservation area designation. Whilst a good number of residents have objected to the proposed designation there have also been a number of strong supporters. It is important to consider not just the number of representations made either for or against but also the content of the representations and the nature of the issues presented.

The Council have proposed the designation of a conservation area at Thornhill as part of the Local Development Plan process. This was considered the most clear and accountable way

to propose the designation and ensure public awareness and involvement. The extensive public consultation undertaken as part of the Plan process has included the proposal to designate a Thornhill conservation area at every stage, including the additional Draft Proposed Plan stage, thereby allowing even more opportunity for public comment than would otherwise be available in standard Plan procedures. The Council also distributed a leaflet and held a public meeting in Thornhill, to ensure understanding of the implications of conservation area designation and allow residents to make representations to the Plan in as informed a way as possible.

6. Planned new Housing Development is a Threat to the Character of the Village

As stated previously, conservation area status does not prevent development per se. The Council is proposing one new housing site for 21 units within the proposed conservation area at Norrieston Glebe (Site H111) and identifies Key Site Requirements for this site to ensure that its development will preserve and enhance the character and setting of the proposed conservation area. The Plan's Action Programme also states that a planning brief will be prepared for this site. The Council has therefore put in place mechanisms to ensure that the character of the proposed conservation area is protected. Therefore the Council does not agree to modify the Plan in response to this issue.

Martyn Steedman (01185/001) - The proposed conservation area boundary to the south of the village has been drawn to reflect the extent of the area of special interest, the setting of the village and the South Common, and to reflect actual physical features within the landscape. This ensures that the proposed boundaries make sense and are robust in terms of their definition. Therefore the Council does not agree to modify the Plan in response to this issue.

Agnes Stewart (00827/001) and Sandra Stewart (01299/001) – the issue of funding to assist homeowners to comply with the conservation area designation is not a matter for the Local Development Plan. The Council is committed to the development of Conservation Area Management Strategies (as referred to in the Plan's Draft Action Programme - P53) to preserve and enhance the conservation area. As part of this, grant funding opportunities could be explored. The issue of micro-renewables is responded to at point 4 above.

Sam Walker (00835/001) – The Appraisal identifies (at Para.6.4) potential buildings which may merit protection through listed building legislation - the Lion and Unicorn public house is one such building referred to in the Appraisal. Regardless of whether the conservation area is designated or not, a review of all buildings in the village will be requested from Historic Scotland.

Supports for the Proposed Thornhill Conservation Area

The Council recognises and agrees with the representations received in support of the proposed Thornhill Conservation Area.

Having considered all the representations received the Council continues to be supportive of the proposed conservation area designation at Thornhill and wishes to see the designation implemented as proposed.

Suggested Boundary Changes to the Conservation Area

John N McBean (00840/001); Mr & Mrs J Bruce MacAlpine (01053/001) – The Council is interested to note the historic significance of Pipers Cottage and may assess the cottages at

the eastern end of the village for possible inclusion within the conservation area boundary at some point in the future. This would be subject to designation of a Thornhill conservation area as proposed within the Thornhill Settlement Plan and future review of the Thornhill Appraisal as part of the ongoing conservation area management. Therefore the Council does not agree to modify the Plan in response to this issue at this time.

Reporter's conclusions:

Introduction

1. The statutory designation process for conservation areas is set out in sections 61 and 62 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. Scottish Historic Environment Policy, 2011, (SHEP) explains that Scottish Ministers consider it important that before the designation of a conservation area, planning authorities should give the public ample opportunity to comment, either through responses to local plans or, where no local plans are in preparation, through another convenient consultation process. In this case, public comment has been invited through the local development plan preparation process. Additionally, a leaflet was distributed and a public meeting was held in Thornhill.

2. The local development plan preparation process, however, is not in itself a vehicle for the designation of a conservation area. As pointed out in SHEP, once a planning authority has decided to designate a conservation area, notice of the designation must be published in the Edinburgh Gazette and at least one local newspaper. Scottish Ministers must be notified formally of the designation and provided with details.

3. The planning authority has considered the representations received in respect of the proposed Thornhill Conservation Area but this, as explained, has been in the context of the local development plan preparation process. The response of the planning authority to those representations, in respect of both the principle of designation and boundary details, was that there should be no modification to the local development plan. In terms of the procedure outlined above, it would be open to the planning authority to pursue the final steps in the formal designation of the conservation area. However, insofar as the representations have been submitted in the course of the local development plan preparation process, they must be considered as part of this examination.

The merits of Thornhill as a conservation area

4. The Character Appraisal of Thornhill undertaken by the planning authority provides a detailed historic and architectural analysis of the village. The conclusion of the appraisal is straightforward: Thornhill merits conservation area designation.

5. The character of Thornhill is readily apparent from a visit to the village. Clearly there has been a significant amount of modern development but, nevertheless, Main Street – at the heart of the village – and Low Town especially retain their traditional appearance. The original plan of the village remains relatively clear along with the Commons to the north and south of the buildings in Main Street. All-in-all, there can be little doubt that, expressed in statutory terms, Thornhill is “of special architectural or historic interest the character of which it is desirable to preserve or enhance.”

The need for a conservation area

6. Although, over the years, Thornhill has not been designated as a conservation area this is not a reason to abandon the designation now proposed. Legislation requires the planning authority, from time to time, to determine which parts of their district it is desirable to preserve or enhance and designate such areas as conservation areas. In other words, the need for conservation area status should be the subject of review. Indeed, the possibility of conservation area status is not a matter that has recently been brought forward by the planning authority. The extant, adopted local plan foreshadows the process indicating that Thornhill “may be worthy of designation as a Conservation Area” and states the planning authority “will carry out an appraisal of the village.... in order to assess its suitability for designation”.

7. Modern development has occurred in Thornhill but this does not preclude conservation area designation. As indicated above, the character and appearance of the village merits formal designation.

8. Conservation areas constitute part of local heritage and, in wider terms, represent an important component in the built heritage of the nation. In itself, therefore, designation is significant in drawing attention to the special status of the area. Development management is undoubtedly more rigorous in conservation areas but this is justified in order to protect the character and appearance of the designated area. In addition to active community involvement, the application of an appropriate level of development management is achievable through formal designation.

9. Whilst there may be those who question the advantages of formal conservation area designation, there can be little doubt that wider community benefit is the outcome of measures intended to respect built heritage. As explained by the planning authority, the designation of a conservation area would result in the character of the village being less vulnerable to negative factors. SHEP sets out in some detail and at considerable length the approach of the Scottish Ministers to the historic environment. There can be no doubt that the Scottish Ministers view the historic environment as a valuable national asset. Caring for and protecting that asset requires a partnership approach of which the planning authority is integral.

Conservation area status will prevent development

10. This fear is unfounded. The planning authority is clear that the conservation area designation would not place an embargo on change but, as explained above, change would be managed in a way that preserves or enhances character. Indeed, in exercising its planning functions, the planning authority has a statutory liability to pay special attention to the desirability of preserving or enhancing any buildings or land within a conservation area. This approach reflects that of the Scottish Ministers. SHEP emphasises that the protection of the historic environment is not about preventing change. Ministers believe that “change in this dynamic environment should be managed intelligently and with understanding.”

Additional restrictions will add time and cost

11. The planning authority accepts that planning permission might be required for development in a conservation area whereas, where an area is not designated, permitted development status might apply. It is also agreed that more rigorous control might be applied to design and materials in conservation areas.

12. Despite concerns about stricter development management, conservation area objectives merit the proposed designation at Thornhill and reflect the importance of preserving and enhancing character and appearance. In respect of concern about energy saving and efficiency, Primary Policy 7 and Primary Policy 12, along with various supporting policies, provide guidance regarding development in conservation areas, including renewable energy implications. Where the character and appearance of a conservation area will be preserved, the local development plan offers support. Supplementary guidance has also been prepared and, in particular, ensures maximising measures for improving the energy efficiency of existing buildings.

13. Conservation area designation might lead to tension when development is proposed that might otherwise have been subject to a less stringent development management regime or, indeed, would have been permitted development not requiring planning permission. Clearly this could add to time and cost but, on balance, this should not be regarded as a reason for not progressing with the designation of the Thornhill Conservation Area.

Conservation area status is not wanted

14. Despite a claim that the majority of villagers are opposed to the designation of a conservation area, the local development plan preparation process has led to a number of representations in support. It is clear that those in support believe the proposed conservation area is necessary and would be beneficial. Insofar, as it has been concluded that the designation of a conservation area at Thornhill is merited, the plan should not be modified simply in response to the objections of those who say it is not wanted.

Planned housing development is a threat to the character of the village

15. The three allocated housing sites at Thornhill are assessed under Issue 29 and in each case no modification is proposed. Site H110 is peripheral and not physically connected to the proposed conservation area. Site 109 is within the proposed conservation area and offers the potential for an improved built environment. Being at the western entry to Thornhill, the development of this site would be challenging. However, a suitable layout and design, including the restoration of the listed building, could lead to significant enhancement. Site H111 is also within the conservation area and again would offer a layout and design challenge. However, there is no obvious reason why a successful development, commensurate to the character of the proposed conservation area, could not be achieved.

16. Overall, the development of the three proposed sites could be provided on a scale to relate to both the conservation area and the wider village. The allocation of the sites is therefore not considered to prejudice the underlying objectives of the proposed conservation area in terms of preservation and enhancement.

Boundary of the conservation area

17. One representation has been received requiring a reduction in the extent of the proposed conservation area. In general, it is suggested that the farmland to the south of the village should be excluded from the proposed conservation area and, in particular, farmland where fir trees have been planted for firewood production should be removed.

18. The boundary has been proposed to incorporate the North and South Commons and, as a principle, this is logical as these areas are an integral part of the historic fabric of Thornhill. The generality of removing all existing farmland from the conservation area is therefore not warranted, especially as the justification claimed is to allow the residential expansion of the village.

19. It is implied that the area planted for firewood may not be within the area of the original South Common. Should that be the case, the justification for inclusion within the conservation area is weakened. However, from the information available, it is not possible to conclude that the South Common did not extend over this area. Indeed, the 1998 aerial view of the village (Figure 2 of the Character Appraisal) shows this area to be incorporated within the South Common. On this basis, it would be appropriate to retain the boundary of the conservation area as proposed in this vicinity.

20. It has also been suggested that the boundary of the proposed conservation area should be extended at the eastern end of the village to include additional traditional properties. The council has noted this suggestion and has indicated that it would be appropriate for a future review to further consider this suggestion. The information available does not permit the immediate extension of the proposed conservation area as suggested. However, the council should consider this possibility as soon as practicable.

Overall conclusions

21. The council is entitled to bring forward the proposal to designate a conservation area at Thornhill. The designation is justified and should not be regarded as leading to an embargo on development. The proposed boundary should remain unchanged meantime.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting the sentence that states "The current consultation on the Proposed Plan affords an opportunity to comment on the Conservation Area Appraisals (or Statements) and the merits of suggested boundary changes and changes to Article 4 Directions" from paragraph 3 of the "Spatial strategy considerations" section of the Thornhill Settlement Statement.

Note: this recommendation confirms the provisions of the local development plan. It is for the planning authority to pursue the designation of the conservation area separately under the terms of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. The planning authority should also be aware of the following extract from Note 2.22 of the Scottish Historic Environment Policy, December 2011 - "When varying a conservation area, a planning authority should preferably cancel the existing boundaries and simultaneously redesignate the new area as a single whole....".

Issue 29	Thornhill	
Development plan reference:	Chapter 10: Thornhill Settlement Statement (page 232-235) H109 – Burnside Works H110 – Doig Street South H111 – Norrieston Glebe	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126) Andrew M Vernon (01204) Jess Mckenzie (00825)		John H Reid (00826) Brian Devlin (00829) Tradstocks Ltd (SLDP_1074)
Provision of the development plan to which the issue relates:	The Thornhill Settlement Statement is the section of the Plan that sets out the approach to development in Thornhill. All of the sites and designations considered under this Issue are contained within the Thornhill Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Thornhill Settlement Statement</u> Scottish Water (SLDP_126/017) - By stating that the capacity is very limited, this statement has the potential to discourage development. Scottish Water are funded for growth, therefore limited capacity is not a barrier to development. <u>Representations to allocated sites</u> <u>H109 - Burnside Works</u> A M Vernon (01204/002) - Objects to the allocation of this site for housing for the following reasons: <ul style="list-style-type: none">• Housing would front Aberfoyle Road, a busy road with cars and lorries moving at considerable speed and would cause a great hazard and discomfort to anyone using the pavements alongside this road.• Back Yetts road is single carriageway width but is not one way, with no passing places and alongside a burn therefore impossible to widen and not suitable for any increase in usage. It is also badly lit.• The burn on the other side of Back Yetts has been known to get very high. Concerned over surface water run-off from development running into the burn and flooding of Aberfoyle Road at corner of Callander Road.• Does not believe that new housing can be built at an economic cost that will fit in with the proposed Conservation Area character.• Thornhill has a strong community feeling – concerned over introduction of further social housing tenants.• Site should instead be used for small businesses or workshops.• The site is not flat. Concerned over the impact of the development on existing trees within their ownership.		

H110 - Doig Street South

Jess Mckenzie (00825/001) – Supports new housing in village in order to sustain it, but concerned about the allocation of this site, which is directly behind their property, due to loss of privacy and loss of an area of wildlife. Requests that if the site is to be developed then half of the area of woodland should be retained and maintained as an area for wildlife.

John Reid (00826/001) - Objects to the allocation of the site for residential purposes, and requests that part of the site (the wooded area) is allocated as a community garden to allow the elderly or young children to learn about gardening. As an alternative, suggests that part of the site is allocated for five allotments, with two set aside for the elderly and infirm.

H111 - Norrieston Glebe

Brian Devlin (00829/002) - Objects to the allocation of this site, as considers that it is not the most suitable site in Thornhill for development. Considers the access to the site from the Main Road will create a dangerous T-junction, and development will detract from the rural outlook of the village.

Representations to non-allocated sitesSS01 Dunaverig

Tradstocks Ltd (SLDP_1074/002) - Tradstocks own land at Dunaverig, Thornhill, which is presently used as a natural stone processing facility with showroom and offices. Tradstocks intend to continue occupying this site until such time as their alternative site at Tradstocks, Craigforth (B54) has been developed. Once development here is underway the intention is to seek planning permission for the redevelopment of Dunaverig for Class 4 (business), Class 5 (general industry), Class 6 (storage or distribution) and/or housing (Class 9). It is considered that such uses are appropriate for such a rural brownfield site and where development can take place with limited visual or amenity impact.

SS02 West of Thornhill

Brian Devlin (00829/003) – Supports / proposes the allocation of a site at the western entrance to the village (no map or reference supplied) as an alternative to the allocation of H111.

Modifications sought by those submitting representations:Thornhill Settlement Statement

Scottish Water (SLDP_126/017) - Amend the wording of the Thornhill statement from "very limited" to "limited" capacity.

Representations to allocated sitesH109 - Burnside Works

A M Vernon (01204/002) - Remove residential allocation from site. Allocate for small businesses or workshops.

H110 - Doig Street South

Jess Mckenzie (00825/001) - Retain at least half of the area of woodland.

John Reid (00826/001) - Allocate part of the site (the wooded area) for a community garden. Alternatively, allocate part of site for five allotments.

H111 - Norrieston Glebe

Brian Devlin (00829/002) - Remove allocation of H111.

Representations to non-allocated sitesSS01 - Dunaverig

Tradstocks Ltd (SLDP_1074/002) - Dunaverig should appear in the Proposed Plan as an allocation and, in view of its status as a brownfield site, should be included as suitable for business (its currently consented use) and residential (the most likely use for the site following relocation of Tradstocks). Therefore, we would propose the addition of the site to page 234 Thornhill Sites. The site could provide circa 15 dwellings during the lifetime of the Plan.

SS02 - West of Thornhill

Brian Devlin (00829/003) - Supports/proposes the allocation of a site at the western entrance to the village (no map or reference supplied).

Summary of responses (including reasons) by planning authority:Thornhill Settlement Statement

Scottish Water (SLDP_126/017) - The Council is agreeable to the suggestions made to provide additional clarity. The Council considers this to be a non-notifiable modification.

Representations to allocated sitesH109 Burnside Works

A M Vernon (01204/002) - The Council has carefully considered the various reasons put forward in support of the proposed modification, but concludes there is insufficient justification to delete this site. This settlement and site was considered in the Site Assessment process as sites THOR03 and THOR04 in the Site Assessment (CD45). The site was deemed to conform to the Spatial Strategy and development of the site was supported in all three options put forward in the Main Issues Report.

The Key Site requirements ensure that flood risk will be taken account of. Any planning application will address detailed matters of traffic management and landscaping including boundary treatments. Conservation Area status is not seen as precluding future development but more to ensure suitable materials, design and scale are appropriate for its location. There is no reason to presume that the resultant housing will be uneconomical to built as a result of this status. The site is considered an appropriate scale to contribute to affordable housing, either on site or through a financial contribution. The definitions of

affordable housing are varied and may include social rented housing which is needed throughout the Rural Villages area. The retention of part of the site for small business/workshops and is already allocated as B49 in the Plan. The Council does not therefore agree to any modifications resulting from this representation.

H110 - Doig Street South

Jess McKenzie (00825/001) - The Council has carefully considered the various reasons put forward in support of the proposed modification. Additions to the Key Site Requirement for this site could be made to refer to the retention of all/part of the existing woodland located to the east of the site. This is to ensure the woodland remains protected from development, consistent with national policy, and the potential biodiversity habitat within the woodland given a degree of protection also. The Council considers this to be a non-notifiable modification.

John Reid (00826/001) - This site forms part of the housing land supply in Period 1 and will contribute almost 26% to the housing allocations for Thornhill in the next 10 years. It is therefore considered essential that none of the allocation, outwith areas for woodland/landscape buffer strips is lost to alternative uses particularly in light of the demand for affordable housing in the Rural Villages area. The H110 site which is being brought forward from the adopted Stirling Council Local Plan, 1999 (CD35) where it is currently allocated for 8 units. Whilst acknowledging that there appears to be a demand for community food growing space, Thornhill has two large 'common' areas which are available for public use and could provide enough space for community food growing. The Council does not therefore agree to any modifications resulting from this representation.

H111 - Norrieston Glebe

Brian Devlin (00829/002) – The H111 site is considered to be a suitable 'infill' development, continuing the urban development that exists both to the north of the road between Thornhill and Norrieston and to the west and east on the south side of Main Street, having minimal impact on the existing settlement. Access issues will be dealt with through the planning application process and the Key Site Requirements in the Plan indicate that any development proposals should be appropriate to the character and setting of the proposed Conservation Area. The H111 allocation will contribute over 60% to the housing allocations for Thornhill in the next 10 years. Other sites in Thornhill have been considered as part of the Proposed Plan Site Assessment process (CD45) but none deemed to be as suitable as the H111 site which is being brought forward from the Adopted Stirling Council Local Plan, 1999 (CD35) where it is currently allocated for 21 units, including local needs. The Council does not therefore agree to any modifications resulting from this representation.

Representations to non-allocated sites

SS01 - Dunaverig

Tradstocks Ltd (SLDP_1074/002) - This is a brownfield site in the Countryside and both Policy 2.9 Economic Development in the Countryside and Policy 2.10 Housing in the Countryside, offer a framework to consider the redevelopment of the existing site for the uses suggested. The Plan does not allocate small brownfield sites in the countryside for development, of which there may be numerous examples, expecting these to be considered through the Development Management process under the proposed policy framework. There is therefore no need to allocate this site for the suggested uses and as such the Council does not agree that the Plan should be modified.

SS02 - West of Thornhill

Brian Devlin (00829/003) – The area for allocation is not specified and was not therefore considered in the Site Assessment process. The area is being put forward as a replacement for H111 rather than an addition to the housing allocations in the village. H111 is considered to be an effective ‘infill’ site in contrast to any potential village expansion at the entrance to village as suggested by Brian Devlin. Any village expansion to the west is likely to lead to ribbon development, and represent a significant incursion into the open countryside. The Council does not therefore agree to any modifications resulting from this representation.

Reporter’s conclusions:**Thornhill Settlement Statement**

1. The planning authority states that it has made the alteration requested by Scottish Water as a non-notifiable pre-examination modification to the proposed local development plan. On that basis, no further action is required.

Allocated sites**H109 - Burnside Works**

2. The concerns raised in respect of this allocation, other than perhaps the comments about social housing, are valid planning concerns. They require the careful consideration that has been given to them by the planning authority. It is clear that the development of the site would be challenging in terms of design and technical matters, although the settlement statement explains that the “site had planning permission at June 2011”.

3. A well-designed development at the location would enhance this entrance to the village, could improve the character and appearance of the proposed conservation area, and as indicated in the site assessment, could assist in the restoration of the Tannery Manager’s building (which is listed). The provision of affordable housing and rural business space, provided under adjacent allocation B49, would be beneficial.

4. Overall, whilst recognising the difficulties to be faced in the development of the site, the allocation is worthwhile and should be retained. In any event, in the recent past at least, it appears that the land had the benefit of planning permission.

H110 - Doig Street South

5. This small area of land provides a suitable site for residential development. The woodland in the eastern portion of the site is not of high quality and demonstrates lack of management. Indeed, the poor condition of the woodland has been suggested as contributing to its wildlife attraction. No formal natural heritage designation applies but, nevertheless, the planning authority states that it has altered the local development plan to include the retention of all or part of the woodland as a new “Key Site Requirement”, as a non-notifiable pre-examination modification. No further action is therefore required, although it would be preferable to refer to the retention of a “meaningful” area of the woodland. The extent of woodland to be retained could then be the subject of a judgement at the time a detailed design comes forward for assessment.

6. Although it has also been suggested that the site could be allocated as a community garden or allotments, the planning authority has explained that other land in the village is available for public use and could provide space for community food growing.

7. Whilst there would be merit in a community use of this type, the greater benefit would be derived from the residential allocation of the land, particularly as it appears alternative site options are available for the proposed use as a garden or allotments.

8. All-in-all, allocation H110 should be retained with a note in respect of woodland preservation.

H111 – Norrieston Glebe

9. Concern has been expressed that development at this location would detract from the rural outlook of the village but, as argued by the planning authority, the land has the attributes of an infill site. Clearly, the use of the land for housing would remove a “green” area but there is a significant area of open space to both the north and south of Main Street.

10. Access is also suggested as a constraint. An access to Main Street already exists at this point and the planning authority believes that this matter could be dealt with at the time a development proposal comes forward. Although it would have been preferable to have a clear indication that a suitable access could be provided, there is no evidence that the required standards could not be achieved.

11. Overall, it appears that a development commensurate with the character of the proposed Thornhill Conservation Area could be achieved and therefore allocation H111 should be retained.

Non-allocated sites

SS01 - Dunaverig

12. This land is in the countryside close to Ruskie, a hamlet some distance to the west of Thornhill. As pointed out by the planning authority, small brownfield sites in the countryside are not specifically allocated for development.

13. A specific development allocation for this site would clearly represent an anomaly in the context of the policy base of the local development plan. As the planning authority has explained, development management in the countryside is guided by the relevant policies. Clearly it would be necessary for any development proposal to be assessed against these policies. In this case it is likely that any redevelopment proposal would be considered in the context of the appropriate policies including Policy 2.9, Economic Development in the Countryside or Policy 2.10, Housing in the Countryside.

14. On this basis, modification of the plan in respect of the site at Dunaverig would not be justified.

SS02 - West of Thornhill

15. The planning authority has regarded this as an unspecified site likely to lead to ribbon development or involve an intrusion into the open countryside. This would indeed be the case should a site beyond the village boundary be intended.

16. The representation refers to “the area of land at the west entrance to the village” and this might therefore refer to site H109 which is considered above.

17. A site beyond the village boundary would not be acceptable and site H109 is already allocated. In either case, there should be no modification of the plan.

Reporter’s recommendations:

The local development plan should be modified by:

1. adding the word “meaningful” to the planning authority’s new Key Site Requirement for site H110 Doig Street South, so that it reads:

“The development layout shall ensure the retention of a meaningful area of the woodland in the eastern part of the site”.

Issue 30	Arnprior	
Development plan reference:	Arnprior Settlement Statement, pages 110 to 111.	Reporter: Iain G Lumsden
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish National Party Group (00711)		
Provision of the development plan to which the issue relates:	The Arnprior Settlement Statement is the section of the Plan that sets out the approach to development in the settlement of Arnprior.	
Planning authority's summary of the representation(s):		
Scottish National Party Group (00711/012) - considers that the removal of the Arnprior Countryside Policy Boundary would be detrimental to further beneficial development in the village.		
Modifications sought by those submitting representations:		
Scottish National Party Group (00711/012) - requests reinstatement of the Countryside Policy Boundary around Arnprior.		
Summary of responses (including reasons) by planning authority:		
Scottish National Party Group (00711/012) - The Council does not consider this to be an issue as the Countryside Policy Boundary is proposed for retention exactly as it is shown in the current Development Plan, Stirling Council Local Plan Alteration 1A (2007): Stirling and the Rural Villages (CD36). It was proposed for removal in the Stirling Local Development Plan Draft Proposed Plan (CD44b), but reinstated in the Proposed Plan, which may have led to this confusion. Therefore, the Council does not agree that the Plan should not be modified in respect of this representation.		
Reporter's conclusions:		
1. This representation indicates concern over the impact that the removal of the Countryside Policy Boundary around the village of Arnprior could have on the prospects of achieving further development within the settlement. It is noted that at an earlier stage in the development plan process (in the Draft Proposed Plan) the planning authority did suggest that the Countryside Policy Boundary around the village should be removed. However, following consultations, it would appear that little support was expressed for such a suggestion. Consequently, in the Proposed Stirling Local Development Plan, which is the subject of the present examination, the idea of removing the Countryside Policy Boundary at Arnprior has been dropped. As a result, the boundary at Arnprior in the Proposed Plan has been re-instated exactly as it was shown previously in the adopted Stirling Council Local Plan. In these circumstances, the concerns expressed in the representation regarding the		

potential impact the removal of the Countryside Policy Boundary would have on the prospects of achieving further development in the village will not be realised. Therefore, there is no justification for making any change to the local development plan with respect to the matter raised in this representation.

Reporter's recommendations:

No modifications.

Issue 31	Balfron	
Development plan reference:	Chapter 10: Balfron Settlement Statement (page 114- 117) H085 – Dunmore H086 – Kiltrochan	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126) Elizabeth & Harry Glass (01174) Messrs Hamilton & Penman (00085) Messrs A & M Paterson (00082)		
Provision of the development plan to which the issue relates:	The Balfron Settlement Statement is the section of the Plan that sets out the approach to development in Balfron. All of the sites and designations considered under this Issue are contained within the Balfron Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Balfron Settlement Statement</u> Scottish Water (SLDP_126/007) - Updates to water and drainage infrastructure statements are suggested although please note that capacities can change on a daily basis as a result of new connections to the network and these comments are based on current capacity information. Elizabeth & Harry Glass (01174/001) - Objects to the development of 200 more houses proposed for Balfron in the future. Main concerns relate to road safety and parking. Parking in Balfron is already difficult with the Co-Op car park often full and other areas. After 70 more houses are built on the Dunmore Street and Kiltrochan Drive sites, at least another 100 cars will be on the road and parking even more difficult. A further 200 houses behind the Kiltrochan site and the site behind Station Road and Kepculloch Road will mean at least that another 150 cars on the road. Parking will be impossible. Concerned that inadequate consultation has been undertaken on these proposals. <u>Representations on Allocated Sites</u> <u>H085 – Dunmore</u> Messrs Hamilton & Penman (00085/002) - Considers this site to be classic ribbon development. Concerned that the same arguments to release the site will be used to justify extending it. <u>H086 - Kiltrochan</u> Messrs Hamilton & Penman (00085/003) - This site sits on a very prominent position on the top of a hill and can only be justified as perhaps a rounding-off. Concerned that the same arguments to release the site will be used to justify extending it.		

Representations to non-allocated SitesSS04 – Molinclerich, Kepculloch Road

Messrs Hamilton & Penman (00085/001) - Object to the non-allocation of development land (5.6 ha) at Molinclerich, Kepculloch Road, Balfron. Proposes a mixed uses site - new employment land and a maximum capacity of 70 houses to be built out over a 5-7 year period increasing the housing stock of approx. 600 units by between 2.3% and 1.6% per annum. The site forms a natural extension to a village of this size (pop. 1800) and can be accessed, serviced and a well designed development created which enhances the entrance to the village. Submits a strategic masterplan for the development of the site. Considers the site immediately available and effective in terms of PAN 2/2010.

Considers the Proposed Plan allocations for Balfron - a total 127 units (5 units per annum over the lifetime of the Plan to 2034) on non-effective (speculative) sites until 2017 are not befitting a community of the size of Balfron with a secondary school and good access to the conurbation. Insufficient capacity and choice has been provided to ensure the long term sustainable growth of Balfron. Presents the current housing programmed for Balfron. Has doubts as to the delivery of housing on the sites allocated in the Plan due to the Council having programmed the sites so far ahead, and therefore a shortfall and not a 'generous' supply in the spirit of SPP.

There are no access or accessibility issues to the Molinclerich site. School capacity should not be an issue. The site can be linked to the village and is better linked than allocated sites H085 and H086. The site will not have an adverse effect on the Conservation Area, the small area within it will not be developed and will be retained as open space. Employment land is offered on the site thereby allowing for the release brownfield infill opportunities in the village (i.e. relocating the bus depot, the waste transfer station and some small industrial units), for a range of affordable and smaller type of housing units.

SS05 – Roman Road

Messrs A & M Paterson (00082/001) - Promotes a site (7.2 ha) on Roman Road for further residential development (location plan submitted). Access to be taken from a proposed roundabout on Roman Road developed as part of the allocated Kiltrochan proposal (H086). The site could provide a new settlement edge and new woodland planting. The site could provide good quality housing and contribute to the creation of vibrant, mixed and healthy communities. It could also provide significant benefits, including support for local facilities, infrastructure and would attract/keep young families within the area. The existing allocated sites (H085 and H086) will be completed in 2/3 years. The Proposed Plan looks to deliver a higher level of household growth. Recommends the provision of longer term housing options which could be accelerated to fill any deficiencies within the 5 year land supply including the release of additional greenfield land.

The proposed site could be brought forward as a later phase of development beyond the initial allocation of 35 units at Kiltrochan (H086).

Modifications sought by those submitting representations:Balfron Settlement Statement

Scottish Water (SLDP_126/007) - Update to state that at the Carron Valley Water Treatment

Works there is sufficient capacity for the proposed level of development, also at the Balfron Waste Water Treatment Works there is currently also sufficient capacity for the proposed level of development.

Representations to non-allocated Sites

SS04 – Molinclerich, Kepculloch Road

Messrs Hamilton And Penman (00085/001) - The site at Molinclerich be added to the land supply for Balfron as the only available land supply within the early phases of the LDP.

SS05 – Roman Road

Messrs A & M Paterson (00082/001) - The proposed site should be designated for further housing and require a 25% affordable housing contribution.

Summary of responses (including reasons) by planning authority:

Balfron Settlement Statement

The Council is agreeable to modifying the Plan in the manner suggested by Scottish Water (SLDP_126/007), in order to provide additional clarity on the drainage situation in the village. The Council considers this to be a non-notifiable modification.

Elizabeth & Harry Glass (01174/001) - This representation alludes to the sites that are the subject of representations from Messrs Hamilton & Penman (00085/001) and Messrs A & M Paterson (00082/001). As can be seen below, the Council does not intend to modify the Plan to allocate these sites for housing thereby resolving this representation.

Representations to Allocated Sites

H085 Dunmore and H086 Kiltrochan

Messrs Hamilton & Penman (00085/002 & 00085/003) - raise concerns at the adverse impact of these allocations on the setting and urban form of the village and that a precedent will be established for further development. Both these sites are however 'carry-overs' from the adopted Stirling Council Local Plan Alteration 1A (2007): Stirling and the Rural Villages (CD 36), and were allocated following a public inquiry in 2004 and public hearing in 2005. The Report on the Public Hearing - November 2005 (CD 100) sets out the full planning history for both sites. More recently both sites have been the subject of applications for planning permission, which were approved at the meeting of the Council's Planning and Regulation Panel on 30 April 2013, subject to the conclusion of a Section 75 Agreement relating to the provision of affordable housing, play provision and all off-site road works (CD's 98 & 99).

The Council therefore does not agree to modify the Plan to alter or remove these sites.

Representations to non-allocated Sites

SS04 Molinclerich, Kepculloch Road, Balfron, SS05 Roman Road Balfron

The preferred Spatial Strategy (Option 1) set out in the Main Issues Report (CD41) states

that: -“All rural villages are being considered for small scale development for housing (between 10-40 units) and business development in order to meet the overall vision to sustain rural communities.

Sites that could deliver both infill and settlement expansion are under consideration” (page 68) (i.e. as set out in the 2010 Settlement and Site Assessments (CD42)).

With specific reference to Balfron, the Main Issues Report considers that Balfron, along with Doune, will no longer have a role as a Rural Centre. The ‘Rural Centre’ designation resulted in significant number of new build housing completions during the period 2000 - 2010. It is specifically stated: - “There are also allocated sites still to be developed in these two communities, and further substantial allocations would adversely affect the character, identity and setting of these settlements. The two settlements will be considered rural villages for the purposes of the proposed Strategy.”

Two of the above mentioned ‘allocated’ sites are identified in the Balfron Settlement Statement, i.e. H085 Dunmore and H086 Kiltrochan. A number of smaller infill residential and mixed use sites are also identified. Overall it can be demonstrated that sufficient residential development land has been identified in Balfron to meet the requirements of the Spatial Strategy for the Rural Villages, as set out in Table 1, page 16 of the Plan. As already noted, the two largest sites H085 and H086 are the subject of applications for planning permission.

Following from the above, the Council considers the significant scale of the residential/mixed use allocation proposed by Messrs Hamilton & Penman (00085/001) and the residential allocation proposed by Messrs A & M Paterson (00082/001) would seriously compromise the objective of the Plan’s Spatial Strategy to promote - “Controlled small scale expansion of existing villages, consistent with their limited size and role in the Settlement Hierarchy” (Table 1 page 16).

The Council has also carefully considered site specific information submitted with the representations in support the proposed allocations.

With respect to Messrs Hamilton & Penman (00085/001) representation on the site at Mollincherich, Kepculloch Road (SS04), this was previously submitted as an expression of interest and considered through the Site Assessment process (CD45 - Site ref BALF01).

The overall assessment concludes that:

“In the context of Balfron still having significant allocated housing sites, residential development on this scale (c.70-100 units), albeit less than the original submission, remains inappropriate. Residential development at this scale would also likely have significant implications for social infrastructure such as schools and health care. There is also no indication of unmet demands for business/industrial land in the village that would justify this scale of release. The suggested relocation of the bus garage remains speculative. Whilst original vehicular access issues may have been addressed (subject to Roads Service approval) previously highlighted school capacity, biodiversity, landscape, townscape and conservation area setting issues continue to argue against developing this site.”

The significant concerns of the Council regarding the principle of further housing land allocations at Balfron are discussed above. Comments made regarding the non-effectiveness of sites H085 and H085 can be dismissed on account of current developer interest and the advanced stage of planning applications, as detailed above. The Council is also of the view the Plan identifies sufficient more centrally located employment land (sites B42 and B43) to meet the needs of the village, and that the suggested relocation of centrally

located businesses to Mollinclerich runs contrary to the aspiration of the Spatial Strategy to support the viability of village centres.

Given the extent of recent new build development in Balfron in combination with the scale of allocations identified in the Plan, the Council remains of the view that the concerns highlighted in the Site Assessment are still valid, particularly:

- Infrastructure implications, especially regarding primary and secondary school capacities and health care; and
- Potential adverse effects on the landscape setting of the village and adjacent conservation area of yet further new build development at the scale envisaged.

With respect to Messrs A & M Paterson (00082/001) representation, the Roman Road site (SS05) has not been previously assessed. It extends to 7.2 hectares and could accommodate up to 180 units at a development density of 25 units/ha. Vehicular access would be via Roman Road or Dunmore Street. Taking account of the Plan's housing and employment land allocations for Balfron, along with established patterns of vehicular movement, junction capacities could be an issue (i.e. Roman Road with Cotton Street/Moor Road, adjacent to Balfron Primary and High Schools and Dunmore Street with Buchanan Street, adjacent to shops, the bus garage and village hall). The site is on rising ground in an elevated position and the prominence of built development may also adversely affect the landscape setting of the village. There may also be infrastructure implications, particularly with regard to primary and secondary school capacities and health care. Identifying the site for a later phase of development would still run contrary to the aforementioned objective of the Plan's Spatial Strategy to promote - "Controlled small scale expansion of existing villages....."

The above response demonstrates the Council has carefully considered the various reasons put forward to support the allocations of the Mollinclerich (SS04) and Roman Road (SS05) sites. It is concluded however that there is insufficient justification to modify the Plan in this regard.

Reporter's conclusions:

Balfron Settlement Statement

1. The planning authority accepts the representation from Scottish Water regarding the plan reference to the drainage situation in the village. The Carron Valley Water Treatment Works has sufficient capacity for the proposed level of development and the Balfron Waste Water Treatment Works also has sufficient capacity currently for the proposed level of development set out in the plan.
2. I am content that Scottish Water's concerns appear to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required on this matter.
3. The representations from Hamilton & Penman and A & M Paterson express concerns about the prospect of an additional 200 houses being built in Balfron and the ability of local infrastructure, particularly roads, to accommodate this scale of development. Although a number of potential housing sites have been assessed at earlier stages in the plan preparation process, no large scale housing sites have been incorporated.

4. I have considered a number of representations seeking the inclusion of additional housing sites. However, I have concluded that there are no grounds for the allocation of additional large scale housing sites in Balfron during the plan period. The reasons for these conclusions are set out below under each site. On this basis, I consider that the representations on the matter of an additional 200 houses in the village are resolved and no modifications to the plan are required.

Housing Sites at Dunmore (H085) and Kiltrochan (H086)

5. Representations have been made on the appropriateness and effectiveness of two sites allocated for housing development in the plan. Work has already started on site to build 29 private houses and 8 affordable houses at Dunmore Road (H085). In April 2013 the planning authority also agreed to grant planning permission for the erection of 32 houses at Roman Road (H086) subject to conclusion of a Section 75 planning agreement. Both sites have output programmed for the period 2010 to 2019.

6. These sites are allocated for housing development in the current adopted local plan as H7(14) and H7(15). On that basis, it is not proportionate or efficient to re-examine their merits, when they have simply been carried forward into the local development plan and the only significant change has been that planning permissions have largely been granted. There is also now clear developer commitment. Therefore, I do not support modifications to the plan in respect of the housing projects at Dunmore Road and Kiltrochan.

Land at Mollinclerich, Kepculloch Road, (SS04)

7. The site extends to 5.6 hectares and is located west of Kepculloch Road on the northern edge of the village. It is proposed for mixed housing and industrial / business uses. The developer's representation indicates that the housing element could accommodate up to 70 units over a 5 to 7 year period. Industrial and business uses would take up around 1.2 hectares. It is suggested that this area could accommodate the relocation of a bus station, waste transfer station and small industrial units.

8. The conclusions for Issue 4 of this examination have already established that there is no requirement for large scale additions to the housing land supply in any part of the plan area. They have identified a modest short term need for additional small scale additions that are capable of being effective in the early years of the plan period.

9. The representation on Kepculloch Road points to the lack of effective housing land supply in Balfron particularly over the next 5 years. The submission states that there is an inadequate supply for a settlement of 1800 people and the plan approach is not within the spirit of national planning policy which seeks a generous supply of housing land to be available at all times. However, I find that the housing land requirements set out in SPP (paragraphs 66 to 76) and in Planning Advice Note 2/2010: Affordable Housing and Housing Land Supply apply to development plan areas and not to specific settlements within a plan area. So, in this context, it would be unreasonable to expect, or to plan for, a continuous effective land supply in a rural settlement such as Balfron which makes up only a small part of a much larger local development plan area.

10. In any event, I am satisfied that the existing land supply in the village, listed in the table forming part of the Settlement Statement, is adequate for Balfron's needs given its size and location. Although the representation casts doubt on the effectiveness of two sites, as stated above, work has already started at Dunmore Road and the planning authority has agreed to grant planning for 32 houses at Kiltrochan. Both sites have output programmed

for the period 2010 to 2019.

11. I am not persuaded that the Mollinclerich site would be available for immediate development and could produce early output. Further technical and feasibility work would be required to assess the infrastructure and environmental implications of development and thereafter to prepare a detailed site masterplan and implementation programme. These issues would need to be addressed as part of preparation of a more detailed site masterplan. Therefore, there seems little prospect of early development. Even if this could be achieved, the scale of proposed completions (10 to 14 units per annum over a 5 to 7 year period) would add little immediately to the short term housing land supply.

12. Development of the scale proposed would represent a significant northwards expansion of the village. I am concerned about the appropriateness of this scale of development and settlement growth in a rural village beyond the Stirling Core Area in light of the plan's wider Spatial Strategy which promotes controlled small scale expansion of existing villages consistent with their limited size and role. Any assessment of appropriate scale of expansion, particularly in this part of the village, must take account of the plan's Primary Policy 1: Placemaking and Primary Policy 7: Conservation Areas.

13. The representation makes a number of assertions about the acceptability of the proposed development close to the northern edge of the conservation area. However, it does not make any detailed reference to the potential impact of new development on the special character and setting of the medieval village core around the Clachan. This is the historic village centre set on an elevated site above the Endrick Water. The Clachan is described in the Conservation Area Appraisal as a secluded and intimate place comprising an organic grouping of buildings, including Balfron Parish Church, set around the village green and separated from the remainder of the village by mature trees and landscaping.

14. The southern edge of the Mollinclerich site subject of this representation immediately abuts the conservation area. I am concerned that a large modern development, however well designed and laid out, would significantly alter the intimate setting and character of this part of the conservation area particularly when viewed approaching the village from higher ground to the north. There are several substantial tree belts crossing and enclosing parts of the site. I have concerns that the demands of drainage, roads and other infrastructure would require the removal of some of this woodland. There would also be inevitable ground level changes as part of provision of internal site roads and the creation of development platforms for new buildings.

15. A new roundabout junction or other road junction off Kepculloch Road would open up the site to view from the north and east. The ground level differences between the site and the village core around the Clachan would not mitigate the visual impact of a development of 70 houses and business and industrial uses. All of the above factors would result in the proposal adversely affecting the setting of, and approaches to, the northern edge of the village. Equally, the development would radically alter the character and setting of the conservation area.

16. There would be advantages in relocating business uses from within the village especially the bus depot. However, there appears to be no commitment from any prospective business occupier to move to the site. At this stage, I consider the business and industrial element of the development package is speculative and the submission accompanying the proposals is not supported by business land supply or demand assessments that would justify the scale of proposed provision.

17. In summary, there is no requirement for this scale of additional housing release in Balfron given the housing land supply position in the wider plan area. In any event, the housing development proposed is too large, and lead-in times would be too long, for the site to make any meaningful contribution in the short term. The existing housing land supply in the village is effective and adequate for a rural settlement of Balfron's size. Development of the site would adversely impact on the character and setting of the adjacent conservation area and the key building group around the Clachan. There is no business land supply or demand evidence to support the scale of proposed business and industrial development. For all these reasons, I do not recommend the allocation of this site for development in the plan.

Roman Road, Balfron (SS05)

18. The planning authority has agreed to grant planning permission for 32 houses at Kiltrochan subject to conclusion of a legal agreement. This site at Roman Road would form an extension to the Kiltrochan site and it could accommodate around 180 to 200 houses.

19. New housing at Roman Road could fit well into the eastern side of the village. The High School complex forms a well defined northern western boundary and existing woodland along the line of a burn to the east would create a robust new settlement edge. Although the site occupies a south facing slope, it would form a logical expansion to the village when viewed from lower points along the Endrick Water to the south particularly as much of it would be screened by existing and proposed development around Kiltrochan Drive. So, I do not consider that landscape or townscape impact of development would be unacceptable. Similarly, there would not be an adverse impact on any part of the conservation area in light of separation distances and differences in ground levels. New housing could also suit the modern character of the immediately surrounding area, including the new High School. Therefore, the design, site planning and heritage safeguarding criteria in the plan's Primary Policy 1: Placemaking could be satisfied.

20. However, a development of 180 to 200 houses at Roman Road would represent a significant eastwards expansion of the village. As with the site at Kepculloch Road (SS04), I am concerned about the scale of proposed development and settlement growth in a rural village beyond the Stirling Core Area. It would again be contrary to the plan's wider Spatial Strategy that promotes controlled small scale expansion of existing villages consistent with their limited size and role.

21. Development of the site would also put considerable pressure on local education and health facilities. The planning authority's reply to a further information request confirms that these facilities are not currently geared to absorb this scale of village expansion. Substantial changes to Balfron Primary School building and the adjacent High School building and site would be required to accommodate additional primary pupils. I accept the planning authority's position that this is not achievable in the period up to 2024. It may be appropriate for a future local development plan to consider school provision should there be any strategic requirement for Balfron to accommodate significant housing expansion. There is also insufficient local GP capacity to cater for an additional 180 houses in the village.

22. I have also noted above that the conclusions for Issue 4 state there is no requirement for large scale additions to the housing land supply in any part of the plan area. They have identified a modest short term need for additional small scale additions to the land supply that are capable of being effective in the early years of the plan period. A housing development of up to 200 units at Roman Road would be at odds with these conclusions. There is no requirement for this scale of additional housing release in the plan area,

particularly in the rural area where the plan's settlement strategy promotes small scale expansion in rural villages.

23. Despite the short term housing land supply issue, there would be no prospect of early output from SS05. The site would form an extension of the Kiltrochan development which has yet to commence. There would also be further technical and feasibility work required, similar to that required for Kepculloch Road (SS04), before a detailed site masterplan and implementation programme could be brought forward for SS05.

24. In summary, although development of the site may be acceptable in landscape and townscape terms, these considerations are significantly outweighed by several other matters. Firstly, there is no requirement for this scale of additional housing release in Balfron meantime, given the conclusions on housing land supply in the wider plan area. Secondly, the site could not make any meaningful short term contribution. Finally, there would be major school capacity issues if a development of this scale were to proceed. These issues could not be resolved in the short to medium term and would require a long term strategic approach to settlement expansion and improvements to community infrastructure. This would be a matter for a future local development plan review to consider in the light of settlement strategy and housing land supply objectives at that time.

25. On the basis of all of the above, I do not recommend the allocation of this site for housing development in the plan.

Reporter's recommendations:

No modifications.

Issue 32	Buchlyvie	
Development plan reference:	Chapter 10: Buchlyvie Settlement Statement (Page 126-129) H092 – Montgomery Place	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126) Buchlyvie Community Council (SLDP_76)		Mr & Mrs K Downes (00713) T Bennie (00687) Drew Risk (01339)
Provision of the development plan to which the issue relates:	The Buchlyvie Settlement Statement is the section of the Plan that sets out the approach to development in Buchlyvie. All of the sites and designations considered under this Issue are contained within the Buchlyvie Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Buchlyvie Settlement Statement</u> Scottish Water (SLDP_126/009) - As stated within the Infrastructure Considerations, there is limited capacity at the Buchlyvie Waste Water Treatment Works; however, this should not be considered a barrier to development. Within this section, there is no reference made to water supply and Buchlyvie is supplied by Carron Valley Water Treatment Works, which has available capacity. Buchlyvie Community Council (SLDP_76/001) - Objects to the statement "Buchlyvie Primary has some spare capacity...". The school roll has been rising and the school will be full in August 2012. <u>Representations to Allocated Site</u> <u>H092 - Montgomery Place</u> Mr & Mrs K Downes (00713/001) - The development of this site should be disallowed for the following reasons: <ul style="list-style-type: none">• The building of 'mixed type' housing in this site is inappropriate with respect to the adjacent location of North Manse which is a historic listed building. To extend the scheme down the south perimeter of this property would destroy the setting, outlook, and privacy of the rear of this property. This further development of this scheme would detract from the quality and setting of this property as a historic building.• The burn that is on western perimeter of site H092 is prone to flooding. Development of this site may add to the likelihood of flooding which is in contravention of the Council's policy. An underground pipe conducts this burn under the property of "an Uilit" which is adjacent to North Church (Historic listed building). Worsening flooding of this burn as a result of development in site H092 could render threat and damage to both these properties.• Educational provision within Buchlyvie Primary School is already beyond capacity with respect to the existing residential population. Further development of the scheme H092 would render existing residents of Buchlyvie without places for their children in the local		

school.

- The development would affect the transport infrastructure of the village with respect to Montgomery Place. This road is already acting as a 'bottle neck' with the tight layout of housing and limited parking for residents rendering the street itself littered with parked cars. Further development would increase the hazard of this bottleneck with respect to young children at play in Montgomery place.

T Bennie (00687/001) - As the landowner of H092 site, objects to the allocation as it will interfere with the drainage to the Spittal (also owned by the objector) and devalue the property considerably.

Buchlyvie Community Council (SLDP_76/002) - The statement "Careful consideration to be given to the impact of additional vehicle movements on Montgomery Place" is too narrow a definition. Consideration should also be given to the increased traffic that would be using the Loan going out of Montgomery Place and on to the Main A 811. The traffic bollards at the bottom of the Loan and Station Road, restrict traffic to one lane. This means that in winter it can be difficult for traffic to go up the hill, particularly if they are approaching it from Montgomery Place. Residents in Montgomery Place have reported that they sometimes have to turn right down Station Road and turn round in the school car park in order to get up the hill safely and on to the A811.

Infrastructure capacity in the village is limited so it may be doubtful if Buchlyvie can accommodate further expansion at Montgomery Place on the scale envisaged in the Plan. It should be stressed that residents in Montgomery Place are particularly concerned about related traffic and access issues.

Representations to non-allocated Site

SS06 – West Buchlyvie

Drew Risk (01339/001) - Does not seek to object to proposed allocation HO92, as this would appear to be a good location for expansion of the settlement towards satisfaction of current demand. Seeks the identification of land to the west of Station Road for mixed use, phased long term expansion of Buchlyvie, to fulfil a variety of land use demands including:

- Provision of a future link between the A811 and the B835 reducing and redistributing traffic using Station Road. Identifying a sustainable phased medium and long term housing land supply for Buchlyvie.
- Providing employment land within the settlement, to promote local working and local establishment of rural economic activities.
- Promote maintenance and expansion of current public green open space as identified within the Buchlyvie Settlement Review.
- Augment current sports provision through addition of a designated public multi-use park area next to the football pitch, putting flexible open space at the heart of the settlement, as well as identifying further opportunities for woodland creation and semi-natural open space.
- Identifying and delivering space for allotment and community led initiatives.
- Maintaining and enhancing pedestrian connectivity within the settlement.
- Identifying opportunities for rationalisation of existing private drainage systems, drainage connections and enhanced public foul drainage capacity.
- Opportunities in relation to tourism traffic to Aberfoyle, the Queen Elizabeth Forest Park and the National Park, originating from east central Scotland.

<p>The proposed 15 acre site would include a substantial quantity of planned open space comprising some 50% or more of the total area and an area or several areas suitable for employment uses. The proposal is envisaged over a period of up to 25 years, therefore providing gradual delivery of an overall masterplan through 4 or 5 developmental phases.</p>
<p>Modifications sought by those submitting representations:</p>
<p><u>Buchlyvie Settlement Statement</u></p> <p>Scottish Water (SLDP_126/009) - Reference be made to water supply and that Buchlyvie is supplied by Carron Valley Water Treatment Works, which has available capacity.</p> <p>Buchlyvie Community Council (SLDP_76/001) - Suggest change to "Capacity at Buchlyvie Primary and Balfron High School is limited."</p> <p><u>Representations to Allocated Site</u></p> <p><u>H092 Montgomery Place</u></p> <p>Mr & Mrs K Downes (00713/001) - Would like to see a change to the Plan in that the development of H092 site should be disallowed.</p> <p>T Bennie (00687/001) - Would only consider development if the whole site was moved to the south-west of the field, not to encroach on the Spittal property.</p> <p>Buchlyvie Community Council (SLDP_76/002) - Suggested the Key Site Requirement is changed to: - "Careful consideration to be given to the impact of additional vehicular movements on Montgomery Place and on the access to Station Road (and the A811)."</p> <p><u>Representations to non-allocated Sites</u></p> <p><u>SS06 – West Buchlyvie</u></p> <p>Drew Risk (01339/001) - The identification of land to the west of Buchlyvie for provision of urban open space and mixed use development proposals, as detailed in the submission, subject to master-planned long-term approach and satisfaction of technical details.</p>
<p>Summary of responses (including reasons) by planning authority:</p>
<p><u>Buchlyvie Settlement Statement</u></p> <p>Scottish Water (SLDP_126/009) - The Council are agreeable to modifying the Plan to accord with Scottish Water's suggested amendments to ensure consistency with comments made by Scottish Water on other Settlement Statements. The Council considers this to be non-notifiable modification.</p> <p>Buchlyvie Community Council (SLDP_76/001); Mr & Mrs K Downes (00713/001) - As highlighted in the Buchlyvie settlement statement there is limited capacity at the primary school, and this will be addressed in the following way. Whilst pressure can be relieved through refusing placing requests this is unlikely to be sufficient on its own to accommodate a sizeable development. Any development would thus require to be discussed with the Council's Education Service to ensure the number of units, size and timing could be</p>

accommodated within the primary school capacity. If necessary it may be a requirement to seek Section 75 based Developers' Contributions to increase capacity at the school, in line with Policy 3.3 Developer Contributions. Proposed Supplementary Guidance SG15 Education Facilities explains the Council's approach (CD 179). Once timings and property sizes are established for the primary sector these can then be programmed into the High School capacity.

Representations to Allocated Sites

H092 - Montgomery Place

Mr & Mrs K Downes (00713/001); T Bennie (00687/001); Buchlyvie Community Council (SLDP_76/002) - This site was considered as part of the Site Assessment process (CD 45 - site ref: BUCH02). Vehicular access can be taken from the northern cul-de-sac on Montgomery Place and as such it is a 'logical' extension to the built form of the village. The allocated site has been enlarged from that originally indicated as BUCH02 to ensure the 30 unit requirement can be accommodated in accordance with the Plan's design and placemaking criteria. By definition the landowner is in a strong position to influence the detailed site layout to ensure development has the minimum impact on the Spittal steading. Concerns regarding drainage and traffic impacts on Montgomery Place are anticipated in the Key Site Requirements and will be assessed in detail at the planning application stage. Consideration will also be given to development impacts on the character and setting of the Conservation Area and the North Manse listed building. Account will also be taken of potential adverse effects on the wider road network. Neighbouring owners/occupiers, other local residents, the Community Council and other interest groups will have an opportunity to comment on these detailed matters, and account will be taken of representations prior to the final determination of the application.

In light of the above the Council remains of the view that there is insufficient weight to justify modifying or deleting the H092 allocation.

Representations to non-allocated Sites

SS06 – West Buchlyvie

Drew Risk (01339/001) - The preferred Spatial Strategy (Option 1) set out in the Main Issues Report (CD 41) stated that:

"All rural villages are being considered for small scale development for housing (between 10-40 units) and business development in order to meet the overall vision to sustain rural communities' Sites that could deliver both infill and settlement expansion are under consideration" (page 68).

The Buchlyvie Settlement Statement (CD42) noted that in respect of its 'suitability for development': - "It is considered that there is some scope for small-scale village expansion, subject to satisfactory access and design. However, there is a limit to what scale of development can be accommodated without having a detrimental effect on the character of the village and requiring upgrade to the sewage treatment works. Therefore, it is considered that the numbers of houses permitted would not be significant in strategic terms and affordable needs should be given preference."

The Council therefore considers the significant scale of this proposed allocation would seriously compromise the objective of the Spatial Strategy to promote "Controlled small scale expansion of existing villages, consistent with their limited size and role in the

Settlement Hierarchy” (Table 1 of the Plan, page 16). The Council has also carefully assessed the various considerations submitted in support of the proposed allocation but none are deemed of sufficient weight to justify modifying the Plan in the manner suggested. In particular development at the proposed scale will have a significant adverse effect on established village character, landscape setting and setting of the Conservation Area.

Reporter’s conclusions:

Buchlyvie Settlement Statement

1. The planning authority accepts the representation from Scottish Water that the plan reference to limited capacity at the Buchlyvie Waste Water Treatment Works should be qualified to the effect that this should not be considered a barrier to development. In addition, the planning authority agrees that mention should be made of water supply in the plan and that Buchlyvie is served by Carron Valley Water Treatment Works which has available capacity.
2. I am content that Scottish Water’s concerns appear to have been resolved by the planning authority’s non-notifiable pre-examination modification. No further action is therefore required.
3. There is limited capacity at the local primary school but, in its response to the Community Council representation, the planning authority has set out a number of management measures that could be employed to ensure sufficient capacity for additional pupils generated by any new development in the school catchment area. The plan proposes 30 new houses at Montgomery Place over the 10 year period to 2024. However, given the conclusions and recommendations set out below on potential housing sites in Buchlyvie, the issue of primary school capacity is unlikely to arise during the plan period. Any speculative or windfall housing development in the village within the plan period is likely to be very modest and so I consider that the planning authority is adopting a reasonable and pragmatic approach to capacity planning in these circumstances. I do not propose any modifications to the plan on this matter.

H092 - Montgomery Place

4. The Buchlyvie Settlement Statement indicates that this site would be developed for 30 houses in 2 phases of 15 units each over the 10 year plan period. The site is open grazing land immediately adjoining the village to the north. The site’s northern and eastern boundaries are not well marked by any landscape or landform features and the key site requirements listed in the plan would require structural planting to define these edges. Vehicular and pedestrian access would be taken from the end of the existing cul-de-sac at Montgomery Place, where new housing has been developed recently.
5. A number of the detailed matters raised in the representations relating to drainage, site layout, design and integration with the adjoining conservation area should be addressed at the development management stage. However, three key concerns remain. Firstly, the landowner does not wish to see this part of his land holding developed and proposes that the site be moved to the south-west and away from his property at Spittal. This suggests that the site, as currently defined, may not be available for development and may not be capable of being an effective addition to the housing land supply. Secondly, the site has been enlarged since the planning authority’s initial site assessment of site BUCH02. It appears that this has been done to achieve a site capacity of 30 units and to comply with the

planning authority's design and layout criteria. The larger site does not fit well within a landscape where there is little visual containment and new development would not create a new sustainable community boundary along the northern edge of the village. Any new structural planting would take many years to form a robust village edge.

6. Finally, I consider the proposed vehicular access to the site through Montgomery Place is unsatisfactory. I share the concerns of the Community Council that the width and alignment of the initial length of Montgomery Place, from its junction with Station Road, could not accommodate the additional traffic from the proposed site. Stirling Council's Roads Service notes that the initial section is heavily parked and may present access difficulties. In addition, the Roads Service state that there is a high level of on-street parking along Montgomery Place and any new development accessed via this route would have to resolve this problem. It is suggested that the solution may include traffic calming, reconfiguring the on-street parking provision, provision of vehicular footway crossings to existing properties and providing the opportunity for vehicles to be parked off-road.

7. I am not persuaded by the planning authority's solution to the problem. It is clear that a number of residents along Montgomery Place have caravans or commercial vehicles and, in some cases, this displaces curtilage parking onto the street. Traffic calming may actually reduce the amount of on-street parking available and there is no obvious safe and convenient location for new off-street parking. It is not clear if any solution would involve land outwith the control of Stirling Council or the site developer. Therefore, with these implementation difficulties and uncertainties, I find that the site access arrangements are unsatisfactory.

8. It is possible that a smaller site with a reduced housing capacity would overcome landowner concerns and mitigate landscape and road capacity problems. This would be a matter for the planning authority and a prospective developer to consider as part of a future review of the local development plan. In the meantime, I recommend that the site as proposed in the plan should be deleted as a housing land allocation and that the existing village boundary at this location should remain.

SS06 – West Buchlyvie

9. The representation submitted on behalf of Mr Risk seeks the allocation of around 6.0 hectares to the west of the village for phased, mixed use, long term settlement expansion. Proposed land uses include housing (and affordable housing), employment land, open space, allotments and woodland. A sketch has been submitted showing a diagrammatic site boundary with some 3 proposed land use parcels within a landscaped setting and accessed from a number of points including Fisher Place and Station Road.

10. The scale of the proposal is at odds with the plan's Spatial Strategy which promotes controlled, small scale expansion of existing villages and directs major built development, including new housing and employment land, to the Stirling Core Area. The representation does not challenge this strategy nor does it set out a justification for departing from the strategy in Buchlyvie. The representation is not supported by any strategic planning, land supply or property market arguments. The proposal would represent a major physical expansion of the village which has limited community, social and retail infrastructure to support this scale of development.

11. The proposed village expansion would not fit well with the existing village form. The proposed site is presently open, undulating, agricultural fields with little landscape or visual containment particularly when viewed from the north and west. The site sits on the western

edge of the village immediately adjoining the conservation area. The representation is not accompanied by any masterplan or development framework which demonstrates how such a large and prominent site could be developed for mixed uses without adversely impacting on the established character of the village and the conservation area.

12. Overall, I find that the representation promotes a large, speculative development in the rural area without any strategic planning justification and without proper regard to the character of the site and its relationship with a conservation village. Therefore, I do not support the allocation of the site for mixed use development and, as a consequence, I do not recommend any modification to the plan.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting all reference to site H092: Montgomery Place, Buchlyvie entirely.

Issue 33	Fintry	
Development plan reference:	Fintry Settlement Statement (Page 166- 169), Fintry Conservation Area H098 – Menzies Terrace H099 – Main Street	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Alexander E Allan (00913) Alexander Ellis (00327) Alison Mitchell (01212) Amanda Agnew (00895) Andrea Gill (00908) Andrew McLeod (00901) Ann Nolan (00880) Anne Pacher (00887) Anton Pacher (00904) Barbara Mcleod (00902) Brendan Sims (00850) Brenda Ross (00876) Brian Noonan (01214) Cara A Doyle (00883) Carol Noonan (01213) Carol Pollock (00877) Carole Hill (00924) Carole Nicolson (00888) Catherine Stirling (00900) Charlotte Bunch (00927) Colin B Fraser (00855) Danny Hume (00873) David Agnew (00896) David C Ferrie (00926) David Findlay (00861) Diane Pairman (00894) Dorothy Macadam (00938) Dr Amy Leckie (00703) Dr N English (00845) Duncan McMaster (00856) E M Inglis (00906) Edith Howie (00943) Eileen Gallacher (01305) Elizabeth Allan (00912) Evelyn McNicol (00898) Ewan Waddell (01302) Fintry Community Council (SLDP_86) Frank Bunch (00933) G Burton (SLDP_837) Gareth Longden (01088) Hamish Boyd (00916) Helen Barclay (00947) Hendy Spence (00885)	Iain Frazer (00910) Ian Borland (00892) Ian Crawford (00863) Islay Stewart (00853) Isobel Roach (00919) Jack Doyle (00884) Jacqueline Garvie (00941) James Houston (00920) James Kinnear (00842) James Nolan (00879) James Walker (00866) Jayne L Findlay (00860) Jean Gibb (00934) Jennifer Lane (00848) Jennifer Nicolson (00922) Jim Roberts (00844) Joanna Doyle (00882) John Laing (00870) Julie Borland (00891) K A Duncan (00944) Katy Rodger (00899) Kayleigh Hume (00875) Kenneth Barclay (00948) Kenneth Hunter (00930) Kerry Gill (00907) Kim Hume (00874) Kirsty Marshall (00945) Lance V Green (00921) Liz Steele (00841) M J Chiknas (00929) Margaret Ferrie (00925) Margaret Sims (00851) Marilyn Jenkins (00865) Martyn Pairman (00893) Meg & John Duckworth (SLDP_573) Mhairi Robertson (00858) Michele Bennett (00846) Mr & Mrs C Stearn (01111) Mr & Mrs R Roy (01117) Mrs C Rankine (00843) Mrs D Roberts (00949) Elizabeth McGuire (00878) Mrs G C Frazer (00911)	Mrs L English (00847) Mrs M Baitrum (00868) Mrs M Cuthbertson (00869) Mrs M A Burton (00942) Marjorie Weir (00918) Mrs R Mearns (00950) Niall Manning (01303) Nicola Walker (00867) Paul Spence (00886) Penelope Crawford (00864) Peter Rowe (00914) R Hancock (00928) Richard Gibb (00935) Robert Nicolson (00890) Robert Rodger (00903) Ronnie Garvie (00939) Rosemary Walters (00937) Rowena Laing (00872) Ruairi Doyle (00881) Ruari Nicolson (00889) Rural Stirling Housing Association (SLDP_156) Sandra Kinnear (00329) SEPA (SLDP_175) Scottish National Party Group (00711) Scottish Water (SLDP_126) Scott Walker (00852) Senga Hunter (00932) Sheila Fraser (00854) Sian Hume (00871) Stephen Robertson (00859) Stephen Westwood (00940) Strachan Hill (00923) T L Inglis (00905) Terry Baitrum (00862) Thomas Gallagher (01304) Tom Macadam (00666) Trevor Walters (00936) Walter E Weir (00917) William Marshall (00946) W Allan McNicol (00897) Yvonne McMaster (00857)

Provision of the development plan to which the issue relates:	The Fintry Settlement Statement is the section of the Plan that sets out the approach to development in Fintry. All of the sites and designations considered under this Issue are contained within the Fintry Settlement Statement.
Planning authority's summary of the representation(s):	
<p><u>Fintry Settlement Statement</u></p> <p>Scottish Water (SLDP_126/013) - For the proposed level of development, there is currently sufficient capacity at both the Carron Valley Water Treatment Works, and also at Fintry Waste Water Treatment Works.</p> <p>Scott Walker (00852/001) - Concerned about sewage and drainage system capacity.</p> <p>SEPA (SLDP_175/084) - Support the fact that early contact is required with Scottish Water regarding foul connection and capacity as this informs developers that there may be a need for additional expenditure to achieve a sewer connection at this location.</p> <p>Brenda Ross (00876/001) - Very happy to see more houses in Fintry as long as they are put on a site that is going to work for Fintry.</p> <p>Rural Stirling Housing Association (SLDP_156/002) - Aware of the funding constraints but consider that the settlements of Fintry, Killearn and Strathblane are particularly important for the delivery of affordable housing. They form part of the Pressured Area but the issues here are particularly acute due to the fact that affordable housing represents a particularly low proportion of the existing housing stock. The Right to Buy has severely reduced the original stock of Council homes in all of these communities and there has been no affordable housing built there for several decades. Affordable housing is required to help ensure a balanced and sustainable community and therefore is required in the interests of 'placemaking' as well as meeting individual housing needs.</p> <p><u>Fintry Conservation Area</u></p> <p>Ewan Waddell (01302/001) - Refers to a proposed addition to the Conservation Area (land adjacent to 21 Quarry Road) and objects on the grounds that adding it to the Conservation Area is costly and time consuming and the site has no merit in being included. The owners have no proposals for it.</p> <p>Fintry Community Council (SLDP_86/001) - Approves the alteration to the Conservation Area boundary provided it does not compromise the SSSI/SAC designation. Wants due consideration given to the comments of the residents of 43 Main Street.</p> <p><u>Representations to allocated sites</u></p> <p><u>H098 - Menzies Terrace</u></p> <p>Alexander E Allan (00913/002); Alison Mitchell (01212/001); Amanda Agnew (00895/002); Andrea Gill (00908/001); Andrew McLeod (00901/002); Ann Nolan (00880/001); Anne Pacher (00887/002); Anton Pacher (00904/002); Barbara McLeod (00902/002); Brendan Sims (00850/002); Cara A Doyle (00883/001); Carol Pollock (00877/001); Carole Hill (00924/002); Carole Nicolson (00888/002); Catherine Stirling (00900/002); Charlotte Bunch (00927/001); Colin B Fraser (00855/002); Danny Hume (00873/001); David Agnew</p>	

(00896/002); David C Ferrie (00926/002); David Findlay (00861/001); Diane Pairman (00894/002); Dorothy Macadam (00938/001); Dr Amy Leckie (00703/001); Dr N English (00845/002); Duncan McMaster (00856/001); E M Inglis (00906/002); Edith Howie (00943/002); Eileen Gallacher (01305/001); Elizabeth Allan (00912/002); Evelyn McNicol (00898/002); Fintry Community Council (SLDP_86/002); Frank Bunch (00933/001); G Burton (SLDP_837/001); Gareth Longden (01088/001); Hamish Boyd (00916/001); Helen Barclay (00947/001); Hendy Spence (00885/001); Iain Frazer (00910/002); Ian Borland (00892/002); Ian Crawford (00863/001); Islay Stewart (00853/001); Isobel Roach (00919/001); Jack Doyle (00884/001); Jacqueline Garvie (00941/002); James Houston (00920/001); James Kinnear (00842/001); James Nolan (00879/001); James Walker (00866/001); Jayne L Findlay (00860/001); Jean Gibb (00934/001); Jennifer Lane (00848/002); Jennifer Nicolson (00922/001); Jim Roberts (00844/002); Joanna Doyle (00882/001); John Laing (00870/001); Julie Borland (00891/002); K A Duncan (00944/002); Katy Rodger (00899/002); Kayleigh Hume (00875/001); Kenneth Barclay (00948/001); Kenneth Hunter (00930/001); Kerry Gill (00907/001); Kim Hume (00874/001); Kirsty Marshall (00945/001); Lance V Green (00921/001); Liz Steele (00841/001); M J Chiknas (00929/001); Margaret Ferrie (00925/003); Margaret Sims (00851/002); Marilyn Jenkins (00865/001); Martyn Pairman (00893/002); Mhairi Robertson (00858/001); Michele Bennett (00846/002); Mr & Mrs C Stearn (01111/001); Mrs C Rankine (00843/001); Mrs D Roberts (00949/001); Mrs Elizabeth McGuire (00878/001); Mrs G C Frazer (00911/002); Mrs L English (00847/002); Mrs M. Baitrum (00868/001); Mrs M Cuthbertson (00869/001); Mrs M A Burton (00942/002); Marjorie Weir (00918/001); Mrs R Mearns (00950/001); Niall Manning (01303/001); Nicola Walker (00867001); Paul Spence (00886/001); Penelope Crawford (00864/001); Peter Rowe (00914/002); R Hancock (00928/001); Richard Gibb (00935/002); Robert Nicolson (00890/002); Robert Rodger (00903/002); Ronnie Garvie (00939/002); Rosemary Walters (00937/002); Rowena Laing (00872/001); Ruairi Doyle (00881/001); Ruari Nicolson (00889/002); Sandra Kinnear (00329/001); Senga Hunter (00932/001); Sheila Fraser (00854/002); Sian Hume (00871/001); Stephen Robertson (00859/001); Stephen Westwood (00940/001); Strachan Hill (00923/002); T L Inglis (00905/002); Terry Baitrum (00862/001); Tom Macadam (00666/002); Trevor Walters (00936/002); Walter E Weir (00917/001); William Marshall (00946/001); W Allan McNicol (00897/002); Yvonne McMaster (00857/001) - Object to the proposed allocation of this site, citing one or more of the following reasons:

- Lack of capacity and quality in existing sewage and drainage system.
- Impact on the water table and impacts of additional hardstanding and concrete on drainage.
- The site is flood plain and acts as a holding area for surrounding water courses.
- Existing flooding on the site which will be exacerbated by development. There is also lack of access to Menzies Terrace during flood events.
- Impacts on wildlife and concerns over the SSSI.
- Impact of discharge on River Endrick eco-system and Special Area of Conservation.
- Inappropriate scale of development, house density, site scale and size not in keeping with current village character. Concern over urban sprawl.
- Reduction in 'rural character' of the village.
- Impact on visitors' experience.
- Potential loss of large mature trees and hedgerows to allow development. Loss of mature trees which will result in soil erosion.
- Lack of infrastructure within village, including road safety and capacity.
- Lack of capacity in Balforn High School.
- Lack of local employment opportunities and local shops.
- Lack of internet connections.
- Increased car use and increased greenhouse gas emissions.

- Lack of public transport for accessing jobs particularly relevant for those in social housing
- Concern about road safety during construction.
- Lack of transformer capacity at the electricity substation.
- Contrary to the Plan's Spatial Strategy considerations.
- Loss of area from Designed Landscape and setting of Culcreuch Castle. Impact on historic environment.
- Loss of land from the Local Landscape Area.

Thomas Gallagher (01304/001) - Favours increased housing on Fintry on this site but feels that the scale of development is excessive.

Alexander Ellis (00327/001) - Supports the principle of development on the site and the rationale that planned larger sites are more appropriate than small ad hoc sites but is concerned the number of proposed homes is too many for current needs and the size of the village.

Mr & Mrs R Roy (01117/001) - The site fits well into existing estate and the landowner is sensitive to local opinion however there is a problem with wastewater.

Scottish National Party Group (00711/010) - Note that Scottish Environment Protection Agency has stated they would object to this allocation, if issue of sewerage infrastructure capacity and flooding are not resolved. The proposal to provide 40 houses appears premature, as flooding is a known risk to developing this site. There is a desire by the residents to see gradual change with a number of diverse solutions i.e. gradual and small groups of houses (8-10), to allow the newcomers to assimilate into a small community.

Scottish Environment Protection Agency (SLDP_175/070) - Support the inclusion in the Key Site Requirement for a Flood Risk Assessment to be undertaken, development on the functional flood plain to be avoided and the identification that water resilient materials and measures may be required. Support the fact that early contact is required with Scottish Water regarding foul connection and capacity as this informs developers that there may be a need for additional expenditure to achieve a sewer connection at this site.

H099 - Main Street

Alexander E Allan (00913/001); Andrew McLeod (00901/001); Anne Pacher (00887/001); Anton Pacher (00904/001); Barbara McLeod (00902/001); Brendan Sims (00850/001); Cara A Doyle (00883/002); Carole Hill (00924/001); Carole Nicolson (00888/001); Catherine Stirling (00900/001); Colin B Fraser (00855/001); Danny Hume (00873/002); David C Ferrie (00926/001); David Findlay (00861/001 & 00861/002); Diane Pairman (00894/001); Dorothy Macadam (00938/002); Dr N English (00845/001); E M Inglis (00906/001); Edith Howie (00943/001); Elizabeth Allan (00912/001); Evelyn McNicol (00898/001); G Burton (SLDP_837/002); Hendy Spence (00885/002); Iain Frazer (00910/001); Ian Borland (00892/001); Isobel Roach (00919/002); Jack Doyle (00884/002); Jacqueline Garvie (00941/001); Jayne L Findlay (00860/003); Jean Gibb (00934/002); Jennifer Lane (00848/001); Jennifer Nicolson (00922/002); Jim Roberts (00844/001); Joanna Doyle (00882/002); Julie Borland (00891/001); K A Duncan (00944/001); Katy Rodger (00899/001); Kayleigh Hume (00875/002); Kim Hume (00874/002); Margaret Ferrie (00925/001); Margaret Sims (00851/001); Marilyn Jenkins (00865/002); Martyn Pairman (00893/001); Michele Bennett (00846/001); Mrs D Roberts (00949/002); Mrs G C Frazer (00911/001); Mrs L English (00847/001); Mrs M A Burton (00942/001); Marjorie Weir (00918/002); Paul Spence (00886/002); Peter Rowe (00914/001); Richard Gibb

(00935/001); Robert Nicolson (00890/001); Robert Rodger (00903/001); Ronnie Garvie (00939/001); Rosemary Walters (00937/001); Ruairi Doyle (00881/002); Ruari Nicolson (00889/001); Sheila Fraser (00854/001); Sian Hume (00871/002); Strachan Hill (00923/001); T L Inglis (00905/001); Tom Macadam (00666/001); Trevor Walters (00936/001); W Allan McNicol (00897/001) - All give the view that they and/or the wider community believe that the site is too large and that smaller sites are more appropriate.

Alexander Ellis (00327/002) - Supports the principle of development on the site and the rationale that planned larger sites are more appropriate than small ad hoc sites, but is concerned the number of proposed homes is too many for current needs and the size of the village. Concerned about the lack of public transport options, problems with the existing waste water treatments works, discharge into the River Endrick and existing poor quality of drinking water in the village. Considers the site will not be available for development.

Dr Amy Leckie (00703/002) - Lack of infrastructure to support new development including village access (road safety and capacity), lack of local employment, shops and internet capacity. Concern over impacts on SSSI and urban sprawl.

Meg & John Duckworth (SLDP_573/001) - Site should be included within the village envelope as other properties south of the Main Street, opposite Dundarroch and the site have been included.

Amanda Agnew (00895/001); David Agnew (00896/001) - Objects on the grounds that the village was not made fully aware of the possible impact of the proposal.

Walter E Weir (00917/002) - Concerned that flood water would increase with development.

Carol Noonan (01212/001); Brian Noonan (01214/001) - Consider the site is excessive in terms of size, development is not supported by the landowner, site was added by the Council without knowledge or authorisation of the land owner, it has pluvial flood risk, existing sewer cannot cope with additional flow and there is an existing consent on the site for a guest house.

Fintry Community Council (SLDP_86/ 003) - Considers the number of houses for the proposed development is unacceptable. This is supported by the response to a village survey. Concerns over the wastewater system and its known faults.

Representations to non-allocated sites

SS07 – Dundarroch

Meg & John Duckworth (SLDP_573/002) Dundarroch should be included with the village envelope as other, newer houses, south of the Main Street at the east end, have been included.

Modifications sought by those submitting representations:

Fintry Settlement Statement

Scottish Water (SLDP_126/013) - Amend the wording of the statement "although this should be checked with Scottish Water to determine actual capacities" to "Early contact with Scottish Water is recommended to gain an understanding of potential water supply and

drainage requirements."

Scott Walker (00852/001) - Sewage and drainage system in the village must be upgraded in preparation for any development.

Ewan Waddell (01302/001) - If land adjacent to 21 Quarry Road was removed from the Conservation Area, the objector would be fully in support of the Plan.

Carole Nicolson (00888/001) - Wants to see no more than twenty homes over the next 20 years in the village.

Representations to allocated sites

H098 - Menzies Terrace

Alexander E Allan (00913/002); Alexander Ellis (00327/001); Alison Mitchell (01212/001); Amanda Agnew (00895/002); Andrea Gill (00908/001); Andrew McLeod (00901/002); Ann Nolan (00880/001); Anne Pacher (00887/002); Anton Pacher (00904/002); Barbara Mcleod (00902/002); Brendan Sims (00850/002); Cara A Doyle (00883/001); Carol Pollock (00877/001); Carole Hill (00924/002); Carole Nicolson (00888/002); Catherine Stirling (00900/002); Charlotte Bunch (00927/001); Colin B Fraser (00855/002); Danny Hume (00873/001); David Agnew (00896/002); David C Ferrie (00926/002); David Findlay (00861/001); Diane Pairman (00894/002); Dorothy Macadam (00938/001); Dr Amy Leckie (00703/001); Dr N English (00845/002); Duncan McMaster (00856/001); E M Inglis (00906/002); Edith Howie (00943/002); Eileen Gallacher (01305/001); Elizabeth Allan (00912/002); Evelyn McNicol (00898/002); Fintry Community Council (SLDP_86/002); Frank Bunch (00933/001); G Burton (SLDP_837/001); Gareth Longden (01088/001); Helen Barclay (00947/001); Hendy Spence (00885/001); Iain Frazer (00910/002); Ian Borland (00892/002); Ian Crawford (00863/001); Islay Stewart (00853/001); Isobel Roach (00919/001); Jack Doyle (00884/001); Jacqueline Garvie (00941/002); James Houston (00920/001); James Kinnear (00842/001); James Nolan (00879/001); James Walker (00866/001); Jayne L Findlay (00860/001); Jean Gibb (00934/001); Jennifer Lane (00848/002); Jennifer Nicolson (00922/001); Jim Roberts (00844/002); Joanna Doyle (00882/001); John Laing (00870/001); Julie Borland (00891/002); K A Duncan (00944/002); Katy Rodger (00899/002); Kayleigh Hume (00875/001); Kenneth Barclay (00948/001); Kenneth Hunter (00930/001); Kerry Gill (00907/001); Kim Hume (00874/001); Kirsty Marshall (00945/001); Lance V Green (00921/001); Liz Steele (00841/001); M J Chiknas (00929/001); Margaret Ferrie (00925/003); Margaret Sims (00851/002); Marilyn Jenkins (00865/001); Martyn Pairman (00893/002); Mhairi Robertson (00858/001); Michele Bennett (00846/002); Mr & Mrs C Stearn (01111/001); Mr & Mrs R Roy (01117/001); Mrs C Rankine (00843/001); Mrs D Roberts (00949/001); Elizabeth McGuire (00878/001); Mrs G C Frazer (00911/002); Mrs L English (00847/002); Mrs M Baitrum (00868/001); Mrs M Cuthbertson (00869/001); Mrs M A Burton (00942/002); Mrs Marjorie Weir (00918/001); Mrs R Mearns (00950/001); Niall Manning (01303/001); Nicola Walker (00867001); Paul Spence (00886/001); Penelope Crawford (00864/001); Peter Rowe (00914/002); R Hancock (00928/001); Richard Gibb (00935/002); Robert Nicolson (00890/002); Robert Rodger (00903/002); Ronnie Garvie (00939/002); Rosemary Walters (00937/002); Rowena Laing (00872/001); Ruairi Doyle (00881/001); Ruari Nicolson (00889/002); Sandra Kinnear (00329/001); Scottish National Party Group (00711/010); Senga Hunter (00932/001); Sheila Fraser (00854/002); Sian Hume (00871/001); Stephen Robertson (00859/001); Stephen Westwood (00940/001); Strachan Hill (00923/002); Thomas Gallagher (01304/001); T L Inglis (00905/002); Terry Baitrum (00862/001); Tom Macadam (00666/002); Trevor Walters (00936/002); Walter E Weir (00917/001); William Marshall (00946/001); W Allan McNicol (00897/002); Yvonne McMaster (00857/001) - Request one or more of the following

modifications:

- Upgrading of available public transport options and permanent improved cost effective and efficient public transport arrangements other than Demand Responsive Transport.
- No loss of mature trees or hedgerows. Replacement of any mature trees that are felled as a result of development.
- Commitment that safety measures would be in place to protect the environment and wildlife.
- Ensure that no development takes place on flood risk areas and flooding issues are addressed. Numbers should be re-assessed, following a full flood risk assessment.
- Risk assessment of possible undermining of foundations of existing houses in Menzies estate should development take place on the flood plain built. Legally binding insurance for compensation should damage occur.
- Full review and implemented flood defence scheme is required.
- Independent assessment of the water table.
- Guaranteed access for emergencies
- Guaranteed upgrading of drainage and sewage works to address immediate issues and protect the integrity of the Endrick Water SAC, prior to any further development.
- Foul and surface water drainage will be treated to legal standards.
- Improve drinking water supply.
- Consideration of the treatments of hardstanding areas in any new development.
- Delay the Plan process so that alternative smaller sites (2 – 5 houses) can be investigated including, in some instances for social and affordable housing.
- No development on this site. Build on other smaller sites or fill the existing empty houses in Fintry. Consider small infill development with septic tanks.
- Force owners to maintain the Designed Landscape.
- Menzies Terrace should be widened to cope with increased traffic and compensation for landowners who provide the land.
- Create local jobs.
- Seeking assessment of power lines and transformer capacity.
- Alternative access required during construction period and shorter construction period.

Hamish Boyd (00916/001) - Considers 20 houses is more suitable and would like to see more affordable housing.

H099 - Main Street

Alexander E Allan (00913/001); Alexander Ellis (00327/002); Amanda Agnew (00895/001); Andrew McLeod (00901/001); Anne Pacher (00887/001); Anton Pacher (00904/001); Barbara McLeod (00902/001); Brendan Sims (00850/001); Brian Noonan (01214/001); Cara A Doyle (00883/002); Carole Hill (00924/001); Carole Nicolson (00888/001); Carol Noonan (01212/001); Catherine Stirling (00900/001); Colin B Fraser (00855/001); David Agnew (00896/001); Danny Hume (00873/002); David C Ferrie (00926/001); David Findlay (00861/001); David Findlay (00861/002); Diane Pairman (00894/001); Dorothy Macadam (00938/002); Dr Amy Leckie (00703/002); Dr N English (00845/001); E M Inglis (00906/001); Edith Howie (00943/001); Elizabeth Allan (00912/001); Evelyn McNicol (00898/001); Fintry Community Council (SLDP_86/ 003); G Burton (SLDP_837/002); Hendy Spence (00885/002); Iain Frazer (00910/001); Ian Borland (00892/001); Isobel Roach (00919/002); Jack Doyle (00884/002); Jacqueline Garvie (00941/001); Jayne L Findlay (00860/003); Jean Gibb (00934/002); Jennifer Lane (00848/001); Jennifer Nicolson (00922/002); Jim Roberts (00844/001); Joanna Doyle (00882/002); Julie Borland (00891/001); K A Duncan (00944/001); Katy Rodger (00899/001); Kayleigh Hume (00875/002); Kim Hume (00874/002); Margaret Ferrie (00925/001); Margaret Sims (00851/001); Marilyn Jenkins (00865/002); Martyn Pairman (00893/001); Meg & John Duckworth (SLDP_573/001);

Michele Bennett (00846/001); Mrs D Roberts (00949/002); Mrs G C Frazer (00911/001); Mrs L English (00847/001); Mrs M A Burton (00942/001); Marjorie Weir (00918/002); Paul Spence (00886/002); Peter Rowe (00914/001); Richard Gibb (00935/001); Robert Nicolson (00890/001); Robert Rodger (00903/001); Ronnie Garvie (00939/001); Rosemary Walters (00937/001); Ruairi Doyle (00881/002); Ruari Nicolson (00889/001); Sheila Fraser (00854/001); Sian Hume (00871/002); Strachan Hill (00923/001); T L Inglis (00905/001); Tom Macadam (00666/001); Trevor Walters (00936/001); Walter E Weir (00917/002); W Allan McNicol (00897/001) - Request one or more of the following modifications:

- No development of this site and its removal from the Proposed Plan.
- Wants to delay the Plan to consider smaller alternative sites, of maybe 2-5 units, as more appropriate with their own sewage systems.
- Improve public transport by scheduled transport rather than Demand Responsive Transport.
- Upgrade waste water treatment works and improve drinking water supply.
- Change the countryside policy boundary to exclude H099 and the wider Dundarroch land.
- Action to ensure that the integrity of the Endrick Water SAC is safeguarded and foul and surface water drainage will be treated to legal standards.

Representations to allocated sites

SS07 – Dundarroch

Meg & John Duckworth (SLDP_573/002) - Change the countryside policy boundary to exclude Dundarroch house and grounds.

Summary of responses (including reasons) by planning authority:

Fintry Settlement Statement

Scottish Water (SLDP_126/013) - The Council has no objection to this change of wording and considers this to be non-notifiable modification.

Scott Walker (00852/001) - Scottish Water have intimated that for the proposed level of development, there is currently sufficient capacity at both the Carron Valley Water Treatment Works, and also at Fintry Waste Water Treatment Works. However, they have advised early contact by the developer with them to establish an understanding of water and drainage requirements which would address any issues prior to development being permitted.

Carole Nicolson (00888/001) - Fintry is identified as a Tier 4 settlement in the Settlement Strategy with capacity to accommodate modest amounts of new development to help sustain local services and help meet the need and demand in the area. The provision of 20 houses over 20 years is considered to be insufficient to meet the needs of the community. Overall 48 houses are proposed for the next 10 years and it is considered that this is small enough for the village to accommodate and large enough to make a difference to the housing need in the area.

Fintry Conservation Area

Ewan Waddell (01302/001) - The Fintry Settlement Plan proposes several amendments to the boundary of the existing Fintry conservation area. These changes are based on

recommendations made within the Proposed Supplementary Guidance, SG07, Fintry Conservation Area, Character Statement (CD164), aimed at ensuring robust and meaningful boundaries to the conservation area that properly reflect the extent of the area of special architectural or historic interest. This objection relates to the proposed inclusion of a small area of land to the south of a traditional stone building, to the rear of 43 Main Street, Fintry.

The Appraisal recognises the positive contribution to the character of the conservation area, made by this existing traditional stone building and proposes that it be retained within the conservation area with the boundary re-drawn to its south to reflect actual physical features/boundaries on the ground around the building. The current boundary line south of this building is arbitrary and does not relate well to actual physical characteristics on the site. This is the basis for the proposed boundary alteration illustrated in the Fintry Settlement Plan. (The appraisal document also proposes that the existing boundary in this part of the conservation area would benefit from the exclusion of the modern house at 21 Quarry Road, and the exclusion of this area from the conservation area is therefore proposed within the Fintry Settlement Plan.) It is considered that this minor change to the conservation area boundary is important to ensure a more sensible and robust boundary in relation to the character of the conservation area.

The objectors concern is assumed to do with any time / costs that may be involved in making any future planning applications and / or the perceived increased costs relating to design and materials for any development within a conservation area. Any proposed development in this area would require a planning application and therefore payment of the corresponding fee and that the use of traditional natural materials can incur costs over and above those of cheaper man-made products. This however is an unknown, and very much dependent on the nature of any future proposed development. At the moment the owner/objector has confirmed he has no plans. In light of all the information above, it is considered that no modifications should be made to the Plan in respect of this representation.

Representations to allocated sites

H098 Menzies Terrace and H099 Main Street

A series of sites were considered within Fintry from the outset at the Main Issues Report through the Site Assessment process (CD42). It was agreed in the Main Issues Report that development for mixed tenure housing should be explored in the village to assist in meeting the housing need in the Rural Villages Area. Therefore, the allocation of housing in Fintry is consistent with the Vision and Spatial Strategy (this is further responded to in Issue 3). Fintry has a number of natural constraints such as topography, landscape and flood plain and there a limited number of suitable locations for further development. The Site Assessments for the Proposed Plan (CD45) show a consistent approach to the assessment of this site (FINT02 and FINT03) and the Key Site Requirements for the site set out in the Plan seek to address some of the key requirements for any development of the site.

A large number of representations raise concerns over the increased level of emissions that additional development in a rural location would create. The Council accepts that there is a balance to be met between creating vibrant and sustainable rural communities, and the elements of addressing climate change, including emissions. The Council considers that in order to ensure the long-term viability of rural communities, the realities of increased car travel is an unfortunate side effect. The overall Spatial Strategy within the Plan however seeks to direct most new development to the Core Area (Stirling City and environs) and the Rural Villages Area is playing a more modest role. The Plan does seek to ensure that in

general terms any development follows sustainable practice. It would be impractical to ensure that all development is on bus routes and accessible by all modes. However Policy 3.1 requires development to be realistically accessible by a choice of transport, and access to public transport is part of this equation.

Permanent public transport services are mostly reliant on commercial operators. Where commercial services are not provided and there is a need to provide socially necessary service, the Council can support public transport provision. However, finances available to do such are extremely limited, and the Council has adopted a Demand Responsive Transport (DRT) service which enables a better level of service to more residents than the support of fixed route services. The DRT service effectively funds taxis between the resident's and the destination or the closest fixed route public transport service, whichever is the closer and developer contributions may be sought towards this service in accordance with Policy 3.3.

Concerns are also raised over drainage and sewage capacity. Scottish Water has provided a recent response addressing a variety of water-related concerns raised in the representations, Scottish Water – Response to Fintry Objections, April 2013 (CD236). Scottish Water is aware of infiltration issues with the Waste Water Network and has identified potential improvements works and a request for funding has been made to address these in the period 2015 to 2021. Specific details have yet to be finalised. However, they confirm that the Waste Water Treatment Works has sufficient capacity to accommodate the proposed development. Further, CD236 provides details of when the Combined Sewer Overflow is utilised and highlights that this is only operated intermittently under the strict Scottish Environment Protection Agency licence conditions.

Scottish Water's response also indicates that there is sufficient capacity in the drinking water supply from Carron Valley Treatment Works and that increased demand on supply would not affect water quality.

Scottish Water indicate that in accommodating development, a presumption is made that infill and new developments within a village will be connected to the network, as will any new development which is within reasonable distance from the Public Sewerage Network. Septic tanks are only suitable in isolated development away from settlements and therefore the suggestion that small sites relying on septic tanks may be more suitable is not accepted.

In order to provide additional assurance that the above relevant matters will be considered in the planning process, the Council agrees to add to the Key Site Requirements for H098 and H099, that 'A Drainage Impact Assessment is required'. The Council considers this to be a non-notifiable modification.

The Council does not agree that delaying the process to consider other sites, is an appropriate course of action. Suitable development sites in Fintry have already been assessed for their development potential as part of the Site Assessment process (CD45). The Council is confident that the most appropriate sites have been determined for Fintry.

H098 - Menzies Terrace

There are a variety of modifications requested in relation to this site as well as requests to delete it. The Council has carefully considered the reasons put forward but concludes that there is insufficient justification to modify or delete this site.

The Key Site Requirements for H098 ensure that the landscape setting of the Castle is to be

considered in siting and design of the development. However, there is no reference to retain the mature trees on site. The Council has no objection to an additional sentence being added to the Key Site Requirements to ensure all trees on the site are surveyed and trees of value retained in accordance with Policy 10.1. The Council considers this to be a non-notifiable modification.

The developer will be required to demonstrate that the development will not increase flooding downstream or, where there are existing issues, will need to introduce a Sustainable Urban Drainage system to provide attenuation on site and reduce run-off. A full Flood Risk Assessment will be required for the site as set out in the Key Site Requirements and this would be undertaken as part of the planning application process and overseen by both the Scottish Environment Protection Agency and the Councils flooding team. Development will be avoided on the functional flood plain and areas where it is known to flood will also be avoided. The cost and implementation of a flood defence scheme is outwith the scope of new development unless it is a direct result of the proposed development.

Representations highlight that access to the proposed site, and to the Menzies estate in general, is sometimes impassable in times of extreme flood. In light of this, to address the issue of emergency access for both the proposed development and the existing estate, the Council would be amenable to an additional phrase within the Key Site Requirements for H098 as follows: "Alternative emergency secondary access should be secured to ensure safe passage to the site during times of flood. It is considered that this may be achievable via the most northerly driveway at Culcreuch Castle but further discussion and agreement will be required on this matter."

Representations ask that a smaller overall development is identified for H098. However, the justification for allocating housing in Fintry is to secure some element of affordable homes – the need for affordable housing in the area is highlighted by Rural Stirling Housing Association (SLDP_156/002). In order to achieve some affordable housing as well as the associated infrastructure, etc., a critical mass of market housing is required. It is considered that 40 houses on a site over a 10 year period, is not unacceptable particularly when this will deliver 20 affordable houses in an area of housing need. Concentrating development is more economical than piecemeal development around the village, which can also have a greater detrimental effect on the cohesion and setting of the area, including the Conservation Area.

Private housing currently for sale in the area does not impact on the need for housing in the next 10-20 years. Further, the Council cannot enforce owners to maintain designed landscapes or create jobs in the local area. The Council supports new employment opportunities in the village and Policy 2.9 provides a clear framework for employment opportunities to come forward around communities such as Fintry, but leaving market forces to determine the opportunities. The Council would also be unable to underwrite a legally binding insurance against the risk to existing foundations against changes in the water table. A comprehensive Flood Risk Assessment would seek to quantify, avoid and design out any flood risk implications and ensure that risks to existing properties were assessed and mitigated.

Regarding an independent assessment of the water table, this is something that may be required as part of the Flood Risk Assessment but would only be required should it be highlighted that this would assist in understanding the water balance on site i.e. once initial flood risk assessment work had been undertaken. It is considered unnecessary to seek such work, in advance of any planning application coming forward. Additional work on the risk to

existing foundations would only be undertaken if it was considered necessary as the flood risk work progressed. Following a full Flood Risk Assessment, there will be a clearer picture of the land that may be available for development and the number of houses that the area can reasonably accommodate. This is clearly reflected in the Key Site Requirements for H098.

The road access to the site has been considered by the Council and no concerns are raised. Therefore, it is not anticipated that Menzies Terrace will need to be widened and home owners compensated. The Council acting as the Planning Authority, has no remit to undertake road repairs and can only seek to influence road improvements where there is perceived to be a direct correlation between new development and an impact on a road network.

The level of affordable housing required in Fintry is set out in the Settlement Statement and is discussed in detail in Issue 9.

The capacity of transformer and power lines and transformer capacity has not been raised as an issue through consultations with the infrastructure providers. If an issue exists, it will be a matter for the developer to address in seeking to connect to these services.

Concerns are raised over the extended construction period of the site from 2010 – 2024. It will be for the site developer to determine as and when the houses are built to meet demand and the Planning Authority cannot control this.

H098 lies within the Local Landscape Area designation of the Southern Hill (LLA5). Proposed Supplementary Guidance SG27 Protecting Special Landscapes (CD187) highlights the open nature of the landscape around Fintry with little subdivision by roads or fences and the importance of distant views to the Fintry Hills beyond. In terms of sensitivities in relation to the LLA5, development at H098 will not compromise the remoteness of the open hills and will not adversely affect the role of the LLA as a backdrop to Fintry. Sensitive siting and design will be required to ensure that the landscape setting of the historic and designed landscape is preserved and the Key Site Requirements for H098 look to provide this.

H099 - Main Street

This site is subject to a planning approval in 2009 (CD146) for the erection of guest house with on site manager accommodation and ancillary office accommodation. A subsequent application was approved in which extended the time frame by changing the condition 1 on the previous application (CD147).

The majority of representations consider that H099 allocated area is too large and suggest that 5 dwellings is sufficient for the site. The Council has carefully considered the various reasons put forward in support of the proposed modification but concludes that there is insufficient justification to reduce or delete the site.

This site was considered at the Main Issues Stage in the Site Assessment process (Site Ref: FINT01) and was deemed to conform to the Spatial Strategy. 8 units are given as an indicative figure for the allocation. With the requirement to create anew settlement edge and respect the adjacent Conservation Area, the density of the site may vary but it is not possible to confirm this until a detailed planning application is submitted. It is considered that a maximum of eight units in this location, carefully designed and sited would not be over development.

At the Main Issues Report, the Site Assessment questioned whether the site would be available for development. The owner of the site has since made representations requesting that the site is excluded from the Countryside Policy Boundary and that the whole of the house and garden grounds of Dundarroch are excluded (see response in relation to SS07 - Dundarroch below). There have been no comments from the landowners to suggest that the site is unavailable. It would be the Councils intention to remove the site from the Countryside Policy Boundary should the site be confirmed in the adopted Plan.

Representations to non-allocated sites

SS07 - Dundarroch

The property of Dundarroch is a substantial house set back from the Main Street, in large private grounds. The area to the north east of the house, facing the Main Street has existing planning permission for the erection of guest house with on site manager accommodation and ancillary office accommodation (CD146). A subsequent application was approved in 2012 to extend the time frame by changing the condition 1 on the previous application (CD147).

As outlined above under H099 Main Street, the part of the site subject to planning permission has been allocated for a small development of up to eight houses. In seeking to secure the release from the Countryside Policy Boundary of the allocated site at Main Street, the owners are also seeking to remove the Countryside Policy Boundary from the rest of the garden ground surrounding Dundarroch. They argue that part of the planning permission requires that they continue the street lighting and pavements along the length of the site and as such it is no longer within 'open countryside'.

Bringing the wider property boundary of Dundarroch into the settlement envelope and excluding it from the countryside would result in it being subject to the policy framework in the Plan and providing the possibility for further development. The owners have not suggested that this is their aim however, residential development is not considered appropriate given that two sites are already allocated in the Plan (H098 and H099) for the next 20 years. Including the wider Dundarroch boundary within the settlement boundary would not bring any benefit to the village outwith the possibility of additional development. Therefore, the Council does not agree to modify the Plan in response to this representation.

Reporter's conclusions:

Fintry Settlement Statement

1. The planning authority accepts the amended wording proposed by Scottish Water and states that it has altered the proposed local development plan accordingly, by way of a non-notifiable pre-examination modification. No further action is therefore required on this matter.
2. The need to upgrade the existing sewerage and drainage systems is a general concern of local residents. Flooding has occurred more than once in Kippen Road close to Menzies Avenue. Indeed, this vicinity is shown on the proposals map as being subject to flood risk. This has led to a suggestion that the number of additional houses proposed for the village should be restricted to, say, a maximum of 20 over the next 20 years. It is claimed this more limited number than the 48 houses proposed would also respect the historic character and heritage of the village.

3. Fintry is shown as a Tier 4 village within the Settlement Strategy and, as explained in the settlement statement, there is considered to be the potential for modest amounts of new development. The planning authority believes that the number of houses proposed over the next 10 years is appropriate. The total could be accommodated within a village the size of Fintry and would contribute to meeting housing need in the area. The planning authority believes that as well as contributing to housing need, the new houses would also help to sustain local services.

4. Despite the problems that have been experienced in Kippen Road, Scottish Water has confirmed that sufficient capacity exists to provide for the level of development proposed at the water treatment works and the waste-water treatment works. In any event, the proposed modification to the infrastructure section of the settlement statement recommends early contact with Scottish Water.

5. The settlement statement explains that Fintry lies within an area with a high level of housing need and high house prices. A contribution towards affordable housing is required from developments of 4 or more residential units. Wider consideration of affordable housing is considered under Issue 9.

6. The larger of the two sites, H098, Menzies Terrace, is proposed in two phases, 2010-19 and 2019-24 with 20 houses in each phase. This should assist in reducing the level of impact by spreading development over a longer period. The smaller site, H099, Main Street, involves a proposed 8 houses within the period 2010-19. This would be unlikely to have a significant impact on the socio-economic structure of the village although Site H099 is recommended for deletion (see below).

7. Overall, it is unlikely that the construction of 48 houses (now reduced to 40 houses) over a 10 year period would have any significant impact on the social or physical structure of the village. Small but worthwhile contributions to housing need and, perhaps, a limited economic stimulus could be anticipated. The level of housing proposed in the local development plan is therefore acceptable in principle. In turn, a modification to the plan is not required in respect of the scale of housing proposed.

Fintry Conservation Area

8. The statutory designation process for conservation areas is set out in sections 61 and 62 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. Scottish Historic Environment Policy, 2011, (SHEP) explains that Scottish Ministers consider it important that before the designation of a conservation area, planning authorities should give the public ample opportunity to comment, either through responses to local plans or, where no local plans are in preparation, through another convenient consultation process. In this case, where boundary changes to a designated conservation area are proposed, public comment has been invited through the local development plan preparation process.

9. The local development plan preparation process, however, is not in itself a vehicle for the designation a conservation area or boundary changes to an existing conservation area. As pointed out in SHEP, once a planning authority has decided to designate a conservation area or make changes to the boundary, notice must be published in the Edinburgh Gazette and at least one local newspaper. Scottish Ministers must be notified formally of the designation or changes and provided with details.

10. The planning authority has considered the representations received in respect of the proposed changes to the boundary of the Fintry Conservation Area but this, as explained,

has been in the context of the local development plan preparation process. The response of the planning authority to those representations was that there should be no modification to the local development plan. In terms of the procedure outlined above, it would be open to the planning authority to pursue the final steps in the formal changes in the boundaries of the designated conservation area. However, insofar as the representations have been submitted in the course of the local development plan preparation process, they must be considered as part of this examination.

11. It has been suggested that there is no need for the small addition to the conservation area on land immediately to the north of 21 Quarry Road. The process, it is claimed, would be potentially very costly and time consuming. On the other hand, the planning authority has undertaken an assessment of the current boundaries and has brought forward changes, which it is believed, would be robust and meaningful.

12. Whilst the change at this location is minor, the inclusion of the traditional stone building within the extended area is logical, even although there do not appear to be any immediate plans for the development of the site. The boundary review process is well advanced and it is unlikely that any additional cost and time involved would be significant within the wider context.

13. The incorporation of this small area of land within the conservation area should therefore proceed.

14. The community council supports the proposed changes subject to consideration of the foregoing representation and also confirmation that there would be no adverse impact on the Endrick Water Special Area of Conservation and Site of Special Scientific Interest. There seems to be no reason why the extension of the conservation area boundary to the north bank of the Endrick Water would have an adverse impact. In this respect, it should be noted that the planning authority has undertaken a Habitats Regulations Appraisal and Scottish Natural Heritage has confirmed that the provisions of the local development plan will not adversely affect the integrity of any European sites. It is reasonable to assume that this conclusion would also apply to the SSSI.

Representations to allocated sites

H098 - Menzies Terrace

15. This examination has previously accepted that the number of houses proposed for Fintry is acceptable over a 10-year period. On this basis, it is not accepted that the development of site H098 would not be in keeping with the village character. Much of that character derives from the traditional linear pattern along Main Street. This pattern is recognised in the existing designated conservation area, the character and appearance of which would not be adversely affected by the development of site H098.

16. Concern has been expressed that the development of the site would lead to urban sprawl but any new houses would largely be contained within existing development with Menzies Terrace to the north, the school to the south and the rear of properties in Kippen Road to the west. The land is open to the east and the impact on Culcreuch Castle is discussed below. However, the built form of the village would not be extended significantly to the east. Accordingly, it is not considered that the site would represent urban sprawl. Equally, again subject to assessment of the relationship with Culcreuch Castle, the development of the site would have no significant adverse effects on the landscape setting of Fintry or disturb the rural character of that setting.

17. As a consequence of the preceding findings it is not accepted that the development of the site is likely to impact on visitors' "experience" or detract from the potential benefits of the tourism industry.

18. The planning authority acknowledges the concerns regarding increased car use with the resultant additional greenhouse gas emissions and the lack of good public transport. The local development plan tries to achieve a balance between addressing climate change and creating vibrant and sustainable rural communities. As previously concluded, the potential construction of some 48 houses (now reduced to 40) in the period to 2024 will hopefully provide a level of economic stimulus into the local economy. In this case, therefore, it is considered that the planning authority has struck a reasonable balance.

19. Layout and design are clearly particularly important matters at site H098. In the first instance, it is necessary to have regard to the setting of Culcreuch Castle, a category A listed building within whose policies the site lies. A small length of the site boundary adjoins the access drive although the castle itself is not visible from this point. Landscaping and planting could extend the wooded nature of the first part of the access from Kippen Road before the drive enters a more open area. This would effectively screen the development on the approach to the castle. Similarly, a carefully designed layout with development concentrated in the western part of the site could ensure that, overall, there would be no significant adverse impact on the listed building and its setting.

20. Fintry is surrounded by a "local landscape area" designation which, whilst not as important as a national or regional designation, nevertheless recognises the local value of the landscape. This is acknowledged by the planning authority although it is thought that a sensitive design could be devised which would preserve the openness of the landscape within which Fintry is situated and protect outlooks to the hills which form a backdrop. The argument of the planning authority is accepted and it is agreed that a development could be undertaken on site H098 which would not harm the character of the local landscape area designation.

21. Within the site, there are a number of mature trees contributing significantly to the character of the vicinity. The planning authority has responded to concern expressed over the future of the trees by adding an additional key site requirement as a non-notifiable pre-examination modification. No further action is therefore required on this matter, other than to note that the addition would draw the attention of any potential developer of the site to the local value placed on the trees.

22. Infrastructure is a further matter requiring close examination. There is capacity in Fintry Primary School although Balfron High School role is almost at capacity. In view of the relatively limited number of houses proposed and, in particular, the timescale for development, it is not considered that educational provision would be an inhibiting factor.

23. As explained. Scottish Water has indicated that there is currently sufficient capacity in the water treatment works and the waste-water treatment works. Any potential developer should make early contact with Scottish Water. The Scottish Environment Protection Agency does not object to site H098 and indicates that recognition of potential issues, early contact with Scottish Water and the application of Policy 3.2(a), Surface Water Drainage, would ensure that the risk of environmental pollution from foul effluent disposal is minimised.

24. Despite the views of Scottish Water and the Scottish Environment Protection Agency, there is much local concern about the prospect of new development exacerbating existing flooding problems. Indeed, it can be seen from the proposals map that a small section of

the site is identified as a flood risk area. Similarly, parts of neighbouring Menzies Avenue and Menzies Terrace, which would form the site access, are also shown as being liable to flooding. Photographic evidence has been provided which clearly illustrates the problem. It has been pointed out that with only one access to the site problems could be encountered should an emergency arise at the time of flooding.

25. The planning authority again recognises these concerns and has suggested a further key site requirement for H098, involving the preparation of a drainage impact assessment and the need for an emergency secondary access. The drainage impact assessment would be appropriate and would also allow an analysis of any impact on the Endrick Water Special Area of Conservation. Although Scottish Natural Heritage has indicated that local development plan proposals would not adversely affect the integrity of the site, this requirement should be specified as part of the drainage impact assessment. The planning authority has suggested the possible use of “the most northern driveway at Culcreuch Castle” for an emergency access, but this is not a clear guidance and it would be preferable to simply leave the matter open to discussion.

26. The concerns of those who have experienced flooding are appreciated although this is an existing situation which, ideally, should be remedied in any event. Although there has been no indication of remedial action, the problem could conceivably be the subject of flood prevention works. This examination does not provide the opportunity for promoting such works. However, in the face of further development, it is significant that the regulatory authorities have not objected to site allocation H098.

27. All-in-all, it is concluded that site H098 is capable of providing an acceptable development spread over periods 1 and 2, 2010-19 and 2019-24. The allocation should therefore be retained in the local development plan along with the additional requirements suggested by the planning authority to provide appropriate safeguards.

H099 - Main Street

28. The proposed site appears to be somewhat contrived and simply involves a strip of land alongside the B818 at the west end of Main Street. The planning authority recognises that the development of the site would be challenging but it is difficult to comprehend how eight houses could be reasonably accommodated on the site. Although the site requirements include the need for a layout and design to create a new settlement edge and enhance the adjacent conservation area, it is not apparent how these objectives could be achieved.

29. Planning permission in principle has been granted for a guest-house and on-site accommodation for a manager. This might be argued to have established the principle of the development of the site. However, the existing planning permission in principle does not justify the allocation of the land for a development as proposed under site H099. As explained, the indications are that the outcome would be unsatisfactory. Accordingly, this site should be deleted from the local development plan.

Representations to non-allocated sites

SS07 – Dundarroch

30. That part of the site fronting the B818 has been considered under allocation H099, Main Street, and it has been recommended that the allocation for up to eight houses should be deleted. The land should remain subject to the Countryside Policy and fall within the

designated Local Landscape Area. Although planning permission in principle has been granted for a guest-house and related development, that permission has not been implemented and the site remains within the curtilage of Dundarroch, a substantial house to the rear of the wider site.

31. Should the planning permission in principle be taken forward to implementation, conditions of that permission require the extension of the pavement and street lighting westwards along Main Street. However, at the present time, Dundarroch does not appear as part of the Main Street frontage being set well back from the road and beyond the most western of the traditional long “riggs”. The existing village boundary provides a recognisable edge to Fintry and also clearly marks the western extent of the conservation area. Dundarroch, although very close to the village, can be regarded as a single house in the countryside. On this basis, despite adjustments to the boundary elsewhere, the village envelope at this point should remain as defined by the Countryside Policy boundary in the proposals map of the Fintry settlement statement.

32. In the event of the implementation of the planning permission in principle with the construction of the guest-house and the extension of the pavement and street lighting, it may be appropriate to review the situation and determine the necessity for a boundary adjustment. In the meantime, however, the local development plan should not be modified.

Reporter’s recommendations:

The local development plan should be modified by:

1. Deleting paragraph 4 from the “Spatial strategy considerations” section of the Fintry Settlement Statement, which states “The current consultation on the Proposed Plan affords opportunities to comment on the Conservation Area Appraisals (or Statements) and the merits of suggested boundary changes and changes to Article 4 Directions”.

Note: this recommendation confirms the provisions of the local development plan. It is for the planning authority to pursue the designation of the conservation area separately under the terms of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. The planning authority should also be aware of the following extract from Note 2.22 of the Scottish Historic Environment Policy, December 2011 - “When varying a conservation area, a planning authority should preferably cancel the existing boundaries and simultaneously redesignate the new area as a single whole....”.

2. Adding two additional Key Site Requirements to site H098 Menzies Terrace to state that “A drainage impact assessment is required and should include an analysis of any impact on the Endrick Water Special Area of Conservation (see also the key site requirement below regarding the integrity of the SAC.)” and that “Alternative emergency secondary access should be secured to ensure safe passage to and from the site during times of flood. The details of the access will require discussion and agreement”.

3. Deleting all reference to site H099 Main Street entirely.

Issue 34	Gargunnock	
Development plan reference:	Gargunnock Settlement Statement (page 170-171)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126)		
Provision of the development plan to which the issue relates:	The Gargunnock Settlement Statement is the section of the Plan that sets out the approach to development in Gargunnock. All of the sites and designations considered under this Issue are contained within the Gargunnock Settlement Statement.	
Planning authority's summary of the representation(s):		
Scottish Water (SLDP_126/014) - Although there is no development proposed here, we would request an amendment to the wording of the Infrastructure Considerations.		
Modifications sought by those submitting representations:		
Scottish Water (SLDP_126/014) - Amend the wording from "Early contact with Scottish Water should be made to determine actual capacities and possible solutions" to "Early contact with Scottish Water is recommended to gain an understanding of potential water supply and drainage requirements."		
Summary of responses (including reasons) by planning authority:		
Scottish Water (SLDP_126/014) - Stirling Council are agreeable to modifying the Plan to accord with Scottish Water's suggested amendments to ensure consistency with comments made by Scottish Water on other Settlement Statements. Stirling Council considers this to be non-notifiable modification.		
Reporter's conclusions:		
1. The planning authority accepts the representation from Scottish Water that the plan wording referring to contact with Scottish Water should be amended. I am content that Scottish Water's concerns appear to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required.		
Reporter's recommendations:		
No modification.		

Issue 35	Killearn	
Development plan reference:	Killearn Settlement Statement (Pages 174-177) H101 – Station Road, Killearn B47 – Killearn Hospital	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
A J Barr (00772) A Valerie Dron (00773) Adrian Adolphus (01156) Agnes Young (00739) Alan Fergusson (00766) Alan M Young (00782) Alastair W McDonald (00574) Alison Robinson (00725) Councillor Alistair Berrill (01051) Alistair Thomas (00809) Allan D Smith (01141) Amanda Forbes (00792) Amanda Fox (01227) Andrew D Copland (01337) Andrew J A Hunter (01222) Andrew Whyte (00779) Ann Roy (00790) Ann Somerville (00818) Anne Cousins (00799) Anna Gower (01220) Bank of Scotland plc (01322) Barry & Pauline Dunlop (00567) Brenda Pell (01314) Brian Simmers (00749) Bruce Montgomery-Smith (01293) Carly Penderis (00795) Carol Hill (00548) Carole Chisholm-Smith (00774) Charles Fox (01203) Chris Thomson (01291) Christopher Riches (00596) Claes Svensson (01353) Colin Williamson (01201) Connie Simmers (00588) Craig O Gilmour (00553) D C Ritchie (01236) David Asquith (00544) David Bannerman (00751) David Dunaway (00747) David J G Scott (SLDP_1361) David Roxby (00757) David Simpson (01192) Desmond G Hudson (00570) Diana Jackson (00820) Donald Smith (00768)	Jennyfer Malyon (00793) Jill McDougall (01124) John Anderson (00777) John Mitchell (00789) John Roy (00791) John S Holden (00786) John Smith (01294) Judy Broad (01249) June Thomas (00808) K Pollock (SLDP_834) Karen Balmond (01284) Karen Thomson (01290) Keith Kemsley (00817) Ken Barrett (00776) Killearn Community Council (SLDP_89) Lawrence Crawford (00788) Lawrence Lilburn (00796) Leigh Fawcett (00762) Lesley Scott (00561) Lesley Svensson (00767) Lynne Bowen (00560) Moyra J Pepper (00556) Mansell Homes (01321) Margaret Aitken (00729) Margaret Connery (00754) Margaret M Falconer (00769) Margaret Harris (00733) Margaret Harrison (01046) Margaret Rennie (00744) Marian Jewell (00600) Mary Graham (01285) Mary M S McDonald (00785) Maurice W Rennie (00565) Michael & Susan Menzies (01209) Michael H Jackson (00801) Miss C Brown (01119) Moirra McKendry (00810) Morag Gibb (01245) Morna Knottenbelt (01040) Moyra Bogie (00734) Mr & Mrs V Chambers (00813) Mr & Mrs W S MacDonald (00781) Mr & Mrs MacKinlay (00783) Alasdair E M Sloan (01233) Mr & Mrs H Drummond (01334)	

Doreen Snadden (00732)	Mr & Mrs J R Sloan (01129)
Dorothy Dunkinson (00737)	Mr & Mrs James R Simpson (01093)
Dorothy Gladstone (00740)	Prof & Mrs Neil (00723)
Dorothy Pattenden (01031)	Mr & Mrs S Tulloch (01333)
Douglas Burch (00798)	Douglas R Bell (01242)
Douglas Davies (00727)	John Connery (01028)
Dr Ann-Margaret Little (00815)	Mr & Mrs Robert Dunn (01091)
Dr Christine A P Hunter (01208)	Robert J Cordindley (1324)
Dr K E McPherson (00759)	Joyce Blockey (SLDP_1399)
Dr Michael Humphries (01127)	Catherine Davidson-Carr (01137)
Dr Susanna Blackshaw (01128)	Mrs E Shepherd (01042)
Dr Uta Boeger-Brown (01287)	Mrs E Anne Mackay (01034)
Eleanor Montgomery-Smith (SLDP_835)	Mr & Mrs J G Begg (01016)
Eddie Edmonstone (00755)	Mrs H Barr (00771)
Edgar Stewart (01188)	Mrs H Loudon (01118)
Elizabeth Bonner (00598)	Mrs J Rubython (01292)
Elizabeth MacFarlane (00797)	Mrs Margaret White (00770)
Elizabeth Mathieson (00604)	Rosemary Blackmore (00590)
Elizabeth Shaw (00741)	Mrs S Hudson (01351)
Elizabeth Smith (00735)	Mrs Shirley H Bell (01202)
Emma Hunter (01231)	Murray Bogie (01286)
Eric M A Hunter (01288)	Neil Bowen (00800)
Fern M Stewart (01189)	Neil Metcalfe (00721)
Fiona E Glass (00811)	Nigel Kelly (SLDP_844)
Flora Connal (00731)	Norman McNab (00610)
Gavin Hunter (00746)	Pat Monaghan (00722)
Gavin Lamb (00802)	Patricia G Scott (00821)
George Harris (00812)	Paul Loughrey (00724)
Gill Smith (00541)	Peter Wilks (01217)
Gillian Barr (00764)	Phyllis J Crawford (00787)
Gillian Fergusson (00765)	Rosemary Taylor (00585)
Glenda Asquith (00545)	Raymond Hall (00569)
Gordon MacDonough (00806)	Rena Proctor (00736)
Graeme & Gill Fraser (01193)	Richard J A Hunter (00599)
Graeme Knox (00591)	Rita Harris (00816)
Graeme Connery (00753)	Robert Barr (00763)
Graham E Hill (00540)	Robert C Glass (01347)
Greig Denton (01206)	Robert G Dron (00572)
Helen W MacLean (00563)	Roger S Short (01022)
Hazel Burr (00803)	Ronald Forrest (00760)
Heather McArthur (00745)	Ronald Land (00794)
Helen Loudon (00742)	Rosalind Gibson (SLDP_1158)
Iain Crawford (00780)	Rose Brown (00726)
Ian Dunkinson (00738)	Rosemary & Frank Callander (01336)
Ian M Paton (00805)	Rosemary P Scott (00822)
Ian MacKenzie (00558)	Roy & Margery Burdon (00756)
Ian Wright (01191)	Russell J Cottle (01234)
Irene Davison (00743)	Sandy Dalziel (01216)
Isobel Hutchinson (00730)	Sarah Hall (01121)
J F S Parker (01346)	Sarah Loughrey (01289)
Jacky Young (00549)	Sarah Bell (00607)
James Chisholm-Smith (00775)	Shona Kelday (01126)
James Dunaway (00748)	

Killearn Welfare Trusts (01125) James W G Scott (00823) Jamie Crocket (01325) Jane Hunter (00758) Janet Dow (00807) Jean Anderson (00778) Jean Kinnear (00728) Jenifer Barrett (00568) Jennifer M Knox (00784) Jennifer Wilks (00651)	Sir Archie Edmonstone (00819) SNP Group (00711) Sonia Newman (00814) Steve Taylor (01246) Susan J Dunaway (00752) Susan MacKenzie (00750) Suzanne Gilmour (00557) W S Gordon IV Trust (SLDP_719) Wendy Denton (01219) William D F Dow (00804)
Provision of the development plan to which the issue relates:	The Killearn Settlement Statement is the section of the Plan that sets out the approach to development in Killearn. All of the sites and designations considered under this Issue are contained within the Killearn Settlement Statement.
Planning authority's summary of the representation(s):	
<p><u>Representations to allocated sites</u></p> <p><u>H101 - Station Road, Killearn</u></p> <p>Iain Crawford (00780/001); James Dunaway (00748/001); Killearn Community Council (SLDP_89/001); Claes Svensson (01353/001); Carol Hill (00548/2/002); Jacky Young (00549/001); Raymond Hall (00569/003); Sarah Bell (00607/001); Norman McNab (00610/001); Jennifer Wilks (00651/001); Graham Hill (00540/002); Robert G Dron (00572/001); Mr & Mrs Graeme Knox (00591/001); Christopher Riches (00596/001); Marian Jewell (00600/001); Elizabeth Mathieson (00604/001); Elizabeth Bonner (00598/001); Richard Hunter (00599/001); Neil Metcalfe (00721/001); Ian MacKenzie (00558/001); M J Peffer (00556/001); Barry & Pauline Dunlop (00567/001); Jenifer Barrett (00568/001); Alastair W McDonald (00574/001); Desmond Hudson (00570/002); Mary McDonald (00785/001); Connie Simmers (00588/001); Brian Simmers (00749/001); Gill Smith (00541/001); David Asquith (00544/002); Lesley Scott (00561/001); Maurice Rennie (00565/001); W S Gordon IV Trust (SLDP_719/002); R Taylor (00585/001); Rena Proctor (00736/001); Dorothy Dunkinson (00737/001); Ian Dunkinson (00738/001); Agnes Young (00739/001); Dorothy Gladstone (00740/001); Elizabeth Shaw (00741/001); Helen Loudon (00742/001); Gavin Hunter (00746/001); Mr & Mrs Neil (00723/001); Pat Monaghan (00722/001); Paul Loughrey (00724/001); Alison Robinson (00725/001); Rose Brown (00726/001); Douglas Davies (00727/001); Jean Kinnear (00728/001); Margaret Aitken (00729/001); Isobel Hutchinson (00730/001); Flora Connal (00731/001); Doreen Snadden (00732/001); Margaret Harris (00733/001); George Harris (00812/001); Rita Harris (00816/001); Margaret Harrison (01046/001); Moyra Bogie (00734/001); Allan D Smith (01141/001); Elizabeth Smith (00735/001); Donald Smith (00768/001); Carole Chisholm-Smith (00774/001); James Chisholm-Smith (00775/001); Irene Davison (00743/001); Margaret Rennie (00744/001); Heather McArthur (00745/002); David Dunaway (00747/001); Susan MacKenzie (00750/001); David Bannerman (00751/001); Susan Dunaway (00752/001); Graeme Connery (00753/001); Margaret Connery (00754/001); Mr & Mrs James R Simpson (01093/001); Shona Kelday (01126/001); Gillian Barr (00764/001); Gillian Fergusson (00765/001); Alan Fergusson (00766/001); Eddie Edmonstone (00755/001); Roy & Margery Burdon (00756/002); Jane Hunter (00758/001); Dr K E McPherson (00759/001); Ronald Forrest (00760/001); Leigh Fawcett (00762/001); Robert Barr (00763/001); Mrs H Barr (00771/001); A J Barr (00772/001); Lesley Svensson (00767/001); Margaret Falconer (00769/001); Margaret White (00770/001); John Mitchell (00789/001); Ann Roy (00790/001);</p>	

John Roy (00791/001); Amanda Forbes (00792/001); Phyllis J Crawford (00787/001); Lawrence Crawford (00788/001); Mr & Mrs MacKinlay (00783/001); Jennifer M Knox (00784/001); Jennyfer Malyon (00793/001); A Valerie Dron (00773/001); Ken Barrett (00776/001); Jean Anderson (00778/001); John Anderson (00777/001); Andrew Whyte (00779/001); Mr & Mrs MacDonald (00781/001); Alan M Young (00782/001); Wendy Denton (01219/001); John S Holden (00786/001); Sarah Hall (01121/002); Robert J Cordindley (01324/001); Andrew D Copland (01337/001); Mrs S Hudson (01351/001); Mrs Blockey (SLDP_1399/001); Mrs J Rubython (01292/001); Jamie Crocket (01325/001); Karen Balmond (01284/001); Mary Graham (01285/001); Murray Bogie (01286/001); Dr Uta Boeger-Brown (01287/001); Sarah Loughrey (01289/001); Eric M A Hunter (01288/001); Killearn Welfare Trusts (01125/002); Mr & Mrs J R Sloan (01129/001); Catherine Davidson-Carr (01137/001); Adrian Adolphus (01156/001); Rosalind Gibson (SLDP_1158/001 & SLDP_1158/002); Edgar Stewart (01188/001); Ann Somerville (00818/002); Diana Jackson (00820/001); Patricia G Scott (00821/001); Rosemary Scott (00822/001); James W G Scott (00823/001); David J G Scott (SLDP_1361/001); K Pollock (SLDP_834/001); E Montgomery-Smith (SLDP_835/001); Nigel Kelly (SLDP_844/001); Mr & Mrs J G Begg (01016/001); Roger S Short (01022/001); John Connery (01028/001); Dorothy Pattenden (01031/001); E Anne Mackay (01034/001); Michael & Susan Menzies (01209/001); Sandy Dalziel (01216/001); Peter Wilks (01217/001); Mansell Homes (01321/003); Anne Gower (01220/001); Amanda Fox (01227/001); Alasdair Sloan (01233/001); Russell J Cottle (01234/002); D C Ritchie (01236/001); Douglas R Bell (01242/002 & 01242/003); Michael H Jackson (00801/001); Gavin Lamb (00802/001); Hazel Burr (00803/001); William D F Dow (0804/001); Janet Dow (00807/001); Ian M Paton (00805/001); Greig Denton (01206/001); Dr Christine A P Hunter (01208/001); Andrew J A Hunter (01222/001); Emma Hunter (01231/001); Sir Archie Edmonstone (00819/001); Gordon MacDonough (00806/001); June Thomas (00808/001); Alistair Thomas (00809/001); Moira McKendry (00810/001); Robert C Glass (01347/001); Fiona E Glass (00811/001); Mr & Mrs Chambers (00813/001); Sonia Newman (00814/002); Dr Ann-Margaret Little (00815/001); Anne Cousins (00799/001); Ronald Land (00794/001); Carly Penderis (00795/001); Lawrence Lilburn (00796/001); Elizabeth MacFarlane (00797/001); Douglas Burch (00798/001); Judy Broad (01249/001); Jill McDougall (01124/001); Rosemary & Frank Callander (01336/001); Mrs E Shepherd (01042/001); Morna Knottenbelt (01040/002); Councillor Alistair Berrill (01051/001); Robert & Lisa Dunn (01091/001); David Simpson (01192/001); Fern M Stewart (01189/001); Ian Wright (01191/002); Graeme & Gill Fraser (01193/001); Colin Williamson (01201/001); Shirley H Bell (01202/002); Charles Fox (01203/001); Bruce Montgomery-Smith (01293/001); John Smith (01294/001); Brenda Pell (01314/001); Keith Kemsley (00817/1/002) - Object to the proposed housing land allocation at Site H101 Station Road Killearn for one or more of the following reasons:

i) Principle of allocation and alternative sites:

- No need on account of record number of unsold houses.
- Allocated land in the designated 'Countryside'.
- Contravenes national and Local Development Plan planning and environmental conservation guidance and advice.
- Doubling of units compared with the Draft Plan stage.
- Scale of development cannot be deemed 'modest'.
- Unwanted by majority of residents and community as evinced by strength and numbers of representations.
- Only need for small number of appropriate (e.g. affordable, retirement, etc.) suitably located houses.
- Contrary to previous planning guidance stating only a small number of affordable units required.

- Better alternative sites, with references made to:
 - Former Killearn Hospital
 - Pasture land adjacent to 'Blairessan' Station Road
 - Pasture land to the rear of the SPAR store, 29-31 Main Street
 - Land at Beech Road
 - Other unspecified sites in or adjacent to the village.
- ii) Adverse impact on village character and amenity with references made to:
 - Inappropriate/unsympathetic scale, design and density of the proposed housing.
 - Prominence of site adjacent to village entrance/gateway.
 - Adverse impacts of landscape and countryside setting.
 - Adverse impact on historic setting and character.
- iii) Adverse impacts on public safety, with references made to additional vehicular traffic combined with high volumes of existing traffic and/or speeding traffic induced by straight alignment and downhill gradient of Station Road, and the increased exposure of pedestrians, especially the young and elderly.
- iv) Adverse impact on/overloading of local infrastructure, with specific mention made of Killearn Primary School, local secondary school (Balfron High School), road network, health services, village car parking, waste water treatment and electricity supply.
- v) Adverse impact on landmark views over the National Park and surrounding countryside, hills and mountains.
- vi) Locational shortcomings, with references made to the separation distance from, and uphill gradients towards, local services and amenities, and the absence of, or very poor, public transport provision.
- vii) Consequential adverse impacts on tourism and economic development on account of various dis-amenities associated with the development.
- viii) Reduce number of units to minimise impact
- ix) Adverse impact on environment particularly loss of and/or impact on biodiversity and loss of agricultural land/greenfield land/open space.
- x) Flood Risk, with references made to known history of flooding on the site, boggy nature of ground, proximity to burn and increased risk of flooding of adjoining properties.
- xi) Miscellaneous matters:
 - Modify phasing and allocate 50 units within Phase 1: 2010-2019.
 - Provide off-route path from Beech Drive to West Highland Way/John Muir Trail.
 - Better alternative uses such as equestrian centre or cottage industries.

B47 - Killearn Hospital Rural Activity Area

Brian Simmers (00749/002); Carol Hill 900548/001); Jacky Young (00549/002); Craig O Gilmour (00553/002); Raymond Hall (00569/004); Sarah Bell (00607/002); Killearn Community Council (SLDP_89/002); Graham Hill (00540/003); Suzanne Gilmour (00557/002); Lynne Bowen (00560/002); Mrs R Blackmore (00590/001); Mr & Mrs Graeme

Knox (00591/002); Christopher Riches (00596/003); Marian Jewell (00600/002); Elizabeth Mathieson (00604/003); Richard Hunter (00599/003); Neil Metcalfe (00721/003); M J Pepper (00556/002); Barry & Pauline Dunlop (00567/003); Jenifer Barrett (00568/002); Desmond Hudson (00570/003); Connie Simmers (00588/002); Gill Smith (00541/002); David Asquith (00544/003); Glenda Asquith (00545/002); Lesley Scott (00561/002); H MacLean (00563/001); W S Gordon IV Trust (SLDP_719/003); Mr & Mrs Neil (00723/002); Pat Monaghan (00722/003); David Dunaway (00747/002); David Bannerman (00751/002); Susan Dunaway (00752/002); Graeme Connery (00753/003); Bank of Scotland plc (01322/003); James W G Scott (00823/002); Dr Michael Humphries (01127/001); Gillian Fergusson (00765/002); Alan Fergusson (00766/002); Margaret Connery (00754/002); Roy & Margery Burdon (00756/003); SNP Group (00711/011); Ronald Forrest (00760/002); Mansell Homes (01321/002); Margaret Falconer (00769/003); Margaret White (00770/002); Lesley Svensson (00767/002); Donald Smith (00768/002); Lawrence Crawford (00788/002); John Mitchell (00789/002); Ann Roy (00790/002); John Roy (00791/002); Amanda Forbes (00792/002); Iain Crawford (00780/002); Mr & Mrs MacKinlay (00783/002); Jennifer M Knox (00784/002); A Valerie Dron (00773/003); Carole Chisholm-Smith (00774/002); James Chisholm-Smith (00775/002); Ken Barrett (00776/002); Jean Anderson (00778/002); John Anderson (00777/002); A J Barr (00772/002); Andrew Whyte (00779/002); Mr & Mrs MacDonald (00781/002); Alan M Young (00782/002); John S Holden (00786/002); Phyllis J Crawford (00787/002); Sarah Hall (01121/003); Mrs H Loudon (01118/001); Robert J Cordindley (01324/002); J F S Parker (01346/001); Robert C Glass (01347/002); Claes Svensson (01353/002); Karen Thomson (01290/002); Chris Thomson (01291/002); Mrs J Rubython (01292/002); Judy Broad (01249/002); Murray Bogie (01286/003); Dr Susanna Blackshaw (01128/001); Catherine Davidson-Carr (01137/002); Allan D Smith (01141/002); Adrian Adolphus (01156/002); Patricia G Scott (00821/002); Rosemary Scott (00822/002); David J G Scott (SLDP_1361/002); K Pollock (SLDP_834/002); E Montgomery-Smith (SLDP_835/002); John Connery (01028/002); Dorothy Pattenden (01031/002); Morna Knottenbelt (01040/001); Dr Christine A P Hunter (01208/002); Michael & Susan Menzies (01209/002); Peter Wilks (01217/002); Andrew J A Hunter (01222/002); Amanda Fox (01227/002); Alasdair Sloan (01233/002); Russell J Cottle (01234/001); D C Ritchie (01236/002); Edgar Stewart (01188/002); Michael H Jackson (00801/002); Gavin Lamb (00802/002); William D F Dow (00804/002); Greig Denton (01206/002); Gordon MacDonough (00806/002); Janet Dow (00807/002); Moira McKendry (00810/002); Fiona E Glass (00811/002); George Harris (00812/002); Sonia Newman (00814/001); Neil Bowen (00800/001); Dr Ann-Margaret Little (00815/002); Jennyfer Malyon (00793/002); Ronald Land (00794/002); Carly Penderis (00795/002); Douglas Burch (00798/002); Mr & Mrs S Tulloch (01333/002); Rosemary & Frank Callander (01336/002); Mrs E Shepherd (01042/002); Councillor Alistair Berrill (01051/002); Mr & Mrs James R Simpson (01093/002); Miss C Brown (01119/001); Fern M Stewart (01189/002); David Simpson (01192/002); Ian Wright (01191/003); Graeme & Gill Fraser (01193/003); Colin Williamson (01201/002); Shirley H Bell (01202/003); Charles Fox (01203/002); Bruce Montgomery-Smith (01293/002); Brenda Pell (01314/002); Rita Harris (00816/002); Keith Kemsley (00817/003); Ann Somerville (00818/001); Robert & Lisa Dunn (01091/002); Jill McDougall (01124/002); Diana Jackson (00820/002); Amanda Fox (01227/002); Douglas R Bell (01242/003); Sandy Dalziel (01216/002) - Object to the limited scale of residential development at B47, and propose the spatial strategy allocation of 50 housing units for Killearn should be placed on this site. Reference is made to one or more of the following reasons:

- Would allow the removal of the Site H101 Station Road thereby resolving the significant community concerns regarding the principle of the allocation for residential development and its many locational and environmental shortcomings, as highlighted in the representations received in respect of the H101 site.

- Higher value residential development built in sufficient numbers would facilitate/enable site redevelopment, consequently addressing present significant adverse visual and environmental effects of long term dereliction and onsite contamination. There is more than sufficient land to accommodate housing development. Various house types suggested, including affordable, retirement, suitable for downsizing and live/work units.
- Would facilitate a range of other tourist, business, recreational and community based uses, to the benefit of local economic and community development.
- Would accord with planning guidance and advice at both national and local level prioritising the development of brownfield over greenfield land.
- Locational shortcomings, e.g. distance from village services and amenities, could be addressed by providing on site facilities, (e.g. shop), use of garden centre and/or providing, rerouting or reinstating local bus services.
- There is an established roundabout access and utility services should be readily available. 'Three way' approach would dilute traffic impacts.
- Would comply with the Plan's Housing in the Countryside guidance.
- Affordable homes could still be provided.

In addition:

- One representation (01201) suggested more limited residential development to avoid traffic concerns.
- Various representations request the site be prioritised for development to address as quickly as possible visual and environmental shortcomings. Several representations proposed phasing should be amended to bring into Phase 1(2010/2019) of Period 1.
- 2 representations (SLDP_719 and 01321) objecting to the principle of any residential development on the site.
- One representation (01322) advocates a more flexible approach to future uses to facilitate site restoration.
- One representation (01346) raises concerns about site being on a future flood plain, lack of public transport and remoteness from village. In addition significant housing development would create a precedent for future expansion of village to the south. Site remediation is responsibility of owner and should not be justification for housing.

Representations to non-allocated sites

Land north of Station Road and West of Blairessan House

Mansell Homes (01321/001) - Promote a site off Station Road for housing release, for the following reasons:

- In 2012 the Council supported the allocation in the draft Local Development Plan.
- Existing Local Plan supports the principle of infill housing in rural locations.
- SPP supports generous supply of housing in rural locations with a preference expressed for several sites, not just one as is the case at Killearn.
- This is a deliverable site in accordance with Scottish Government criteria and there are no infrastructure issues.
- Access can be taken via a 'T' junction, reducing impact on Conservation area.
- Design brief and landscape statement demonstrate little or no adverse effects on the Conservation Area and views in and out village.
- This is a sustainable housing site which can contribute positively to the village of Killearn.

Norman McNab (00610/002); Christopher Riches (00596/002); Jennifer Wilks (00651/002); Nigel Kelly (SLDP_844/002); Peter Wilks (01217/003); Anna Gower (01220/002); Steve Taylor (01246/001); Margaret Harrison (01046/002) - support various scales of housing development on the 'Blairessan' site.

Representations to other non-allocated housing sites, including land at Ibert Road

Sir Archie Edmonstone (00819/002) - More suitable and sustainable location for housing development is land at Ibert Farm accessed off Ibert Road.

Graeme Connery (00753/002) - Need for affordable housing should be spread over several small, previously identified sites, hidden in the village landscape.

Nigel Kelly (SLDP_844/003) - Development in two fields at Ibert Road, behind Spar and Old Mill Inn could also be considered. Is a central location and would further balance village layout.

Margaret Harrison (01046/002) - Permit a small number of houses on several sites to minimise environmental and traffic impacts. Consider permitting a small number of houses to the south west of Ibert House.

Various other representations also make passing reference to the potential suitability of land at Ibert Road, though do not seek modifications to the Plan.

Amend Conservation Area Boundary

K Pollock (SLDP_834/003) - Site of the former Drumtian Steading, Drumtian Road should be protected and included in the Conservation Area.

Morag Gibb (01245/001) - It is intended to include our house, 81 Main Street, in the Conservation Area. The Council is urged to reconsider this. Previous extensions are of no architectural merit, and make potential demolition and replacement more difficult. Current regulations would ensure any replacements are more sympathetic. The property was not worth including at the time of the original designation in 2000.

Modifications sought by those submitting representations:Representations to allocated sitesH101 Station Road Killearn

Iain Crawford (00780/001); James Dunaway (00748/001); Killearn Community Council (SLDP_89/001); Claes Svensson (01353/001); Carol Hill (00548/2/002); Jacky Young (00549/001); Raymond Hall (00569/003); Sarah Bell (00607/001); Norman McNab (00610/001); Jennifer Wilks (00651/001); Graham Hill (00540/002); Robert G Dron (00572/001); Mr & Mrs Graeme Knox (00591/001); Christopher Riches (00596/001); Marian Jewell (00600/001); Elizabeth Mathieson (00604/001); Elizabeth Bonner (00598/001); Richard Hunter (00599/001); Neil Metcalfe (00721/001); Ian MacKenzie (00558/001); M J Pepper (00556/001); Barry & Pauline Dunlop (00567/001); Jenifer Barrett (00568/001); Alastair W McDonald (00574/001); Desmond Hudson (00570/002); Mary McDonald (00785/001); Connie Simmers (00588/001); Brian Simmers (00749/001); Gill Smith (00541/001); David Asquith (00544/002); Lesley Scott (00561/001); Maurice Rennie (00565/001); W S Gordon IV Trust (SLDP_719/002); R Taylor (00585/001); Rena Proctor (00736/001); Dorothy Dunkinson (00737/001); Ian Dunkinson (00738/001); Agnes Young (00739/001); Dorothy Gladstone (00740/002); Elizabeth Shaw (00741/001); Helen Loudon (00742/001); Gavin Hunter (00746/001); Mr & Mrs Neil (00723/001); Pat Monaghan (00722/001); Paul Loughrey (00724/001); Alison Robinson (00725/001); Rose Brown

(00726/001); Douglas Davies (00727/001); Jean Kinnear (00728/001); Margaret Aitken (00729/001); Isobel Hutchinson(00730/001); Flora Connal (00731/001); Doreen Snadden (00732/001); Margaret Harris (00733/001); George Harris (00812/001); Rita Harris (00816/001); Margaret Harrison (01046/001); Moyra Bogie (00734/001); Allan D Smith (01141/001); Elizabeth Smith (00735/001); Donald Smith (00768/001); Carole Chisholm-Smith (00774/001); James Chisholm-Smith (00775/001); Irene Davison (00743/001); Margaret Rennie (00744/001); Heather McArthur (00745/002); David Dunaway (00747/001); Susan MacKenzie (00750/001); David Bannerman (00751/001); Susan Dunaway (00752/001); Graeme Connery (00753/001); Margaret Connery (00754/001); Mr & Mrs James R Simpson (01093/001); Shona Kelday (01126/001); Gillian Barr (00764/001); Gillian Fergusson (00765/001); Alan Fergusson (00766/001); Eddie Edmonstone (00755/001); Roy & Margery Burdon (00756/002); Jane Hunter (00758/001); Dr K E McPherson (00759/001); Ronald Forrest (00760/001); Leigh Fawcett (00762/001); Robert Barr (00763/001); Mrs H Barr (00771/001); A J Barr (00772/001); Lesley Svensson (00767/001); Margaret Falconer (00769/001); Margaret White (00770/001); John Mitchell (00789/001); Ann Roy (00790/001); John Roy (00791/001); Amanda Forbes (00792/001); Mr & Mrs S Tulloch (01333/002); Phyllis J Crawford (00787/001); Lawrence Crawford (00788/001); Mr & Mrs MacKinlay (00783/001); Jennifer M Knox (00784/001); Jennyfer Malyon (00793/001); A Valerie Dron (00773/001); Ken Barrett (00776/001); Jean Anderson (00778/001); John Anderson (00777/001); Andrew Whyte (00779/001); Mr & Mrs MacDonald (00781/001); Alan M Young (00782/001); Wendy Denton (01219/001); John S Holden (00786/001); Sarah Hall (01121/002); Robert J Cordindley (01324/001); Andrew D Copland (01337/001); Mrs S Hudson (01351/001); Mrs Blockey (SLDP_1399/001); Mrs J Rubython (01292/001); Jamie Crocket (01325/001); Karen Balmond (01284/001); Mary Graham (01285/001); Murray Bogie (01286/001); Dr Uta Boeger-Brown (01287/001); Sarah Loughrey (01289/001); Eric M A Hunter (01288/001); Killearn Welfare Trusts (01125/002); Mr & Mrs J R Sloan (01129/001); Catherine Davidson-Carr (01137/001); Adrian Adolphus (01156/001); Rosalind Gibson (SLDP_1158/001); Edgar Stewart (01188/001); Ann Somerville (00818/002); Diana Jackson (00820/001); Patricia G Scott (00821/001); Rosemary Scott (00822/001); James W G Scott (00823/001); David J G Scott (SLDP_1361/001); K Pollock (SLDP_834/001); E Montgomery-Smith (SLDP_835/001); Nigel Kelly (SLDP_844/001); Mr & Mrs J.G. Begg (01016/001); Roger S Short (01022/001); John Connery (01028/001); Dorothy Pattenden (01031/001); E Anne Mackay (01034/001); Michael & Susan Menzies (01209/001); Sandy Dalziel (01216/001); Peter Wilks (01217/001); Mansell Homes (01321/003); Anna Gower (01220/001); Amanda Fox (01227/001); Alasdair Sloan (01233/001); Russell J Cottle (01234/002); D C Ritchie (01236/001); Douglas R Bell (01242/002); Douglas R Bell (01242/003); Michael H Jackson (00801/001); Gavin Lamb (00802/001); Hazel Burr (00803/001); William D F Dow (0804/001); Janet Dow (00807/001); Ian M Paton (00805/001); Greig Denton (01206/001); Dr Christine A P Hunter (01208/001); Andrew J A Hunter (01222/001); Emma Hunter (01231/001); Neil Bowen (00800/001); Sir Archie Edmonstone (00819/001); Gordon MacDonough (00806/001); June Thomas (00808/001); Alistair Thomas (00809/001); Moira McKendry (00810/001); Robert C Glass (01347/001); Fiona E Glass (00811/001); Mr & Mrs Chambers(00813/001); Sonia Newman (00814/002); Dr Ann-Margaret Little (00815/001); Anne Cousins (00799/001); Ronald Land (00794/001); Carly Penderis (00795/001); Lawrence Lilburn (00796/001); Elizabeth MacFarlane (00797/001); Douglas Burch (00798/001); Judy Broad (01249/001); Jill McDougall (01124/001); Rosemary & Frank Callander (01336/001); Mrs E Shepherd (01042/001); Morna Knottenbelt (01040/002); Councillor Alistair Berrill (01051/001); Robert & Lisa Dunn (01091/001); David Simpson (01192/001); Fern M Stewart (01189/001); Ian Wright (01191/002); Graeme & Gill Fraser (01193/001); Colin Williamson (01201/001); Shirley H Bell (01202/002); Charles Fox (01203/001); Bruce Montgomery-Smith (01293/001); John Smith (01294/001); Brenda Pell (01314/001); Keith Kemsley (00817/1/002); David Roxby (00757/002) - The majority of these representations seek the outright deletion of site H101.

A small number wish the site area / proposed number of houses reduced.

If land must be allocated for housing then a strong preference is expressed for the Plan to be modified to designate the proposed B47 Killearn Hospital to accommodate the additional housing to meet village needs (Note:- Further information provided below).

Some respondents have suggested housing land requirements should be split amongst a number of smaller better located sites (either as an alternative to, or in addition to a proportionate increase in the housing allocation on site B47), and then specifically allocated for types of housing for which there is a known need (e.g. affordable to first time buyers, suitable for retirees/elderly, suitable for downsizing). Pasture land to the rear of the Spar Store at 29-31 Main Street has been identified as a preferred location.

A number of representations, including the Community Council, advocate the carrying out of a settlement specific housing land review, in which the community would actively participate, to determine future housing needs and the location and scale of individual site allocations.

A request has been made to modify phasing and allocate 50 units within the period 2010-2019 (SLDP_719/002).

B47 - Killearn Hospital Rural Activity Area

Brian Simmers (00749/002); Carol Hill 900548/001); Jacky Young (00549/002); Craig O Gilmour (00553/002); Raymond Hall (00569/004); Sarah Bell (00607/002); Killearn Community Council (SLDP_89/002); Graham Hill (00540/003); Suzanne Gilmour (00557/002); Lynne Bowen (00560/002); Mrs R Blackmore (00590/001); Mr & Mrs Graeme Knox (00591/002); Christopher Riches (00596/003); Marian Jewell (00600/002); Elizabeth Mathieson (00604/003); Richard Hunter (00599/003); Neil Metcalfe (00721/003); M J Pepper (00556/002); Barry & Pauline Dunlop (00567/003); Jenifer Barrett (00568/002); Desmond Hudson (00570/003); Connie Simmers (00588/002); Gill Smith (00541/002); David Asquith (00544/003); Glenda Asquith (00545/002); Lesley Scott (00561/002); H MacLean (00563/001); W S Gordon IV Trust (SLDP_719/003); Dorothy Gladstone (00740/001); Mr & Mrs Neil (00723/002); Pat Monaghan (00722/003); David Dunaway (00747/002); David Bannerman (00751/002); Susan Dunaway (00752/002); Graeme Connery (00753/003); Bank of Scotland Plc (01322/003); James W G Scott (00823/002); Dr Michael Humphries (01127/001); Gillian Fergusson (00765/002); Alan Fergusson (00766/002); Margaret Connery (00754/002); Roy & Margery Burdon (00756/003); SNP Group (00711/011); Ronald Forrest (00760/002); Mansell Homes (01321/002); Margaret Falconer (00769/003); Margaret White (00770/002); Lesley Svensson (00767/002); Donald Smith (00768/002); Lawrence Crawford (00788/002); John Mitchell (00789/002); Ann Roy (00790/002); John Roy (00791/002); Amanda Forbes (0792/002); Iain Crawford (00780/002); Mr & Mrs MacKinlay (00783/002); Jennifer Marion Knox (00784/002); A Valerie Dron (00773/003); Carole Chisholm-Smith (00774/002); James Chisholm-Smith (00775/002); Ken Barrett (00776/002); Jean Anderson (00778/002); John Anderson (00777/002); A J Barr (00772/002); Andrew Whyte (00779/002); Mr & Mrs MacDonald (00781/002); Alan M Young (00782/002); John S Holden (00786/002); Phyllis J Crawford (00787/002); Sarah Hall (01121/003); Mrs H Loudon (01118/001); Robert J Cordindley (01324/002); J F S Parker (01346/001); Robert C Glass (01347/002); Claes Svensson (01353/002); Karen Thomson (01290/002); Chris Thomson (01291/002); Mrs J Rubython (01292/002); Judy Broad (01249/002); Murray Bogie (01286/003); Dr Susanna Blackshaw (01128/001); Catherine Davidson-Carr (01137/002); Allan D Smith (01141/002); Adrian Adolphus (01156/002); Patricia G Scott (00821/002); Rosemary Scott (00822/002); David J G Scott (SLDP_1361/002); K Pollock (SLDP_834/002); E Montgomery-Smith (SLDP_835/002); John

Connery (01028/002); Dorothy Pattenden (01031/002); Morna Knottenbelt (01040/001); Dr Christine A P Hunter (01208/002); Michael & Susan Menzies (01209/002); Peter Wilks (01217/002); Andrew J A Hunter (01222/002); Amanda Fox (01227/002); Rosalind Gibson (SLDP_1158/002); Alasdair Sloan (01233/002); Russell J Cottle (01234/001); D C Ritchie (01236/002); Edgar Stewart (01188/002); Michael H Jackson (00801/002); Gavin Lamb (00802/002); William D F Dow (00804/002); Greig Denton (01206/002); Gordon MacDonough (00806/002); Janet Dow (00807/002); Moira McKendry (00810/002); Fiona E Glass (00811/002); George Harris (00812/002); Sonia Newman (00814/001); Dr Ann-Margaret Little (00815/002); Jennyfer Malyon (00793/002); Ronald Land (00794/002), Carly Penderis (00795/002), Douglas Burch (00798/002), Rosemary & Frank Callander (01336/002); Mrs E Shepherd (01042/002); Councillor Alistair Berrill (01051/002); Mr & Mrs James R Simpson (01093/002); Miss C Brown (01119/001); Fern M Stewart (01189/002); David Simpson (01192/002); Ian Wright (01191/003); Graeme & Gill Fraser (01193/003); Colin Williamson (01201/002); Shirley H Bell (01202/003); Charles Fox (01203/002); Bruce Montgomery-Smith (01293/002); Brenda Pell (01314/002); Rita Harris (00816/002); Keith Kemsley (00817/003); Ann Somerville (00818/001); Robert & Lisa Dunn (01091/002); Jill McDougall (01124/002); Diana Jackson (00820/002); Amanda Fox (01227/002); Douglas R Bell (01242/003); Sandy Dalziel (01216/002); David Roxby (00757/001) - The majority of these representations seek a modification that would allow site B47 to accommodate the Spatial Strategy allocation of 50 housing units for Killearn, as an alternative to the H101 site.

Three representations seek a modification that would delete reference to any residential development on this site.

One representation seeks a modification allowing a flexible range of uses though these are not specified.

Representations to non-allocated sites

Land north of Station Road and West of Blaressan House

Mansell Homes (01321/001) - Re-allocate site as housing development site for 30 units.

Norman McNab (00610/002); Christopher Riches (00596/002); Jennifer Wilks (00651/002); Nigel Kelly (SLDP_844/002); Peter Wilks (01217/003); Anna Gower (01220/002); Steve Taylor (01246/001); Margaret Harrison (01046/002) - Allocate for up to 30 houses.

Other Sites, including land at Ibert Road

Sir Archie Edmonstone (00819/002); Graeme Connery (00753/002); Nigel Kelly (SLDP_844/002) - Adjust Plan to allow land at Ibert Road to be brought forward for development.

Margaret Harrison (01046) - Allocate a small number of houses on several sites. Consider permitting a small number of houses to the south west of Ibert House.

Amend Conservation Area Boundary

K Pollock (SLDP_834/003) - Include Drumtitan House in Conservation Area.

Morag Gibb (01245/001) - Maintain present boundary of the Conservation Area.

Summary of responses (including reasons) by planning authority:Background to the housing land allocations in Killearn

The 2010 Settlement and Site Assessments (CD42) were carried out to determine potential sites to support the Main Issues Report and the key development approaches of urban consolidation, strategic development, regeneration and sustaining rural communities (CD41). Key Agencies, Council services and infrastructure providers were regularly consulted during the preparation of the Plan. In determining whether a particular settlement was suitable for development, the Settlement Assessment considered a range of placemaking criteria including:

- Local character and identity
- Capacity for additional development.
- School capacity.
- Availability of infrastructure, including water and drainage.
- Connectivity including public transport availability.
- Potential to support regeneration and improve social cohesion. A concluding summary discusses capacity for development and highlights where mitigation may be required.

The detailed Site Assessments (CD42) that followed are largely based on Expressions of Interest received at the Main Issues Report stage. Each site has been considered against Spatial Strategy Options and assessed against:

- Environmental Issues, including flooding, water quality, ground conditions, Green Belt, green corridor, townscape and landscape fit, built heritage and biodiversity.
- Transport Issues, including relative connectivity and road safety.

The Site Assessments were subsequently updated to take account of representations received in response to the Draft Plan, which then determined the final allocation of sites in the Plan. These assessments are also component parts of the wider Strategic Environmental Assessment of the Plan. A more detailed overview of the Settlement and Site Assessment process is set out in section 7 of the Vision and Spatial Strategy Background Report (CD49).

H101 - Station Road, Killearn

Iain Crawford (00780/001); James Dunaway (00748/001); Killearn Community Council (SLDP_89/001); Claes Svensson (01353/001); Carol Hill (00548/2/002); Jacky Young (00549/001); Raymond Hall (00569/003); Sarah Bell (00607/001); Norman McNab (00610/001); Jennifer Wilks (00651/001); Graham Hill (00540/002); Robert G Dron (00572/001); Mr & Mrs Graeme Knox (00591/001); Christopher Riches (00596/001); Marian Jewell (00600/001); Elizabeth Mathieson (00604/001); Elizabeth Bonner (00598/001); Richard Hunter (00599/001); Neil Metcalfe (00721/001); Ian MacKenzie (00558/001); M J Peffer (00556/001); Barry & Pauline Dunlop (00567/001); Jenifer Barrett (00568/001); Alastair W McDonald (00574/001); Desmond Hudson (00570/002); Mary McDonald (00785/001); Connie Simmers (00588/001); Brian Simmers (00749/001); Gill Smith (00541/001); David Asquith (00544/002); Lesley Scott (00561/001); Maurice Rennie (00565/001); W S Gordon IV Trust (SLDP_719/002); R Taylor (00585/001); Rena Proctor (00736/001); Dorothy Dunkinson (00737/001); Ian Dunkinson (00738/001); Agnes Young (00739/001); Dorothy Gladstone (00740/002); Elizabeth Shaw (00741/001); Helen Loudon (00742/001); Gavin Hunter (00746/001); Mr & Mrs Neil (00723/001); Pat Monaghan (00722/001); Paul Loughrey (00724/001); Alison Robinson (00725/001); Rose Brown (00726/001); Douglas Davies (00727/001); Jean Kinnear (00728/001); Margaret Aitken

(00729/001); Isobel Hutchinson (00730/001); Flora Connal (00731/001); Doreen Snadden (00732/001); Margaret Harris (00733/001); George Harris (00812/001); Rita Harris (00816/001); Margaret Harrison (01046/001); Moyra Bogie (00734/001); Allan D Smith (01141/001); Elizabeth Smith (00735/001); Donald Smith (00768/001); Carole Chisholm-Smith (00774/001); James Chisholm-Smith (00775/001); Irene Davison (00743/001); Margaret Rennie (00744/001); Heather McArthur (00745/002); David Dunaway (00747/001); Susan MacKenzie (00750/001); David Bannerman (00751/001); Susan Dunaway (00752/001); Graeme Connery (00753/001); Margaret Connery (00754/001); Mr & Mrs James R Simpson (01093/001); Shona Kelday (01126/001); Gillian Barr (00764/001); Gillian Fergusson (00765/001); Alan Fergusson (00766/001); Eddie Edmonstone (00755/001); Roy & Margery Burdon (00756/002); Jane Hunter (00758/001); Dr K E McPherson (00759/001); Ronald Forrest (00760/001); Leigh Fawcett (00762/001); Robert Barr (00763/001); Mrs H Barr (00771/001); A J Barr (00772/001); Lesley Svensson (00767/001); Margaret Falconer (00769/001); Margaret White (00770/001); John Mitchell (00789/001); Ann Roy (00790/001); John Roy (00791/001); Amanda Forbes (00792/001); Phyllis J Crawford (00787/001); Lawrence Crawford (00788/001); Mr & Mrs MacKinlay (00783/001); Jennifer M Knox (00784/001); Jennyfer Malyon (00793/001); A Valerie Dron (00773/001); Ken Barrett (00776/001); Jean Anderson (00778/001); John Anderson (00777/001); Andrew Whyte (00779/001); Mr & Mrs MacDonald (00781/001); Alan M Young (00782/001); Wendy Denton (01219/001); John S Holden (00786/001); Sarah Hall (01121/002); Robert J Cordindley (01324/001); Andrew D Copland (01337/001); Mrs S Hudson (01351/001); Mrs Blockey (SLDP_1399/001); Mrs J Rubython (01292/001); Jamie Crocket (01325/001); Karen Balmond (01284/001); Mary Graham (01285/001); Murray Bogie (01286/001); Dr Uta Boeger-Brown (01287/001); Sarah Loughrey (01289/001); Eric M A Hunter (01288/001); Killearn Welfare Trusts (01125/002); Mr & Mrs J. R. Sloan (01129/001); Catherine Davidson-Carr (01137/001); Adrian Adolphus (01156/001); Rosalind Gibson (SLDP_1158/001); Edgar Stewart (01188/001); Ann Somerville (00818/002); Diana Jackson (00820/001); Patricia G Scott (00821/001); Rosemary Scott (00822/001); James W G Scott (00823/001); David J G Scott (SLDP_1361/001); K Pollock (SLDP_834/001); E Montgomery-Smith (SLDP_835/001); Nigel Kelly (SLDP_844/001); Mr & Mrs J G Begg (01016/001); Roger S. Short (01022/001); John Connery (01028/001); Dorothy Pattenden (01031/001); E Anne Mackay (01034/001); Michael & Susan Menzies (01209/001); Sandy Dalziel (01216/001); Peter Wilks (01217/001); Mansell Homes (01321/003); Anne Gower (01220/002); Amanda Fox (01227/001); Alasdair Sloan (01233/001); Russell J Cottle (01234/002); D C Ritchie (01236/001); Douglas R Bell (01242/002); Douglas R Bell (01242/003); Michael H Jackson (00801/001); Gavin Lamb (00802/001); Hazel Burr (00803/001); William D F Dow (0804/001); Janet Dow (00807/001); Ian M Paton (00805/001); Greig Denton (01206/001); Dr Christine A P Hunter (01208/001); Andrew J A Hunter (01222/001); Emma Hunter (01231/001); Neil Bowen (00800/001); Sir Archie Edmonstone (00819/001); Gordon MacDonough (00806/001); June Thomas (00808/001); Alistair Thomas (00809/001); Moira McKendry (00810/001); Robert C Glass (01347/001); Fiona E Glass (00811/001); Mr & Mrs Chambers (00813/001); Sonia Newman (00814/002); Dr Ann-Margaret Little (00815/001); Anne Cousins (00799/001); Ronald Land (00794/001); Carly Penderis (00795/001); Lawrence Lilburn (00796/001); Elizabeth MacFarlane (00797/001); Douglas Burch (00798/001); Judy Broad (01249/001); Jill McDougall (01124/001); Rosemary & Frank Callander (01336/001); Mrs E Shepherd (01042/001); Morna Knottenbelt (01040/002); Councillor Alistair Berrill (01051/001); Robert & Lisa Dunn (01091/001); David Simpson (01192/001); Fern M Stewart (01189/001); Ian Wright (01191/002); Graeme & Gill Fraser (01193/001); Colin Williamson (01201/001); Shirley H Bell (01202/002); Charles Fox (01203/001); Bruce Montgomery-Smith (01293/001); John Smith (01294/001); Brenda Pell (01314/001); Keith Kemsley (00817/1/002) - The Council has carefully considered the various reasons put forward in support of the proposed modification, but concludes there is insufficient justification to delete this site.

i) Principle of Allocation and Alternative Sites

The preferred Spatial Strategy (Option 1) set out in the Main Issues Report (CD41) stated that:

“All rural villages are being considered for small scale development for housing (between 10-40 units) and business development, in order to meet the overall vision to sustain rural communities. Sites that could deliver both infill and settlement expansion are under consideration” (Page 68).

The Draft Proposed Plan allocated 56 units for Killearn. The increase was due to the redistribution of overall housing land requirements in the Rural Villages Area as no housing allocations could be identified for Gargunnock. The principle of a requirement for 56 housing units in Killearn can therefore be fully justified under the Spatial Strategy.

Referring to the Site Assessments (CD42), there is evidence of strong developer/landowner interest in Killearn. The 2011 Draft Proposed Plan (CD44b) split the 56 units between 3 sites: - H100 (Crosshead Road – 6 units, H101 (Station Road) -20 units and H102 (Blairessan) - 30 units. Taking account of representations received in response to the 2011 Draft Proposed Plan the required 56 units are now allocated on H100 and an enlarged H101 site which, in the Council's view, represents the most sustainable pattern of growth for the village.

ii) Adverse impact on village character and amenity

In land use terms the H101 allocation is considered compatible with adjacent residential land uses. The site is approximately 2.5 ha and has been sized to ensure overall loss of greenfield land is kept to a minimum, whilst at the same time allowing a lower than normal new build density of c.20 units to the hectare.

The Council considers detailed design matters can be addressed at the planning application stage. The Plan emphasises the importance of placemaking, good design and environmental sustainability. This is supported by a range of topic based Primary Policies, Policies and Supplementary Guidance against which planning applications will be assessed. Proper account requires to be taken of local characteristics and circumstances. The Key Site Requirements in the Settlement Statement draws attention to more significant, but potentially resolvable, environmental and transport issues. In the case of site H101, specific design criteria are also specified: - e.g. well spaced frontage development and structure planting to create new settlement edge. Neighbouring owners/occupiers, other local residents, the Community Council and other interest groups will have an opportunity to comment on these detailed matters, and account will be taken of representations prior to the final determination of the application.

iii) Adverse impacts on public safety

Though well within the 30 mph restriction, the Updated Site Assessment 2012 (CD45) acknowledges the potential for speeding traffic on account of the width, straight alignment and the north-east to south-west downhill gradient of Station Road. A Key Site Requirement highlights the need for a traffic calming feature, for example a mini-roundabout or other gateway feature. Footway approaches to the village also require to be upgraded. Given the modest scale of development it is unlikely associated traffic movements will result in any significant deterioration in local road safety.

iv) Adverse impact on/overloading of local infrastructure

Given the modest scale of the development no significant infrastructure implications have been identified. In particular it can be demonstrated that the local primary school and Balfron High School have sufficient capacity for the additional pupils 'generated' by development at this scale. This is also the case with the potential numbers of pupils 'generated' by other housing allocations in the Balfron High School catchment. This is explained further within the Education Background Report (CD75).

v) Adverse impact on landmark views

The village is situated on rising ground north-east of the valleys of the Blane Water and River Endrick and, consequently, enjoys expansive views over the surrounding countryside including towards the Loch Lomond and the Trossachs National Park and the Southern Hills Local Landscape Area (see Proposed Supplementary Guidance SG27 Protecting Special Landscapes (CD187). The frontage of the H101 site currently comprises of open pasture land from where views are available from the north to the south west. Whilst the Council accepts such views will be curtailed by the development this frontage is not an established viewpoint or other place of public resort. It is also the case that, depending on the direction of travel, the views would quickly open out again or continue to be restricted by established frontage development. Within the village there are also numerous other locations to enjoy these views, particularly in the vicinity of the church and village hall and other public open spaces.

vi) Locational Shortcomings

The process of settlement expansion inevitably places more recent phases of development at settlement edges and further away from the original core where services and facilities tend to be found. That being said, in the case of the H101 allocation, the pharmacy, medical centre, church, refurbished village hall, vets, children's nursery, tea room, public house and bus stops for the main village bus service can all be found in the vicinity of the junction of Station Road with Balfron Road, c. 675 metres from the mid point of the site frontage. The primary school is c.850 metres and the Spar/post office, Co-operative store and butcher c.1,250 metres. A local bus service also uses Station Road though the Council acknowledges this is an infrequent two hourly daytime service. Overall, when compared against travel distances from other newer houses in the village, particularly in the estates built in the 1970's and 80's, to local facilities and amenities, the Council considers the site is well enough positioned to encourage 'active' forms of travel (walking and cycling) and reduce car dependency. This conclusion also takes into account the local footway gradients which are considered comparable with those found in other parts of the village.

vii) Consequential adverse impacts on tourism and economic development

The Council does not attach weight to these concerns. There is no sound reason as to why a well designed and landscaped residential development should discourage casual visitors and tourists.

viii) Reduce number of units to minimise impact

The Council acknowledges that a reduction in the site size and/or number of units would, by definition, reduce local environmental impacts. That being said, for the various reasons set out in this response, the site size and scale of development is considered to be appropriate for this location.

ix) Adverse impact on environment

The site is located on Class 3.2 Agricultural land forming part of a larger field that, in recent times, appears to have been poorly managed. The Plan's Primary Policy 14 states that larger scale developments located on better quality agricultural land (i.e. Class 3.1 and 3.2 land), will only be supported where they conform to the Spatial Strategy of the Plan. The site is of limited biodiversity value, does not benefit from any environmental designations nor has any known recreational function.

x) Flood Risk

It is acknowledged parts of the site are boggy, perhaps attributable to poor management and failing drainage. It is acknowledged the northern boundary is defined by a small burn. The Key Site Requirements state that a Flood Risk Assessment will be required and that development should avoid the functional flood plain. This matter will thus be considered in full at the detailed application stage, when it will have to be demonstrated the risk of flooding of both new and existing properties will comply with relevant guidance and advice. The Scottish Environmental Protection Agency do not object to the allocation of the site on flood risk grounds and support the Key Site Requirements.

xi) Miscellaneous Matters

a) The Vision and Spatial Strategy Background Report (CD49) states, in Para 10.1 – "Phasing of implementation has been indicated on the best information available, but may need to be flexible as circumstances change." Para 10.2 identifies a range of relevant factors, which will be monitored through the Local Development Plan Action programme. With this flexibility and ongoing monitoring in mind the Council is of the opinion that proposed phasing on all allocations should remain as detailed in the Plan.

b) The Plan represents the settled view of the Council and it is therefore not appropriate to consider alternative uses at this stage. The suggested path improvements are not directly associated with this development.

The above response demonstrates that the Council has carefully considered the various reasons put forward to support the deletion of site H101, but remains of the view that they are of insufficient weight to justify modifying the Plan in response to these representations.

B47 - Killearn Hospital Rural Activity Area

Brian Simmers (00749/002); Carol Hill 900548/001); Jacky Young (00549/002); Craig O Gilmour (00553/002); Raymond Hall (00569/004); Sarah Bell (00607/002); Killearn Community Council (SLDP_89/002); Graham Hill (00540/003); Suzanne Gilmour (00557/002); Lynne Bowen (00560/002); Mrs R Blackmore (00590/001); Mr & Mrs Graeme Knox (00591/002); Christopher Riches (00596/003); Marian Jewell (00600/002); Elizabeth Mathieson (00604/003); Richard Hunter (00599/003); Neil Metcalfe (00721/003); M J Pepper (00556/002); Barry & Pauline Dunlop (00567/003); Jenifer Barrett (00568/002); Desmond Hudson (00570/003); Connie Simmers (00588/002); Gill Smith (00541/002); David Asquith (00544/003); Glenda Asquith (00545/002); Lesley Scott (00561/002); H MacLean (00563/001); W S Gordon IV Trust (SLDP_719/003); Dorothy Gladstone (00740/001); Mr & Mrs Neil (00723/002); Pat Monaghan (00722/003); David Dunaway (00747/002); David Bannerman (00751/002); Susan Dunaway (00752/002); Graeme Connery (00753/003); Bank of Scotland plc (01322/003); James W G Scott (00823/002); Dr Michael Humphries (01127/001); Gillian Fergusson (00765/002); Alan Fergusson (00766/002); Margaret

Connery (00754/002); Roy & Margery Burdon (00756/003); SNP Group (00711/011); Ronald Forrest (00760/002); Mansell Homes (01321/002); Margaret Falconer (00769/003); Margaret White (00770/002); Rosalind Gibson (SLDP_1158/002); Lesley Svensson (00767/002); Donald Smith (00768/002); Lawrence Crawford (00788/002); John Mitchell (00789/002); Ann Roy (00790/002); John Roy (00791/002); Amanda Forbes (0792/002); Iain Crawford (00780/002); Mr & Mrs MacKinlay (00783/002); Jennifer M Knox (00784/002); A Valerie Dron (00773/003); Carole Chisholm-Smith (00774/002); James Chisholm-Smith (00775/002); Ken Barrett (00776/002); Jean Anderson (00778/002); John Anderson (00777/002); A J Barr (00772/002); Andrew Whyte (00779/002); Mr & Mrs MacDonald (00781/002); Alan M Young (00782/002); John S Holden (00786/002); Phyllis J Crawford (00787/002); Sarah Hall (01121/003); Mrs H Loudon (01118/001); Robert J Cordindley (01324/002); J F S Parker (01346/001); Robert C Glass (01347/002); Claes Svensson (01353/002); Karen Thomson (01290/002); Chris Thomson (01291/002); Mrs J Rubython (01292/002); Judy Broad (01249/002); Murray Bogie (01286/003); Dr Susanna Blackshaw (01128/001); Catherine Davidson-Carr (01137/002); Allan D Smith (01141/002); Adrian Adolphus (01156/002); Patricia G Scott (00821/002); Rosemary Scott (00822/002); David J G Scott (SLDP_1361/002); K Pollock (SLDP_834/002); E Montgomery-Smith (SLDP_835/002); John Connery (01028/002); Dorothy Pattenden (01031/002); Morna Knottenbelt (01040/001); Dr Christine A P Hunter (01208/002); Michael & Susan Menzies (01209/002); Peter Wilks (01217/002); Andrew J A Hunter (01222/002); Amanda Fox (01227/002); Alasdair Sloan (01233/002); Russell J Cottle (01234/001); D C Ritchie (01236/002); Edgar Stewart (01188/002); Michael H Jackson (00801/002); Gavin Lamb (00802/002); William D F Dow (00804/002); Greig Denton (01206/002); Gordon MacDonough (00806/002); Janet Dow (00807/002); Moira McKendry (00810/002); Fiona E Glass (00811/002); George Harris (00812/002); Sonia Newman (00814/001); Dr Ann-Margaret Little (00815/002); Jennyfer Malyon (00793/002); Ronald Land (00794/002); Carly Penderis (00795/002); Douglas Burch (00798/002); Rosemary & Frank Callander (01336/002); Mrs E Shepherd (01042/002); Councillor Alistair Berrill (01051/002); Mr & Mrs James R Simpson (01093/002); Miss C Brown (01119/001); Fern M Stewart (01189/002); David Simpson (01192/002); Ian Wright (01191/003); Graeme & Gill Fraser (01193/003); Colin Williamson (01201/002); Shirley H Bell (01202/003); Charles Fox (01203/002); Bruce Montgomery-Smith (01293/002); Brenda Pell (01314/002); Rita Harris (00816/002); Keith Kemsley (00817/003); Ann Somerville (00818/001); Robert & Lisa Dunn (01091/002); Jill McDougall (01124/002); Diana Jackson (00820/002); Amanda Fox (01227/002); Douglas R Bell (01242/003); Sandy Dalziel (01216/002) - Killearn Hospital closed in 1972 and transferred to private ownership. It is deemed contaminated on account of the asbestos sheeting used in the original buildings, though there are several occupied houses within the site boundary. In 2010 the Council's Environmental Health Service served a statutory notice requiring the landowner to limit access to asbestos containing materials by members of the public.

The 1999 Stirling Council Local Plan supported the principle of redevelopment for business uses complimentary to primary rural activities (CD35). To facilitate rural economic development the 2007 Stirling Council Local Plan Alteration 1A: Stirling and the Rural Villages specifically identifies the site as a Rural Activity Area (CD36). The current allocation is thus a 'carry over' from the 2007 Local Plan. The updated 2012 Site Assessment (CD45 – Site Ref. KILL22) states: - "Allocated as a 'Rural Activity Area' (i.e. employment site) in the Proposed Plan. Very little development has come forward, just some unfinished workshop units. Contaminated land remediation costs a major problem but the Council is open to a variety of uses to create a viable development 'package'".

The site is separated from Killearn by rising pasture land and woodland, though a substantial garden centre with shop and restaurant lies opposite. It is c.1.2 km from the

roundabout access point to the south western boundary of the village at the junction of Lampson Road with Station Road, and the southernmost village limits at Drumbeg Loan. Walking or cycling to the south western boundary of the village (the most direct route) would be via the poorly surfaced and unlit section of the West Highland Way running parallel to the A81, then the unsurfaced and unlit footway on Station Road. From there it would be a further c1.1 km to the junction of Station Road to Balfroon Road, where a number of local services and amenities can be found - a total distance of 2.3 km. PAN 75 – Planning for Transport (2005) (CD 16 - para. B13) notes that, in respect of accessibility to local facilities by walking and cycling “A maximum threshold of 1600m for walking is broadly in line with observed travel behaviour.” This analysis therefore substantiates the comments made in the 2012 Site Assessments that the site is remote from existing village facilities.

The Key Site Requirements for B47 support business, tourism and leisure development. Support is also given for residential development “at a scale to enable the implementation of a contaminated land strategy and general site restoration, to be determined by a fully costed and independently audited site restoration.” Whilst the Plan normally presumes against non-conforming residential development in the designated Countryside (unless in compliance with Policy 2:10 Housing in the Countryside), this site’s specific exception acknowledges that higher land values associated with residential development could enable remediation and redevelopment for a range of uses, to the benefit of local amenity and economic development. That being said, and keeping in mind indicative remediation costs of between £500 000 and £1,250,000 (CD213), the Council envisages an appropriate scale of residential development to be in the order of 10 units, with serviced self build plots perhaps commanding the highest land values. This would also accord with the maximum scale of development normally promoted under the Housing in the Countryside policy, e.g. barn conversions and clusters of new-build.

The Spatial Strategy seeks development in the Rural Villages to be concentrated within settlements, where services and facilities are more readily accessible. The Plan’s Placemaking Policies and proposed Supplementary Guidance support this approach. In turn this reflects advice in Scottish Planning Policy (CD1) (para. 40) that settlement strategies should promote a more sustainable pattern of growth for an area, taking account of the scale and type of development pressure and the need for growth and regeneration. The preceding paragraphs (37, 38 and 39) draw attention to associated benefits such as reduction of greenhouse gas emissions and reduction in the need to travel. Scottish Planning Policy transportation guidance (CD1) also notes: - “The planning system should support a pattern of development which reduces the need to travel.....and provides safe and convenient opportunities for walking and cycling” (Para. 165).

The Council acknowledges Scottish Planning Policy also promotes regeneration and reuse of previously developed land and the resolution of environmental problems affecting communities. However the Council remains confident that there is sufficient commercial value in the mixed use development allowed for in the Plan to enable site remediation and restoration. The site’s locational shortcomings, particularly with respect to poor non-vehicular accessibility (i.e. combination of poor quality footpaths and footways and excessive separation distance from village facilities), makes this an inappropriate location for the Spatial Strategy allocation of 50 units. In addition 50% of the allocation requires to be affordable housing, and it is unlikely that the Council or Registered Social Landlords would be willing to invest in such a comparatively remote location.

Therefore the Council does not agree to modify the Plan to increase the housing unit allocation on B47 to 50 units to meet the requirements of the Spatial Strategy. This would still be the case even if footpath/footway connections were comprehensively upgraded to

adoptable standards.

(Please note: On 29 January 2013 a Proposal of Application Notice was submitted for the B47 site, for a mixed use development comprising of 16 community houses (flats), 6 live work units, 55 self build plots, workspace and commercial properties (Ref. no. PAN-2013-002) (CD154).

Representations to non-allocated sites

Land north of Station Road and West of Blairessan House

Mansell Homes (01321/001) - This site was brought to the attention of the Council at the expressions of interest stage, and was subject of a Site Assessment, as detailed in (CD42 – Site Ref.'s KILL 10 & KILL 18). The overall assessment concluded: - "Potentially a good small development site close to village centre but road access unsatisfactory/not feasible".

Ensuing discussions indicated a mini-roundabout junction could potentially resolve access concerns. With this in mind the Assessment was updated in 2011 (CD46 – Site Ref.'s KILL 10 & KILL 18) and the site identified for development in the Stirling Local Development Plan Draft Proposed Plan (2011) (CD44b) as having a capacity for 30 units, with the balance of the Spatial Strategy's 50 housing unit requirement, i.e. 20 units, allocated at site H101. This allocation attracted a high number of representations (CD215) and the updated 2012 Site Assessment (CD45 - Site Ref.'s KILL 10 & KILL 18) details how these were taken into account:

"Close to village centre so potentially a good location. Vehicular access may be achievable but significant concerns raised at the draft LDP stage, particularly with regard to safety issues associated with mini-roundabout design solution. Significant concerns also raised regarding direct and indirect impacts of the mini-roundabout and/or the wider site development on the character, appearance and setting of the adjacent Conservation Area, along with more general impacts on the established streetscape and outlook from the Glebe. To take account of these concerns the site has not been included in the Proposed Plan and the LDP allocation at Station Road (H101) has been enlarged to meet the requirements of the Spatial Strategy. Should development come forward, disposal of foul and surface drainage to relevant statutory standards would mitigate potential 'in combination' effects on Endrick Water SAC."

The Council has carefully considered the various reasons put forward to justify the allocation of this site for 30 units. As highlighted in the 2012 Site Assessment the key issue is the potential for development to adversely affect the character and appearance of the Conservation Area and its setting.

The Killearn Conservation Area Appraisal (CD166) explains the reasons for the designation, with the following deemed relevant to the Blairessan site:

- A magnificent natural landscape setting
- A medieval settlement centred round the Old Kirk and the Laird's House known as the Place of Killearn
- A villa development from the late 19th and early 20th centuries.
- The appraisal also notes a significant 'vulnerability' as being the dilution of character and appearance through inappropriate new development.

In this locality the northern and eastern boundaries of the Conservation Area are adjacent to open fields which, by definition, contribute to landscape setting. By virtue of its scale, density

and built form, a 30 unit housing development on the Blaressan field is therefore likely to irreversibly diminish the landscape setting in this vicinity, to the detriment of character and appearance. Development is also likely to adversely affect the setting of the medieval core, part of which includes 'The Glebe' pasture land opposite the site frontage, on account of adverse impacts of built form and the engineering, lighting and signage associated with the mini-roundabout access

(Note:- The representation includes a letter dated 22 November 2012 from Scott Bennett Associates referring to preliminary meeting with Stirling Council's roads Service indicating a 'T' junction would be acceptable. This has been queried with the Roads Service. Their response of 12 March 2013 (CD214) indicates that a mini-roundabout is considered to be the only acceptable means of accessing the site given the visibility issues outwith the site boundary and applicants control for a T-junction arrangement.

Finally the architecture of a number of houses within the Conservation Area, both adjacent to the site boundaries and either side of the site frontage (including Blaressan House), clearly belong s to the late 19th - early 20th Century period of villa development. Again it is difficult to envisage how higher density modern housing could be laid out without adversely impacting on this key feature of the character and appearance of the Conservation Area. The above commentary demonstrates the Council has carefully considered the various reasons put forward to support the allocation of this site for a 30 unit housing development, but remains of the view there is insufficient justification to modify the Plan in this regard.

Norman McNab (00610/002); Christopher Riches (00596/002); Jennifer Wilks (00651/002); Nigel Kelly (SLDP_844/002); Peter Wilks (01217/003); Anna Gower (01220/002); Steve Taylor (01246/001); Margaret Harrison (01046/002) - Following from the above commentary it is considered that residential development of the 'Blaressan Field', even at a reduced scale, would be detrimental to character and appearance of the Conservation Area. The Council therefore considers there is insufficient justification to modify the Plan in this respect.

Other Sites, including land at Ibert Road

Sir Archie Edmonstone (00819/002); Graeme Connery (00753/002); Nigel Kelly (SLDP_844/002); Margaret Harrison (01046/002) - In these representations particular mention was made of land at Ibert Road. This land came forward as an Expression of Interest and was assessed in the 2010 Site Assessment (CD42 – Site Ref. – KILL20). Various issues were identified in the Assessment relating to:

- Townscape fit – Considered likely to have an adverse effect on the setting of the village and conservation area
- Landscape Fit – No natural boundary, open and elevated and in the Area of Great Landscape Value.
- Car Comments - Ibert Road is substandard on account of geometry and land ownership. Alternative access requires demolition of frontage property.

The Overall Assessment concludes however that "If the western access is feasible it may be possible to create a small housing area that is close to the village centre and does not dominate because of its scale." It was therefore identified as a potential housing land option. Following further consideration of the site merits and taking into account potential resolution of access constraints at the 'Blaressan' site, the site was no longer considered suitable for development due to adverse effects on the setting of the village and Conservation Area (CD45 – Site Ref. KILL20).

In addition the representation also states: "On the assumption access can be achieved to the appropriate local authority standard, it is submitted there is no other site better placed to meet the housing requirements of the village." The landowner has however failed to submit any supporting evidence such as preparation of suitable engineering drawings that comply with Roads service standards, and confirmation legal control can be secured over any third party land necessary to form the improved access. The Council is therefore entitled to continue to question the development potential of this land on account of the constrained substandard access. The Council therefore considers there is insufficient justification to modify the Plan in this respect.

The representations also allude to other suitable, though unidentified, sites. The process of Site Assessment fully demonstrates the thoroughness of the site selection process. The Council accordingly maintains the view that the most appropriate site has been identified for the Spatial Strategy 50 housing unit requirement for Killearn, in terms of environmental, transportation and placemaking criteria.

Amend Conservation Area Boundary

The conservation area boundary changes proposed within the Killearn Settlement Plan are based on recommendations made within the proposed Killearn Conservation Area Appraisal document (CD166), and are aimed at ensuring robust and meaningful boundaries to the conservation area that properly reflect the extent of the area of special architectural or historic interest.

K Pollock (SLDP_834/003) - Site of the former Drumtian Steading – This representation relates to a site that currently lies outwith the conservation area boundary to its north-east, where the objector feels there is merit in including the site within a revised conservation area boundary. This site, whilst located just outside the boundary of the conservation area, is set in an open agricultural field, and now contains modern development. It is not considered that the buildings/site merit inclusion within the conservation area boundary. The Council does not therefore agree to modify the Plan in response to this representation.

Morag Gibb (01245/001) - 81 Main Street, Killearn – This representation relates to the proposed inclusion of a house and its garden at the southern end of Main Street, Killearn, within the conservation area. This house has been identified through the character appraisal as a traditional property of similar character and age to those within the conservation area. It is of red sandstone construction with a slate roof, chimneys and traditional dormers. It currently lies adjacent to the conservation area boundary and beyond it the style of development is modern. It is not clear why the house was not included within the conservation area at the time of the extension in 2000, but the review of the conservation area boundary through the conservation area character appraisal has identified its omission from the designated area as an anomaly and there is now an opportunity to address that fact. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

Background to Settlement Strategy and housing land supply requirements

1. A number of site specific representations raise general concerns in relation to settlement strategy and, in particular, to the need for the scale of additional housing proposed for Killearn in the proposed local development plan. The village has a population of around

1750 and it appears to have a range of education, shopping, recreation, health and community facilities commensurate with its size and function in this western part of the rural area.

2. In these circumstances, I find that the proposed allocation of 56 new houses in the village fits well with the plan's wider Spatial Strategy of promoting modest growth in rural settlements whilst focussing larger scale development in the Stirling Core Area. I consider that the proposed housing allocation is modest in light of the village size and population. This position is supported by the settlement capacity assessments carried out by the planning authority which demonstrates that there is available capacity in local community infrastructure to accommodate the proposed scale of new development and this includes schools, roads and public transport, drainage and community facilities.

3. The general housing land supply position is examined under Issue 4 of this report, with the conclusion that there is no requirement for large scale additions to the housing land supply in any part of the plan area.

4. Therefore, in principle, I find that the plan's Settlement Strategy and housing land requirements are reasonable and should be supported so far as Killearn is concerned. The separate matter of what, if any, site or sites should be allocated to address the modest need for effective small scale additions to the housing land supply are considered in the paragraphs below under each site subject of representation.

Site H101 - Station Road

5. The site at Station Road sits on the north-western edge of the village. It is a relatively low lying, featureless, marshy site without any landscape or landform containment or enclosure. Station Road forms its southern boundary and an existing house sits on part of its north-eastern boundary. Otherwise, the site has no obvious natural or man-made boundaries. It is not an infill site but would extend this part of the village edge further north and west and jut out into the surrounding countryside.

6. In light of the open and low lying nature of the site, I would be concerned that a new development here of 50 houses would adversely impact on views to and from the northern part of the village. The area immediately adjoining the site is not part of the conservation area so I do not accept that new development would adversely impact on the historic setting and character of the conservation area and important listed buildings given the separation distances involved. Nevertheless, an exposed modern housing development would not fit well with the established character and pattern of development in the surrounding area. I would also be concerned that development of this site may encourage further piecemeal development in the open rural landscape along the north-western edge of the village.

7. The issue of flood risk would be capable of being addressed subject to a flood risk assessment. However, I would anticipate that ground engineering, drainage, flood prevention and access works required to make the site developable would raise ground levels on the site. These works would make built development more prominent and difficult to integrate with the mature character and pattern of the surrounding residential area.

8. The site is not well located to access local facilities. The site is distant from the village centre. This problem is compounded by the relatively steep rise from Station Road to the village centre around Balfron Road which would discourage pedestrian accessibility although some existing residential areas in other parts of Killearn are further away from these same facilities. The site is not well served by public transport as most bus services

run along Balfron Road.

9. There is adequate local infrastructure to service 50 houses on this site. The settlement capacity assessment (CD45) carried out by the planning authority sets out this position. Similarly, Stirling Council's analysis of accommodation at the local primary school and Balfron High School identifies available capacity. Vehicular and pedestrian access could be taken from Station Road. There are no technical constraints to the formation of a new junction although footway provision to the village centre is inadequate.

10. On balance, I find that the site's size, shape and open location on the north-western edge of the village would make it an unacceptable location for new housing. However, the site's boundaries would not create a robust, well defined, long term settlement edge. Any housing development on this site could make it difficult to resist further peripheral expansion in this area in the future. Whilst the site could not be described as remote, it is not well located for pedestrian access to local services particularly when topography and road/footway gradients are taken into account. These problems are compounded by an inadequate local bus service. All these considerations outweigh the site's technical ability to be developed.

11. Therefore, I recommend that this site H101 should not be allocated for housing development.

B47 - Killearn Hospital Rural Activity Area

12. A number of representations have suggested that the former hospital site could accommodate nearly all the housing requirement (50 units) for Killearn and that the redevelopment of this brownfield site would be much preferable to a green field location, particularly site H101 at Station Road.

13. The former hospital site extends to 11 hectares and is located to the west of the village. It lies derelict and contaminated from previous use. At present, there is a lack of definitive evidence about the site's ability to be redeveloped at economic cost. Neither the landowners nor the planning authority have carried out comprehensive site contamination and remediation studies to enable a properly costed redevelopment strategy to be prepared. There seems to be little likelihood of such work being carried out in the near future. This casts considerable doubt on the timetable for any remediation and redevelopment.

14. In the absence of a costed and viable redevelopment strategy, it is very difficult to predict if any part of the site could be brought forward for housing development in the first part of the plan period. Unless there were to be intervention from the planning authority or other agency, it is possible that the site will remain in its current state for the whole plan period given the potential remediation issues and costs that could arise. So, it is clear that re-assigning the 50 unit housing allocation from site H101 to this site would delay, or even prevent, the provision of much needed new housing in this part of the plan area.

15. There are other concerns about the development of 50 houses on the site, even if the site were technically capable of being developed for that purpose. Any sizeable housing allocation on the site would still form a relatively small and isolated pocket of development detached from the main village. The site lies around 1.5 kilometres from the closest part of the village at Lampson Road to the north-east. There are no local facilities nearby. The site is distant from all local community facilities concentrated along Balfron Road and around Main Street. There is a very poor and incomplete footway network linking the site to the village. The site is also separated from the village by the A85 trunk road. All these factors

would make it very difficult for new housing to achieve social and community integration and connectivity with Killearn village.

16. The development of the hospital site for significant levels of housing would not comply with sustainable development and countryside development policies set out in Scottish Planning Policy (SPP). In particular, SPP (paragraph 95) states that in more accessible and densely populated rural areas most new development should be in, or adjacent to, settlements. Similarly, promotion of this scale of housing, in the absence of any wider redevelopment plan for the site, would be at odds with the local development plan's Overarching Policy and Sustainable Development Criteria which are derived from SPP. New housing on the site would increase the need to travel and would be remote from schools, shops, services and recreational facilities in the village. This is an important consideration particularly as affordable housing would be part of the housing mix.

17. The Bank of Scotland has a financial interest in the former hospital site. The Bank requests that the plan specifies a willingness to entertain discussions with potential developers about various types and scales of development, including but not restricted to residential development (ranging from a small number of high cost houses on substantial plots, to higher density housing options) accompanied by ancillary business uses.

18. Higher value land uses may encourage potential developers to bring forward remediation and redevelopment proposals. This approach is supported by Planning Advice Note 33: The Redevelopment of Contaminated Land (PAN 33). However, I consider that the plan's Key Site Requirements for B47 Killearn Hospital Rural Activity Area are already flexible. They make it clear that a range of housing, business, tourism and leisure uses will be considered for the site. In addition, the requirements state that residential development is to be permitted to a scale to enable implementation of a contaminated land strategy and site restoration.

19. The planning authority envisages an appropriate scale of residential development to be in the order of 10 units. I do not consider that it is helpful to adopt such a fixed position on housing numbers in advance of the outcome of a costed site remediation and redevelopment strategy. Equally, in the absence of such a strategy, it would be premature for the plan's Key Site Requirements to be amended in the manner suggested by the Bank. There is sufficient flexibility already built-in to the requirements to provide developer confidence that a range of housing types would be acceptable on the site. It is also reasonable that any housing development would have to be shown to be an essential part of a wider redevelopment and remediation strategy to bring the whole site back into beneficial use.

20. On the basis of all of the above, I do not recommend any modifications to the plan in relation to representations on this site.

Land north of Station Road and west of Blairessan House

21. The site is located to the north of the village relatively close to the village centre around the junction of Balfron Road and Station Road. It is an area of rough grassland and slopes gently to the north. If developed, the site is likely to have a capacity of around 30 units. Many of the representations focus on the potentially adverse impact of housing development on the character and setting of the Killearn Conservation Area where its northern boundary wraps round the edge of the site to the south, east and west.

22. This part of the conservation area (Killearn North) is characterised by a group of landmark listed buildings along Balfron Road, including the parish church and church hall bordering the Glebe which is the largest area of open amenity space in this part of the village. The Glebe provides an essential setting for the elevated buildings around it, particularly the church hall (old parish church) with its striking modern extension and painted steeple.

23. The Blaressan site lies close to the Glebe and the historic building group, but it sits at a lower level with a narrow frontage to Station Road which also forms the northern edge of the Glebe. I consider that the site's shape and orientation would allow it to be developed without impacting adversely on the essential character and setting of the conservation area and key listed buildings around the Glebe. The site is enclosed on two sides by existing development. Any new development would require a new access to Station Road. Such works would inevitably open up the site so that it was intervisible with the Glebe and the key buildings around it. However, I am content those views to and from the Glebe and along Balfron Road would not be diminished by the presence, at a lower level, of a small, semi-enclosed area of new housing. Gentle gradients across the site would help mitigate the physical presence of new housing and a sensitively laid out and designed development would fit well into the northern edge of the village. New development would also have the potential to create a well defined, long term settlement and landscape edge.

24. In light of the submissions from the developer and Stirling Council's Roads Service, I am satisfied that a mini-roundabout junction could be formed on Station Road to serve the site and meet normal construction and road safety standards. The prospective developers appear to have sufficient land in their control to provide this access solution. Footway improvements would be required to ensure safe pedestrian access to Balfron Road and the village centre.

25. Overall, I find the impact of new development on the site would not adversely impact on the essential visual, landscape and historic characteristics of the conservation area. The layout and design of new development need not be the same as within the conservation area. A sensitively designed development would be capable of respecting and complementing the existing architectural character and appearance of the area. This approach to new development is supported by the Scottish Historic Environment Policy (SHEP) advice in relation to Settings (CD21), and in advice set out in PAN 71: Conservation Area Management.

26. In other respects, the site is well located to access a range of community, shopping, primary school, public transport and recreational facilities in the village centre. There are no infrastructure capacity issues that would prevent or unduly restrict new development including schools accommodation. Therefore, development of the site would meet the local development plan's strategic settlement and sustainable development policies and objectives for modest, sensitive growth of villages in the rural area.

27. There is an identified local development plan requirement for new housing in Killearn, and, in light of the recommendation to delete the 50 unit allocation at site H101 (Station Road), this site would replace part of the requirement. The site would be capable of being effective in the early part of the plan period. Therefore, I recommend that the plan should be modified by allocating the site north of Station Road and west of Blaressan House as a housing site with a capacity of 30 units including affordable housing. It will be important for the planning authority to set out a detailed development brief for the site, in consultation with a developer, to ensure a high quality design, layout and landscaping structure. The layout should be low density with generous internal planting and structural landscaping along the

northern site boundary. In this way, the development should fit with the established character of residential areas on either side and help establish a new robust village edge. These are matters that should be covered in Key Site Requirements.

Land at Ibert Road

28. Several representations propose housing allocations on land both north and south-west of Ibert Road. The land proposed for housing by Duntreath Estate (Sir Archie Edmonstone) covers a significant area of open, rising, agricultural land on the north-east edge of the village. It would be accessed from Station Road via Ibert Road. The site has the potential capacity to accommodate significant housing numbers although this is not quantified in the representation. The representation is not supported by any technical or environmental assessments. Similarly, there are no masterplan or development concept submissions that would indicate how the site was to be developed. However, it is clear that development of the scale proposed would represent a strategic longer term expansion of the village. I consider that this would be unacceptable, in principle, in the context of the plan's Settlement Strategy that promotes modest growth in rural villages. Also, the conclusions on housing land supply set out under Issue 4 demonstrate that there is no requirement for additional large housing allocations in the plan area.

29. Even if development on the scale proposed were acceptable in strategic terms, any new housing around Ibert Road would present significant landscape challenges. The site is elevated, open and relatively exposed. It has no well defined landscape or landform boundaries to the east and south that would help mitigate the visual and landscape impact of new development. All the land along the eastern edge of the village forms part of the much larger Southern Hills Local Landscape Area proposed in the plan. The land is important in providing the landscape setting for Killearn with its prominent village core and key historic buildings occupying higher ground to the north. The village stretches to the south towards Strathblane occupying the lower, north-western edges of the Campsie Hills. I have concerns that any new development, including small scale piecemeal development, along any part of the eastern village edge would adversely impact on the landscape setting of the village and the character and setting of the conservation area.

30. The land proposed for housing by Duntreath Estate relies on access over Ibert Road which is substandard in width and junction geometry. Property outwith the control of the landowner would be required to upgrade it. It is unclear whether this land would be available for this purpose.

31. In summary, there is no Settlement Strategy or housing land supply support for major housing development around Ibert Road. Equally, I consider that smaller scale housing development along the eastern edge of the village around Ibert Road, as proposed in representations, would be unacceptable on landscape, visual, and conservation area impact grounds. These concerns are compounded by the absence of supporting technical and environmental information for the potential sites and doubts over the deliverability of an acceptable access solution.

32. Therefore, I do not support any modifications to the plan in relation to representations on land north and south west of Ibert Road or around Ibert House.

Conservation Area Boundary: 81 Main Street and, the site of the former Drumtian Steading

33. The statutory designation process for conservation areas is set out in sections 61 and 62 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended. SHEP explains that Scottish Ministers consider it important that before the designation of a conservation area, planning authorities should give the public ample opportunity to comment, either through responses to local plans or, where no local plans are in preparation, through another convenient consultation process. In the case of Killearn, where boundary changes to a designated conservation area are proposed, public comment has been invited through the local development plan preparation process.

34. The plan preparation process, however, is not in itself a vehicle for the designation of a conservation area or boundary changes to an existing conservation area. SHEP explains that once a planning authority has decided to designate a conservation area or make changes to the boundary, notice must be published in the Edinburgh Gazette and at least one local newspaper. Scottish Ministers must be notified formally of the designation or changes and provided with appropriate details.

35. The planning authority has considered the representations received in respect of the proposed changes to the boundary of the Killearn Conservation Area but this has been in the context of preparing the local development plan. The response to those representations was that there should be no modification to the plan. In terms of the procedure outlined above, it would remain open to Stirling Council as planning authority to pursue the final steps in the formal changes in the boundaries of the designated conservation area. However, insofar as the representations have been submitted in the context of the local development plan, they must be considered as part of this examination.

36. The representation from Morag Gibb suggests that there is no justification for the addition of her property at 81 Main Street to the conservation area. She supports this position by suggesting that the conservation area appraisal has failed to take account of unattractive and unsympathetic extensions carried out to the property in the 1930s and 1960s. The Killearn South Character Area is described in the Conservation Area Appraisal as an area of 19th century villas and detached houses in large plots and enclosed by mature trees, hedges and other planting. The area has a number of architectural styles and building finishes and they combine well with their setting to create a distinctive period character.

37. I find that the age, style and setting of the house and grounds at 81 Main Street are typical of this part of the conservation area. Later extensions to the house have little architectural merit but they do not detract significantly from the traditional style and character of the original house particularly when viewed from the front. There is no reason to believe that conservation area status, in itself, would impact adversely on the ability of the property owner to replace these extensions with designs more appropriate to the Edwardian character of the original house and area. Therefore, I consider that the property should be within the Killearn Conservation Area.

38. The representation from K Pollock seeks the inclusion in the conservation area of the site of the former Drumtian Steading. The replacement house is a modern property set back from Drumtian Road on a large site with open fields beyond to the north and west. The Conservation Area Appraisal notes that the conservation area is less consistent in character and form north of Station Road. Drumtian Steading sits on the north-east edge of this area and I find that the style, location and setting of the new property is even less consistent with the predominant conservation area character. On this basis, little purpose would be served

through its inclusion. Accordingly, I consider that the former Drumtian Steading should not be within the Killearn Conservation Area.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting all reference to site H101 Station Road entirely.
2. Allocating the unreferenced site north of Station Road and west of Blairessan House that is shown on the "Sites Suggested" map for Issue 35 as a housing site. The site should be shown on the proposals map for Killearn inside the settlement and outwith the Countryside Policy Boundary. The site should also be included in the "Existing and Future Land Supply" table in the Killearn Settlement Statement with capacity for some 30 units. These houses would be delivered during Period 1, with 15 units attributed to each of Phase 1: 2010/19 and Phase 2: 2019/24. The site should be subject to at least the following Key Site Requirements:
 - "A Planning and Development Brief will be prepared by the planning authority, in consultation with the prospective developer, to guide the layout and design of the development and it shall include advice on the type, style, height, spacing and external finishes of all houses and garages to be built on the site, to make sure that development suits the adjacent conservation area.
 - A landscaping plan shall be prepared for the full site incorporating substantial structural landscaping along its northern and north-eastern boundaries.
 - Vehicular access to the site shall be taken from Station Road via a new mini-roundabout junction.
 - A new footway shall be provided over the site frontage to Station Road linking eastwards towards the existing footway network on Balfron Road. Pedestrian crossing facilities shall be provided on Station Road in the event that a continuous footway connection cannot be accommodated.
 - Disposal of foul and surface drainage shall be to the relevant statutory standards of Scottish Water and SEPA to mitigate potential 'in combination' effects on the Endrick Water SAC."
3. Deleting paragraph 4 from the "Spatial strategy considerations" section of the Killearn Settlement Statement, which states "The current consultation on the Proposed Plan affords opportunities to comment on the Conservation Area Appraisals (or Statements) and the merits of suggested boundary changes and changes to Article 4 Directions".

Note: this recommendation only confirms the provisions of the local development plan. It is for the planning authority to pursue the designation of the conservation area separately under the terms of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended. The planning authority should also be aware of the following extract from Note 2.22 of the Scottish Historic Environment Policy December 2011 which states that "When varying a conservation area, a planning authority should preferably cancel the existing boundaries and simultaneously redesignate the new area as a single whole....".

Issue 36	Kippen	
Development plan reference:	Kippen Settlement Statement (page 180 – 183)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Jean Davidson (00712) Joyce Davidson (00709)		Ogilvie Homes Ltd (SLDP_321) Scottish Water (SLDP_126)
Provision of the development plan to which the issue relates:	The Kippen Settlement Statement is the section of the Plan that sets out the approach to development in Kippen. All of the sites and designations considered under this Issue are contained within the Kippen Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Kippen Settlement Statement</u> Scottish Water (SLDP_126/015) - comments that within the 'Infrastructure Considerations' section (paragraph 1) of the Kippen Settlement Statement it is stated that Turret Water Treatment Works supplies the village of Kippen. However, the village is in fact supplied by Carron Valley Water Treatment Works, which has available capacity. <u>Representations to non-allocated Site</u> <u>SS09 – South of Fintry Road, Kippen</u> Joyce Davidson (00709/001) - expresses concern at the lack of houses being allocated in Kippen, and the resultant impact this may have upon the availability of affordable housing in the village and the sustainability of the village and its services, such as the school. Considers there are an insufficient number of affordable homes in Kippen at present. Proposes site SS09 for allocation, provides reasons, and questions why it is not allocated in the Proposed Plan, when it was identified in the Main Issues Report. Jean Davidson (00712/001) shares these views, including the allocation of SS09, and is concerned that no housing development is being allocated in the village until after 2024. Site SS09 is being promoted by Ogilvie Homes Ltd (SLDP_321/002), and they have also objected to its non-allocation for a number of reasons, including the following: <ul style="list-style-type: none">• It was identified as an option site in the Main Issues Report,• There is a need for affordable housing in the village - it is a 'Highly Pressured Area', and no allocations are being made in the village in Period 1 of the Plan (first 10 years) to meet this need,• Information from the Council's Education Service suggests that there is capacity at the primary to accommodate some development in Period 1, and development could be phased to help with capacity,• Scottish Water upgraded the waste water treatment works in the summer of 2012,• Site has defensible boundaries, is not a functional area of open space, and has the potential to enhance open space access around the site,• Vehicular access is achievable from Davidson's Lea. Access from Fintry Road could be		

achieved later in the development of the site.

They suggest, as an alternative, that if the site is not allocated, it should be removed from the countryside and left as 'white land'.

Modifications sought by those submitting representations:

Kippen Settlement Statement

Scottish Water (SLDP_126/015) - requests 'Infrastructure Considerations' section (paragraph 1) of the Kippen Settlement Statement is amended to state that the village of Kippen is supplied by Carron Valley Water Treatment Works, which has available capacity.

Representations to non-allocated Site

SS09 – South of Fintry Road, Kippen

Jean Davidson (00712/001); Joyce Davidson (00709/001) - request the allocation of SS09 for the development of affordable housing.

Ogilvie Homes Ltd (SLDP_321/002) - requests the allocation of the site for housing development in general, or, as an alternative, the removal of the site from the countryside policy boundary area to make it 'white land' within the settlement boundary.

Summary of responses (including reasons) by planning authority:

Kippen Settlement Statement

The Council is agreeable to the text being modified as suggested by Scottish Water (SLDP_126/015) to provide clarity on the water and drainage infrastructure in the village. The Council considers this to be a non-notifiable modification.

Representations to non-allocated Site

SS09 – South of Fintry Road, Kippen

Site SS09 was put forward by the Council as an option site in the Main Issues Report (CD42) alongside the Period 2 proposal H103, which is identified in the Plan. The Main Issues Report outlined the approach in the Spatial Strategy to development in the Rural Villages stating that, "All rural villages are being considered for small-scale development for housing (between 10-40 housing units)." Given the scale of the two sites identified at the option stage, the Council considered it appropriate to identify in the Plan only one site for residential development in Kippen to meet the '10-40 houses' requirement identified in the Main Issues Report. The Spatial Strategy approach is reiterated in the Plan, in Table 1, where the Stirling Rural Villages are categorised as Tier 4 or 5 settlements within the Settlement Hierarchy (Kippen is Tier 4), and the approach will be "Controlled small-scale expansion of existing villages consistent with their limited size and role in the Settlement Hierarchy, to include new affordable and market housing...". This is also articulated in the Vision, where it is stated that in the villages and smaller towns there will be small to medium-sized infill peripheral housing developments.

Of the two sites (H103 and SS09) that were put forward as options in the Main Issues Report, the Council considers H103 to be the most suitable for development. The Council's Updated Site Assessment (CD45) responds to site SS09 (Reference KIPP03). The Assessment refers to development in the longer-term being more appropriate for the village due to existing infrastructure constraints and given the extent of affordable housing built in the village in recent years. The site at Burnside (H103) is considered to present less environmental concerns than KIPP03 and has more suitable access opportunities.

The Council has carefully considered the various reasons put forward in support of SS09, but remains of the view that there continues to be insufficient justification to allocate this site for development. This site was submitted as an Expression of Interest (KIPP03) and considered through the Site Assessment process (CD42). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representations is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential uses, as demonstrated by the Background Report on the Housing Land Requirement (CD61) and discussed more fully in Issue 4.
- Achieving suitable vehicular access may be difficult. Access onto the Main Road is via a single lane over bridge which is unlikely to be adequate to serve additional houses. Access could be provided off Davidson Lea cul de sac but radii into the site is tight unless part of existing gardens acquired. A phased development may be acceptable with access from Davidson's Lea but this can only be determined from the submission of a detailed scheme.
- Previously unknown, there is considered to be evidence of the presence of Greater Butterfly Orchids on the site and objections to the Main Issues Report highlighted this. Whilst it is acknowledged that the orchids are not a protected species, and it may be possible to relocate them, it is considered that their presence is of local significance, and they are classed as locally scarce in the Council's Draft Biodiversity Action Plan (CD80), which means that this species occurs in only 6-25 sites in the area. It is also considered that the number and variety of orchids present on the site gives it added ecological value beyond the presence of just the Greater Butterfly Orchid. Therefore, it is considered that it would be imprudent to allocate this site when another, more suitable, site exists within the village.
- With regard to the Primary School, there is limited capacity at Kippen Primary School, reflecting that it is a small village school. The Education Authority has concerns that the development of additional housing in the village within the Period to 2024, alongside other developments, could potentially cause capacity problems. The primary school has a working capacity of 130 pupils, and is currently operating below this level. Previous development within Kippen has generated high numbers of pupils. Any development of over 20 properties would have to be suitably timed to ensure that the school has sufficient capacity. This information from the Education Authority highlights that there are issues with any development coming forward on this site in the short term, particularly given the size of the site and the potential number of dwellings that it could accommodate.
- The work carried out by Scottish Water to upgrade the Kippen Waste Water Treatment Works in the summer of 2012, was to improve the robustness of the treatment works to achieve acceptable water quality standards, and not to increase capacity – this was confirmed to the Council in an email from Scottish Water (CD216). Therefore, capacity at Kippen Waste Water Treatment Works continues to be limited.
- In relation to Ogilvie Homes suggestion that if SS09 is not allocated, it could be removed

from the countryside and left as 'white land'. This is not an approach that has been used throughout the Plan. Paragraph 8 of Scottish Planning Policy (CD1) refers to a plan-led system which should provide a practical framework within which decisions on planning applications can be made with a degree of certainty. Removing what is a sizeable area of land from the countryside policy boundary area would essentially change the status of that land, which would require reasoned justification, and would imply that the site has in some respect become more suitable for development than was previously the case. Allocating the site, as part of a plan-led approach, would provide certainty and would allow key site requirements to be identified. Leaving the site as 'white land' would not allow for this, and would result in an ambiguous statement from the Council on the developability or otherwise of the site.

To summarise, the Council does not consider that the Plan should be modified in respect of any of the issues raised in the representations to site SS09. Site H103 is considered to be a logical extension to the village that is close to the village centre and could be developed to integrate with the neighbouring residential development at Burngreen. It has well-defined boundaries, and suitable access can be achieved. The site is being proposed in Period 2 of the Plan, and detailed key site requirements will be set out at the next review of the Plan. However, at a minimum, the affordable housing requirement will be 50% of the total number of units, thus delivering some affordable housing to meet the needs of a 'Highly Pressured Area'.

Reporter's conclusions:

Kippen Settlement Statement

1. The planning authority accepts that the Kippen Settlement Statement wrongly states that Turret Water Treatment Works serves the village rather than Carron Valley Water Treatment Works which has available capacity.
2. I am content that Scottish Water's representation appears to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required.

SS09 – South of Fintry Road, Kippen

3. The proposed site is an area of rough grassland on the south-west boundary of the village. It is well defined on its western, northern and eastern edges by built development and, to the south, by a stand of deciduous woodland. The site is part of a Local Landscape Area (LLA) that wraps around the south side of the village. The site is enclosed and well contained and I do not consider that development would prejudice the area's scenic interest or wider landscape character and so would accord with the objectives of protecting special landscapes set out in Policy 9 of the local development plan.
4. Within the site, parts of the area are steeply sloping and unsuited to development but there are other parts that would be capable of development, albeit that site levels would need to be adjusted to create building platforms for houses and roads.
5. I accept that the presence of orchids on parts of the site gives it ecological value. However, the orchids are not a protected species and the site is not subject to any statutory environmental designation. In these circumstances, I consider that it would be possible to prepare a habitat mitigation strategy that would allow the site to be developed and, at the

same time, protect or relocate sensitive plants or habitats.

6. There is potential for the site to be developed in 2 phases accessed initially from Davidson's Lea and from Fintry Road for a later development phase. It appears that a developer would need to gain control of land currently owned by third parties to allow these accesses to be constructed to acceptable standards. This casts considerable doubt on the site's ability to be effective and to make an early contribution to the housing land supply in this part of the rural area.

7. There are infrastructure constraints that would also limit the site's ability to deliver housing output in the early part of the plan period. The representation from Ogilvie Homes does not propose a specific number or mix of houses for the site although reference is made to the inclusion of affordable houses. However, it is not clear if and when the Kippen Waste Water Treatment Works could serve a development site of the size proposed even if the development were to be phased. Further work with Scottish Water would be required to establish the availability and timing of waste water treatment capacity.

8. I consider that, in the medium/longer term, the planning authority's concerns over the capacity of Kippen Primary School could be resolved through a phased approach to site development and house completions. However, it is clear that the issue of school capacity would be accentuated by house completions in the early part of the plan period.

9. The plan allocates land at Burngreen (18 units) and Burnside (30 units) for housing development to be phased over the next 20 years. The Burngreen allocation is programmed for development in the next 5 years. The representations have not set out any reasons why these allocations are inadequate in light of the local development plan's spatial, settlement and housing land supply strategies. The planning authority has stated that it will seek an affordable housing allocation within the Burnside site.

10. Overall, the site is well contained and would make a logical extension to the village form without adversely impacting on the character of the village or the Conservation Area. The site topography and ecology would make it more complex to develop. While these factors would not prevent development, they would need to be addressed through a sensitive approach to site layout, design and habitat conservation. So, I find that the site could be capable of development in the longer term.

11. On the other hand, I find that the aggregate effect of access and land ownership issues; drainage infrastructure constraints; local education capacity problems and the need for site habitat mitigation measures would all take time to plan and resolve. Therefore, I can have little confidence that the site could deliver early housing output to help address the relatively small and short term land supply deficit in the plan area identified in the conclusions for Issue 4: Housing Land Supply.

12. I do not favour the 'fall-back' proposal submitted as part of the Ogilvie Homes representation that the site could be designated as 'white land' in the plan. I accept the planning authority's argument that this would be inconsistent with the plan-led approach advocated by SPP. It would also introduce a degree of uncertainty about the site's status and the prospects of future development. There are a number of infrastructure and effectiveness issues, described above, that should be resolved before the site could be considered a potential location for village expansion. These are issues that would be best considered as part of a future review of the local development plan, when the site could be assessed against appropriate spatial strategy and housing land supply policies at that time.

13. On the basis of all the above, I conclude that site SS09 South of Fintry Road would not be an acceptable housing allocation and, accordingly, I do not recommend any modification to the plan.

Reporter's recommendations:

No modifications.

Issue 37	Strathblane & Blanefield	
Development plan reference:	Chapter 10 - Strathblane & Blanefield Settlement Statement (page 226-231) H106 - Campsie Road H108 – South of 13 Old Mugdock Road	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Strathblane Community Council (SLDP_102) Ian Swann (00497) Strathblane Committee for the Preservation of the Green Belt (01330) SportScotland (SLDP_178) Charles Connell & Co Holdings Ltd (SLDP_1251) A Mary Marshall & Jane Early (00467)		D Le Marquhand (01030) Robert Burns (SLDP_402) Simon Graham (SLDP_720) Robert Insall (01329) CALA Homes (West) (SLDP_230) Rural Stirling Housing Association (SLDP_156) Sted Investments (00699)
Provision of the development plan to which the issue relates:	The Strathblane & Blanefield Settlement Statement is the section of the Plan that sets out the approach to development in the village. All of the sites and designations considered under this Issue are contained within the Strathblane & Blanefield Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>General</u> Strathblane Community Council (SLDP_102/002) - Surprised that there is still no mention of the Carbeth Conservation Area in the Settlement Statement for Strathblane. With regard to the Cemetery proposal, the changes described do not seem designed to enforce lower speeds by physical measures. Consideration should be given to a roundabout to access the cemetery extension and/or housing site. Pedestrian access to the village through the old railway route (maybe private property) should be investigated. The Plan needs to provide a complete map of the Green Belt as at present only partial views are visible. Ian Swann (00497/002) – Considers the location for the cemetery would place it at a low point where water can be seen lying following recent rainfall. This raises questions about the drainage in that area and health and safety issues which would need addressed. Strathblane Committee for the Preservation of the Green Belt (01330/001) - Disappointed that there is no map in the Plan showing the location of Mugdock Country Park with Strathblane and the roads and footpaths linking the two. Also no mention of the Nature Reserve at Loch Ardingning and the walks available. The Plan does not acknowledge the need to extend Mugdock Country Park to cope with the increasing number of visitors, particularly parking or the need to travel to Loch Ardingning by car because the A81 is so busy and there is no adequate footpath. Non mention of the need for investment in improvements.		

Removal/Amendment to the Green Belt

Strathblane Community Council (SLDP_102/002); SportScotland (SLDP_178/007); Strathblane Committee for the Preservation of the Green Belt (01330/002) – All opposed to the removal of Green Belt at the north west corner (Dumgoyach Local Landscape Character Area) and request that the Green Belt be retained (i) north of the B821 and (ii) west of the A809. Note that the Carbeth Landscape Character Area is not to be deleted from the Green Belt on the basis that the West Highland Way runs through the area. The West Highland Way also runs through Dumgoyach so this is an anomaly.

Strathblane Committee for the Preservation of the Green Belt (01330/002) – The Battle of Mugdock is not yet on the Inventory of Battlefield sites but should be afforded protection by not removing its Green Belt designation.

The proposal to remove the steep north-facing site on the Glasgow Road, west of Glenarden from the Green Belt seems a strange adjustment when the trees that have already been cut down on the site.

Charles Connell & Co Ltd (SLDP_1251/008) - Blane water should form the new southern and eastern boundary of the Green Belt east of Strathblane. Through the robust definition of the eastern boundary of Strathblane, considers it possible to conserve and enhance the Green Belt and its function in this location for the long term future benefit of the village.

Housing – General

Rural Stirling Housing Association (SLDP_156/004) – Supports housing in the village and particularly affordable housing due to its Pressured Area status but the issues here are particular acute due the fact that affordable housing represents a particularly low proportion of the existing housing stock and the Right to Buy has severely reduced the original stock of Council homes and there has been no affordable housing built for several decades.

Ian Swann (00497/002) – Supports the creation of additional housing where needed, especially affordable for local families and the elderly.

Sted Investments (00699/001) – The area of land at Blanefield Care Home and its grounds be removed from the Green Belt and allocated for residential development. Refers to recent appeal dismissed on the site and the need for low density development, set within a landscaped setting in keeping with surrounding area. Considers a suitable, defensible, Green Belt boundary can be drawn immediately to the north west of site which would not lead to coalescence of Strathblane with other towns/villages or undue impact upon historic setting of village.

A M Marshall & J Early (00467/003) – Considers the Green Belt boundary could be well defined if the field opposite East Ballewan were allocated for housing. This site would also have the advantage of being on a bus route and include a roundabout to assist traffic calming on the approach to the village.

A M Marshall & J Early (00467/002); Strathblane Community Council (SLDP_102/009); D Le Marquhand (01030/001) - All support the proposed Green Belt boundary following the A81 at Glenarden. Developing the site adjacent to Glenarden would be nearer to facilities and access would be via Old Mugdock Road - less busy than A891.

D Le Marquhand submits two plans showing a proposed layout for the site, including

affordable housing, which is supported by further information relating to road access and improvements to the junction of Old Mugdock Road and Milngavie Road, available services and drainage infrastructure improvements, suitable ground conditions, and references to the support of Strathblane Community Council. All the information is presented to demonstrate the suitability of the site for housing development.

Strathblane Community Council (SLDP_102/009) – Considers Glenarden suitable for affordable housing. Development might be justified on that basis, with replacement of woodland elsewhere, providing the scheme meet the 50%+ affordable criterion.

D Le Marquhand (01030/001) – Considers support is given in the Plan under Policy 2(b) to residential development at Glenarden as the site is not protected open space and it will provide affordable housing. Wants the site specifically allocated for housing if the above understanding is not correct.

Strathblane Committee for the Preservation of the Green Belt (01330/005) – Considers a number of sites should be reconsidered for housing development, which are all preferable to the allocated site H106. Considers that given the sensitivities around the village the provision of affordable and special needs housing is going to take some time and will be reliant on other settlements i.e. Milngavie and the Greater Glasgow Conurbation.

Robert Burns (SLDP_402/001) – Considers a site at Old Mugdock Road should be removed from the Green Belt and allocated for housing development. Sensitive development will have to take place on the Green Belt where it will not lead to coalescence or urban sprawl which this site offers. The Green Belt will be protected with a strong natural replacement boundary. The site is proposed for 6 - 8 self-build plots and would help support existing community facilities and provide stimulation for new community development with socio-economic benefits.

Simon Graham (SLDP_720/001) - Objects to non-inclusion within the settlement boundary of site of 'the house and garden ground at Campsie Dene Road' which has now been built. The site is small, identifiable and well-defined, performs no useful Green Belt function and its inclusion within the settlement should not be constrained by the legal agreement. Refers to evidence of a different approach taken by the Council elsewhere in Killearn (Drumbeg Loan).

Allocated Housing Site - H106, Campsie Road

A M Marshall & J Early (00467/001) - The A891 is a busy road with a flooding problem at Dunglass entrance - suggests changes to the location of the development H106 to assist with this. Welcomes the extension of the 30 mph zone. Site not a bus route which may be disadvantageous to residents unable to drive. Pleased that footpaths are to be provided. The Green Belt boundary is currently well defined by the path at side of the Glebe this would not be so if it were merely defined by a line of trees as proposed.

Strathblane Community Council (SLDP_102/006) – Wants flexibility within the development brief to obtain the best outcome for the community. For example, whether the housing and cemetery site should be switched around, to avoid accidents when funerals are taking place.

The Key Site Requirements are a good start but not easily visualised on the ground. They do not seem designed to enforce lower speeds by physical measures. Consideration should be given to a roundabout to access the cemetery extension and/or housing site. Pedestrian access through the old railway route should be investigated, to avoid the hills and the traffic.

The new hard boundary to the Green Belt is essential.

Strathblane Committee for the Preservation of the Green Belt (01330/004) – Considers Strathblane is effectively at its limit for significant development and further expansion, in the form of either large or small scale growth and therefore objects to H106. Does not believe that a robust boundary can be established between the proposed houses and the Green Belt within the span of the Plan. Refers also to the Battle of Loch Ardingning as not yet on the Inventory of Battlefield sites and the building of houses at H106. Refers to previous planning applications made in the 1990's refused at Appeal at H106.

Robert Insall (01329/001) - Supports the idea of building affordable housing in Strathblane but objects to the H106. It is current green fields with a widely used footpath and view to Kirkhouse. Affordable housing here is as far away from shops as possible, crossing a maximum number of roads to get anywhere, and at a site bounded by two main roads in which people drive too fast. The natural place is nearer the middle of the village where there are connections and where the Green Belt boundary is not extended outwards.

Ian Swann (00497/001) - The Green Belt boundary to the east of the village is well established at a high point in the road and follows an old waypath which is lined by mature trees. The views of the eastern border of the village are exceptional as are the view in the opposite direction from the church. The views of the village would be dramatically changed by development on H106 and would impact negatively on open space as it would place buildings next to existing walkways. The rural character of the village would be irrevocably changed.

Charles Connell & Co Ltd (SLDP_1251/007) – Supports H106 but requests that the housing allocation is expanded to the east, with the cemetery extension taking the place of the proposed housing at H106 closer to the Church. Proposes a site specific design solution with the cemetery extension to be sited opposite the church with car parking provided behind a low stone wall and beech hedge. Also considers that the delivery of the required cemetery and the proposed landscape elements required to provide a 'robust Green Belt boundary' and site specific design solution, can only be achieved through delivery of 50 housing units rather than 30 units.

CALA Homes (West) (SLDP_230/010) – Supports the inclusion of H106. The delivery of 30 homes on this site is appropriate for the site's location at the edge of the existing village as well as providing a 50:50 split between affordable and market homes. Welcomes the clarity now provided in the Table (page 230) under Key Site Requirements regarding the need to confirm that the site for the extended cemetery will be located outwith the allocated site (in the Green Belt). Confirms that the programming (Phase 1) can be delivered in accord with PAN 2/2010.

Allocated Housing Site H108 – South of 13 Old Mugdock Road

Strathblane Community Council (SLDP_102/008) - Site H108 should be deleted. It is no longer available in view of the approval for the Co-operative development (CD127).

Modifications sought by those submitting representations:

General

Strathblane Community Council (SLDP_102/002) - Correct references to Strathblane being

'12 miles from the Glasgow conurbation'. The conurbation includes Milngavie which is perhaps only 4 miles away.

Provide a complete map of the Green Belt within the Plan.

Strathblane Committee for the Preservation of the Green Belt (01330/001) - The Plan needs to commit Stirling Council to improving paths in its ownership and to working extensively with private land owners to make all paths more attractive and safer for public access, possibly within Primary Policy 15: Tourism and Recreational Development.

Removal/Amendment to the Green Belt

Strathblane Community Council (SLDP_102/002) - Reinstate the Green Belt at the north west corner - north of the B821 and west of the A809 (Dumgoyach).

SportScotland (SLDP_178/007) - Amend Green Belt boundary to include area of West Highland Way that runs through the Dumgoyach Local Landscape Character Area.

Strathblane Committee for the Preservation of the Green Belt (01330/002) – Do not remove the areas of Green Belt at Carbeth.

The trees at Glenarden should be being replaced to improve the absorption of carbon emitted by traffic on the hill.

Charles Connell & Co Ltd (SLDP_1251/008) - Amend the Green Belt boundary to the east of Strathblane to reflect the recommendations of the objector's submitted Ian White Landscape Appraisal. Amend Strathblane and Blanefield Settlement Plan to allocate the extended area submitted for H106 and the masterplan prepared by Jimmy Denholm Partnership.

Housing – General

Ian Swann (00497/002) – Supports the creation of additional housing where needed, especially affordable for local families and the elderly. Suggests Glenarden is used for this purpose as it is closer to the village shop and GP surgery than H106, and this is a site recently cleared of trees.

Sted Investments (00699/001) - Remove Blanefield Care Home and surrounding land from the Green Belt and allocate as a residential site. Suggests re-drawing the Green Belt boundary to release this site and land immediately to south east (Site Assessment ref. STRA07) as a minor expansion to village.

A M Marshall & J Early (00467/003) – Housing development at Ballewan (Site Assessment ref. STRA07) should be considered.

A M Marshall & J Early (00467/002) – Housing development at the site adjacent to Glenarden (Site Assessment Ref: NEW1) should be considered.

Strathblane Community Council (SLDP_102/009) - The Plan should allow for Glenarden (Site Assessment Ref: NEW1) to be considered for provision of affordable housing.

Ian Swann (00497/001) - Suggests Glenarden is used for affordable housing as it is closer to the village shop and GP surgery than H106, and is recently cleared of trees.

D Le Marquhand (01030/001) - Wants the site at Glenarden (Site Assessment Ref: NEW1) specifically allocated in the Plan for housing if support is not forthcoming from the policies in the Proposed Plan.

Strathblane Committee for the Preservation of the Green Belt (01330/005) – The Council should reconsider the following areas for housing: The Council own small piece of land within the village on Glasgow Road, opposite the War Memorial and east of the Glasgow water mains (Site Assessment Ref: STRA05), open ground off Glasgow Road next to New City Row and west of the Glasgow water mains, and the Telephone Exchange.

Robert Burns (SLDP_402/001) - The gap site at Old Mugdock Road (Site Assessment Ref: STRA02), should be removed from the Green Belt and allocated for housing development.

Simon Graham (SLDP_720/001) - Remove site of 'the house and garden ground at Campsie Dene Road' from the countryside and Green Belt.

Allocated Housing Site H106 – Campsie Road

Ian Swann (00497/001 and 002); A M Marshall & J Early (00467/001) – Suggests the cemetery needs could be met by the use of some or all the site H106 which is adjacent to the Manse and close to Strathblane Parish Church and existing cemetery. There could then be a roundabout at Dunglass making a safer exit and also aid traffic calming. Traffic lights would allow a safe crossing for pedestrians to access the village (and facilities) via Dunglass.

Strathblane Community Council (SLDP_102/006) – The Plan should require that the community is fully involved in the production of the Development Brief for this site. The road and footpath improvements must also be subject to consultation with the community. The location and extent of 'additional tree planting' should be marked on the plan.

Strathblane Committee for the Preservation of the Green Belt (01330/004) – Remove H106 as being suitable for house building.

Charles Connell & Co Ltd (SLDP_1251/007) – Amend the Green Belt boundary of H106 to the east of Strathblane to reflect the recommendations of the (objectors submitted) Ian White Landscape Appraisal. Amend the Settlement Plan to allocate the area to the east of the Campsie Road (H106 site) for 50 residential units of mixed tenure. Reduce the affordable housing contribution from 50% to 25%.

Allocated Housing Site H108 – South of 13 Old Mugdock Road

Strathblane Community Council (SLDP_102/008) - Site H108 should be deleted.

Summary of responses (including reasons) by planning authority:

General

Strathblane Community Council (SLDP_102/002) – A plan of the Carbeth Conservation Area is shown at Page 229 of the Plan. There is no reference to Carbeth itself within the Settlement Statement as the Statement deals with the main settlement of Strathblane and Blanefield – Carbeth is not identified as a settlement in the Settlement Hierarchy. Details in terms of how the cemetery can help reduce lower vehicle speeds can be

considered at the planning application stage. A roundabout is not considered necessary given the scale of the proposed development and pedestrian access to the village outwith the site is not a consideration for the Key Site Requirements for the proposed housing development.

The references to Strathblane being '12 miles from the Glasgow conurbation' can be corrected in the final Plan. The Council considers this to be non-notifiable modification.

It is not possible to provide a complete map of the Green Belt within the Plan as it would comprise a number of separate pages if a consistent scale was to be used. When the Plan is adopted it will be published as an online Local Development Plan, and all full extent of the relevant designations in the Plan will be viewable through a GIS mapping facility.

The Council does not therefore agree to modify the Plan in response to this representation.

Ian Swann (00497/002) – Further investigations will be undertaken in relation to the Cemetery and the ground water levels determined to allow the site to be managed appropriately. The site is considered appropriate for this use as several options are available including reducing capacity for interments in lairs, allocating low lying areas for ashes interments only, suds pond etc. It is anticipated that the higher ground will be used for burial purposes. The Council does not therefore agree to modify the Plan in response to this representation.

Strathblane Committee for the Preservation of the Green Belt (01330/001) – Proposals to improve local access routes and links to the West Highland Way, John Muir way and Mugdock Country Park are highlighted in the Open Space Strategy Opportunity Plan for Strathblane (CD59). Any Improvements to Mugdock Country Park are handled by the Country park Management Committee and any planning permissions secured under this use. This is not therefore a matter for the development plan. The Council does not therefore agree to modify the Plan in response to this representation.

Removal/Amendment to the Green Belt

Strathblane Community Council (SLDP_102/002); SportScotland (SLDP_178/007); Strathblane Committee for the Preservation of the Green Belt (01330/002) - In relation to the proposed removal of Green Belt at Dumgoyach, Chapter 5 of the Green Belt Review Background Report (CD55) explains why the Green Belt to the west at Auchineden plays a lesser role in the setting and identity of settlements – this is one of the key objectives for Green Belts outlined within Scottish Planning Policy (CD1). This is different to Carbeth, where the Green Belt has a complementary role in providing a landscape setting to the Carbeth Huts. The Council considers therefore that the Green Belt west of Auchineden should continue to be deleted. The Council does not therefore agree to modify the Plan in response to these representations.

Strathblane Committee for the Preservation of the Green Belt (01330/002) – The Green Belt at Carbeth is not proposed for removal, but at Dumgoyach – this is shown on Page 229 of the Plan. The battle of Mugdock is not on Historic Scotland's Inventory of Battlefield sites and therefore not recognised as being of national interest for inclusion on the Inventory. It would not be appropriate therefore to retain the Green Belt designation on this basis.

In relation to the proposed removal of Green Belt at Glenarden, Chapter 5 of the Background Report (CD55) explains why a more robust Green Belt boundary is considered to be the A81, consistent with Scottish Planning Policy. A felling licence has been issued

(CD219) for the thinning of trees on the site, the licence gives no indication of the need for replacement planting and this would be a matter for the Forestry Commission Scotland. The Council does not therefore agree to modify the Plan in response to this representation.

Charles Connell & Co Ltd (SLDP_1251/007) – If the Green Belt boundary were to follow the Blane Water as suggested by the objector, this would result in significant areas of land taken out of the Green Belt. This area falls within the Dunglass Local Landscape Character Area as referred to in the Strathblane Green Belt Study (CD54), and is considered highly visible from the A891. As the existing Green Belt boundary with the settlement is considered robust, only a modest removal of Green Belt to accommodate proposal H106 is proposed in the Plan, with the proposed extension to the cemetery forming the inner boundary of the Green Belt to reduce its overall impact. The justification for a Green Belt up to the Blane Water is considered strong given the potential adverse impact additional development could have on the settlement pattern, further extending Strathblane into the largely unsettled valley to the east. The Council does not therefore agree to modify the Plan in response to this representation.

Housing - General

Sted Investments (00699/001) – The removal of the Green Belt at Blanefield House and between the site and Blanefield, and its allocation for low density housing in conjunction with site STRA07, is not supported. The sites lie outwith the village and in the Local Landscape Character Area of Blanefield as referred to in the Strathblane Green Belt Study (CD54). The existing Green Belt is considered to play a central role in protecting the local setting and identity of Strathblane, through maintaining the association of Strathblane and Blanefield with the valley landform. There is therefore no justification for deleting large areas of the Green Belt in this location.

A planning application refusal (CD94) and planning appeal decision (CD95) at Blanefield House concludes that development here would increase sprawl into the countryside and would be an intrusion into an open landscape.

Although the study (CD54) suggests the area south of the A81 (East Ballewan) could accommodate development in landscape terms, the Council's Site Assessment (CD45) of STRA07 concludes that it is some distance from local amenities and does not encourage sustainable transport modes. Development here would need to address the road frontage and flood risk and the site is also significantly constrained by existing landscape features. For these reasons, the site is not considered appropriate for development.

A M Marshall & J Early (00467/003) - also supports development at STRA07. The Council considers that any development at STRA07 and Blanefield House would represent a major expansion into the countryside having an adverse impact on the setting and character of Blanefield. The Council does not therefore agree to modify the Plan in response to these representations.

A M Marshall & J Early (00467/002); Strathblane Community Council (SLDP_102/009), Ian Swann (00497/001 & 00497/002); D Le Marquhand (01030/001) – The Council does not support the specific allocation of Glenarden for housing purposes. H106 is identified as the preferred housing site for Strathblane and Blanefield. Although it is recognised that there is housing need pressure within the settlement, the identification of further affordable housing within the period of the Plan is constrained by funding and only one site therefore is considered deliverable. The Council's Site Assessment ref: NEW1 (CD45) highlights concerns with the site and its suitability for housing development. A felling licence has been

issued (CD219) for the thinning of trees on the site, the licence is not to clear fell the trees on the site and gives no indication of the need for replacement planting. The Council is concerned that the proposed development (either options put forward) are not achievable without significant tree loss on the site contrary to the national policy on woodland removal. No tree survey is submitted with the representation to demonstrate otherwise. The suggestion to improve Old Mugdock Road/Milngavie junction is welcomed but should not be used as an argument to support development that would not otherwise be supported. The gradients of the site also render affordable housing difficult to achieve and at a cost affordable relative to the limited government funding available. No information has been provided to counter this argument by either the promoter of the site or the local Registered Social Landlord. The allocated site H106 is therefore considered to present a more cost-effective option for the delivery of affordable housing in the village. The Council does not therefore agree to modify the Plan in response to this representation.

Strathblane Committee for the Preservation of the Green Belt (01330/005) – Most of the sites suggested by the objector have already been considered in the Council's Site Assessment process (CD45). Of all the sites considered, H106 is considered to be the best opportunity to secure affordable housing within the village. The Council does not therefore agree to modify the Plan in response to this representation.

Robert Burns (SLDP_402/001) – The Council's Site Assessment (CD45) of Old Mugdock Road (STRA02) concludes that the site is remote from existing facilities, difficult to access safe routes to school, and would not therefore be appropriate as a site for affordable housing particularly. Further housing in this area would continue the existing undesirable pattern of development in this location. The retention of Green Belt in this location is considered important to the setting of Strathblane. The Council does not therefore agree to modify the Plan in response to this representation.

Simon Graham (SLDP_720/001) – The site at Campsie Dene Road (STRA03) was considered in the Council's Site Assessment process (CD45). Outline Planning Permission (CD96) was granted in 2008 for a house on the site subject to a S75 Agreement to ensure the property is tied to the agricultural business and land. This was because of the site's location within the countryside and the Green Belt. It would not be appropriate therefore to remove the Green Belt and adjust the Countryside Policy Boundary area to accommodate the site simply because the house has now been built. The comparison made with amendments made to Countryside Policy Boundary with respect to Drumbeg Loan, Killearn (CD125a & CD125b) is not directly comparable as the housing permitted at these sites are not within the Green Belt, the sites fall within the definition of brownfield land, and were not been approved subject to S75 Agreements. The Council does not therefore agree to modify the Plan in response to this representation.

Allocated Housing Site H106 – Campsie Road

A M Marshall & J Early (00467/001); Strathblane Community Council (SLDP_102/006); Charles Connell & Co Ltd (SLDP_1251/007) – all request that the location of the proposed cemetery extension be switched with H106, for varying reasons. The location of the cemetery extension is considered important in order to round-off the eastern edge of the village and prevent future development encroaching into this sensitive area of Green Belt. It will also provide a clear boundary for the inner edge of the Green Belt. A roundabout is not considered necessary given the scale of the proposed development but the Key Site Requirements require a new crossing facility to be provided. Relocating the 30 mph signage may involve introducing a new gateway/traffic calming feature that will complement the crossing facility which may take the form of either road narrowing, a refuge island or a zebra

crossing. The Community Council will be consulted on any Development Brief for this site along with any proposed road and footpath improvements. It is not possible to identify the extent of tree planting for the site – this is a matter for the Development Brief and full planning application that is submitted. The Council does not therefore agree to modify the Plan in response to this representation.

Strathblane Committee for the Preservation of the Green Belt (01330/004) – The Council considers that a robust boundary can be established between the proposed houses and the Green Belt through the provision of the cemetery extension. The battle of Loch Ardinning is not on Historic Scotland's Inventory of Battlefield sites and therefore not recognised as being of national interest for inclusion on the Inventory. It would not be appropriate therefore to prevent development at H106 on this basis. Any previous planning applications relating to the site would have been considered under the previous development plan strategy. As this is a new Local Development Plan, the new strategy requires sites within the Green Belt to be considered where appropriate. The Council does not therefore agree to modify the Plan in response to this representation.

Robert Insall (01329/001) – Sites for housing development within the village were considered through the Council's Site Assessment process (CD45). H106 is considered to be the best opportunity to secure affordable housing within the village and is relatively close to existing village amenities e.g. primary school. The Council does not therefore agree to modify the Plan in response to this representation.

Ian Swann (00497/001) - This area falls within the Dunglass Local Landscape Character Area as referred to in the Strathblane Green Belt Study (CD54), and is considered highly visible from the A891. Only a modest removal of Green Belt to accommodate proposal H106 is therefore proposed in the Plan, with the proposed extension to the cemetery forming the inner boundary of the Green Belt to reduce its overall impact. The Council does not therefore agree to modify the Plan in response to this representation.

Charles Connell & Co Ltd (SLDP_1251/007) – The delivery of the required cemetery extension and the proposed landscape elements required to provide a robust Green Belt boundary, is not dependent on 50 houses. The cemetery extension will be delivered and funded by the Council, and it is next in line to be delivered after Callender. The Council considers that housing on H106 site can be delivered in the timescales indicated – the site is supported by a house builder for 50% affordable housing and is considered effective. The Council does not agree that the site should be extended further into the Green Belt to the east to provide a low density housing development similar to that north of the A891. Built development here would be highly visible, the proposal to widen the road frontage and introduce a footpath, verge and avenue tree planting right up to Ballagan House, would introduce an urban form of development into open countryside, changing the character of this countryside location. This would impact on the wider landscape setting of the Green Belt in this location. The H106 site can be considered separately as it relates more to the existing village edge to the west, and at a proposed density of c.23 units / hectare is appropriate for this part of the village. The Council needs to prioritise the delivery of affordable housing within the village and the location and scale of H106 provides an opportunity to do this as opposed to that proposed by the objector. The Council does not therefore agree to modify the Plan in response to this representation.

Allocated Housing Site H108 – South of 13 Old Mugdock Road (*Housing Land Audit Ref: SC114*).

Strathblane Community Council (SLDP_102/008) – This site does not feature in the period to 2024 within the 2012 Housing Land Audit (CD64) because it is now being proposed for conversion to commercial uses. In 2011 however the site was considered effective and therefore the Plan is consistent with the 2011 Housing Land Audit (CD63). The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

General

Carbeth Conservation Area

1. The planning authority explains that the Carbeth Conservation Area is not within the Strathblane and Blanefield settlement area but that there is a map of the conservation area on page 229. This map is within the section of the local development plan dealing with Strathblane and Blanefield but, as pointed out by the community council, there is no reference to Carbeth in the text. It would be appropriate to provide a context for the conservation area in the Description section of the settlement statement in a similar manner to the reference to Mugdock Country Park, also not within the settlement area. This would allow a better understanding of the purpose of the Carbeth Conservation Area map. The local development plan should be modified accordingly.

Mugdock Country Park and Loch Ardinning Nature Reserve

2. The Strathblane Committee for the Preservation of the Green Belt is concerned about the lack of a map of the country park or mention of the nature reserve. The planning authority points out that improvements in Mugdock Country Park are the concern of the management committee. There is no response in respect of the nature reserve.

3. The Description section of the settlement statement makes a detailed reference to Mugdock Country Park. This is appropriate content for the local development plan particularly as the planning authority has explained the park management arrangements.

4. Although close to Strathblane, there does not appear to be a particular requirement to refer to the Loch Ardinning Nature Reserve.

5. No modification to the local development plan is required.

Proximity to Glasgow

6. The community council's concerns regarding the proximity to Glasgow appear to have been resolved as the planning authority has undertaken to change the Description section by means of a non-notifiable modification. No further action is therefore required although it would be preferable to ensure consistency through the use of either metric or imperial distances.

Green belt map

7. It would be useful to have a single, complete map of the green belt as requested by the community council. However, the planning authority has provided an explanation why this would not be practical because of the form in which the local development plan has been presented.

8. The Key Diagram for the Core Area and Rural Villages does show the extent of the green belt. However, the scale is such that the outer edge of the designated area is sometimes difficult to discern accurately, including to the north-east of Strathblane. The inner boundary, of course, is defined on the larger scale settlement plans including Strathblane/Blanefield along with the Carbeth map on page 229.

9. It does not appear that the presentation of the green belt in the local development plan has prejudiced the community council or any other party wishing to make representations in respect of the extent of the designated area. (note: the green belt is considered on a wider basis under Issue 8). As a consequence, no modification of the local development plan is required.

10. On the adoption of the local development plan, the planning authority will no doubt ensure that the status of all published documents, including any showing the designated green belt, is made clear.

Green belt boundary changes

Land west of the A809

11. The Green Belt Review explains that in the vicinity of Auchindene, to the west of the A809, the green belt plays a lesser role at both strategic and local level. It is therefore proposed to “draw back” the boundary to the A809. The local development plan reflects this proposal.

12. To the west of the road, as indicated in the review, the green belt designation serves little practical purpose in strategic terms. However, a small part of the Carbeth Conservation Area lies to the west of the A809 and another part lies immediately to the east of the road.

13. The green belt at this location complements the conservation area and protects the landscape setting. Accordingly, the designation should not be deleted as proposed and the local development plan should be modified to show the green belt retained at this location.

Land north of the B821

14. The Green Belt Review states that to the west of Strathblane, the green belt contributes in terms of local settlement setting and identity. It overlaps part of the designed landscape of Duntreath Castle. Beyond this, at Carbeth, the review indicates that the green belt plays a strategic role in relation to the Glasgow conurbation and again complements the Carbeth Conservation Area in providing a landscape setting.

15. Although the planning authority argues that the green belt is not proposed for removal at Carbeth, but at Dumgoyach, the green belt to the north of the B821 plays an important role in respect of the conservation area. Part of the conservation area is included in the existing green belt and a further section lies adjacent to the green belt, immediately to the south of the A821. The green belt designation is therefore justified at this point.

16. Additionally, the green belt in this vicinity meets the objective of securing recreational access to the countryside, in this case, by means of the West Highland Way. Reference has also been made to the Battle of Mugdock but there is no compelling evidence to retain the green belt to protect this battle site. In any event, other considerations support the green belt designation in this vicinity.

17. The green belt should not be deleted to the north of the B821 and the local development plan should be modified to show the green belt retained at this location.

Land west of Glenarden, adjacent to A81

18. The Strathblane Committee for the Preservation of the Green Belt believes that the trees removed from the site should be replaced by new planting. The planning authority recognises that the woodland (now removed under licence) was important for the setting of Strathblane but argues that a green belt boundary following the A81 would be more robust.

19. As explained by the planning authority, the felling of the trees was undertaken under the terms of a licence. The A81 does provide a clear green belt boundary and the land proposed for removal from the green belt is closely associated with the built form of Strathblane. There is existing development on three sides. Despite the submission of informal housing layouts, any future development proposal would require assessment through the development management procedures. However, in terms of the local development plan preparation process, the document does not require modification in respect of the proposal to remove the green belt designation from this area of land.

Land at Campsie Dene Road

20. It is argued that as a house has been built on the land, the settlement pattern of the village has been reinforced and the site serves no green belt function. The occupancy agreement is not relevant to this land use consideration. On the other hand, the planning authority believes it would not be correct to adjust the boundary, simply because the house has been built.

21. The legal agreement restricting the occupancy of the house was clearly considered appropriate when planning permission was granted. At that time the site was in the green belt and subject to restrictive development policies. The future of the legal agreement is not a matter for this examination to consider.

22. Visually, the new house relates to the built form of the village which, at this point, is characterised by substantial residential properties built in generous grounds. It would be incongruous to retain the land within the designated green belt and logic suggests that both the green belt and countryside policy boundaries should be adjusted to include the house and garden ground. On this basis the local development plan should be modified.

Note: other representations with green belt implications are considered under matters relating to housing land

Housing – General

Land at Old Mugdock Road

23. The land has been portrayed as an ideal infill opportunity and a gap site but it is neither. Topographically and visually the land is separated from nearby development and is not a natural infill site. It is not a gap site as it simply constitutes part of the irregular development boundary at this part of Strathblane.

24. As pointed out by the planning authority, development of the site would continue the already undesirable pattern of development in this location. In effect, the development at Moor Road is an isolated low density residential development in the countryside. In

planning terms, it has no meaningful relationship with Strathblane, remote in terms of facilities and access to school.

25. Green belt designation is appropriate to protect the landscape setting of Strathblane and the local development plan should not be modified.

Land at Blanefield Care Home (including land between the care home and the village)

26. It has been suggested that an amended green belt boundary to include the care home site along with the intervening land between the care home and Blanefield would constitute a “minor expansion of the village”. Under no circumstances could such a level of release be regarded as minor. As argued by the planning authority, housing allocation would give rise to a scale of development which would threaten the identity and setting of the village. The edge of the village is quite clear at this point and there is no requirement to redefine “a suitable and defensible green belt boundary”.

26. The planning authority has also drawn attention to a number of constraints including access, flood risk, the provision of sustainable transport modes and topography. Even if these development challenges could be overcome, the principle of development would remain unacceptable.

27. On the foregoing basis, the land should be retained in the green belt and the local development plan should not be modified.

Allocated Housing Site H106, Campsie Road, and adjacent cemetery extension

28. Mr I Swann believes the development of the site would threaten the rural character of the village. It would be preferable to allocate at least part of the site for the cemetery extension being adjacent to the manse and close to the church. The allocated cemetery extension site poses drainage questions. Mr R Insall also considers the loss of a peripheral green belt site to be unacceptable. Ms J Early and Ms M Marshall are concerned about traffic generation and flooding but suggest that Site H106 and the proposed cemetery extension could be reversed. The Strathblane Committee for the Preservation of the Green Belt is of the opinion that the development of Site H106 would not permit the creation of a robust green belt boundary. Development may also impinge on the site of the Battle of Ardingning.

29. The community council considers it essential for the development to include affordable housing. The opportunity should be taken to explore the possibility of a roundabout to provide access to the housing site and/or the cemetery extension. At the end of the day a new, hard boundary to the green belt must be created.

30. Cala Homes supports the allocation and has prepared a “development concept” plan showing 30 houses of which half would be affordable houses. The Rural Stirling Housing Association supports the concept of providing affordable housing in Strathblane.

31. Charles Connell & Co Holdings Ltd has suggested an enlarged allocation with the proposed cemetery extension to the west and residential development extending to the east. A layout has been prepared showing 50 houses of which about 25% would be affordable houses. The local development plan requirement for a contribution of 50% is too high.

32. The planning authority considers Site H106 to be the best opportunity to secure limited housing development – including affordable housing – in the village. The location of the

proposed cemetery extension would allow the creation of a firm green belt boundary. The additional release required by Charles Connell & Co Holdings Ltd would be of a scale leading to an unacceptable impact on the wider green belt landscape. Development details, including traffic control measures, would be assessed as part of the ongoing planning process although it is not anticipated that a roundabout would be necessary.

33. The concern expressed about drainage and water levels in the proposed cemetery extension would be the subject of further investigations.

34. The settlement statement explains that Strathblane is regarded as Tier 4 within the settlement hierarchy with the potential for modest amounts of new development. The scale of development proposed under Site H106 meets this requirement. The provision of affordable housing is justified as Strathblane lies within an area identified as “highly pressured”. Although Charles Connell & Co Holdings Ltd objects to the required level of affordable housing, Cala Homes has provided a layout with a 50% contribution.

35. Affordable housing is considered in detail in Issue 9 but, insofar as Site H106 is concerned, the affordable housing contribution is justified.

36. The planning authority argues that the disposition of Site H106 and the cemetery extension would permit the formation of a strong green belt boundary. This is agreed and, in turn, the council’s view that a residential land release of the size required by Charles Connell & Co Holdings Ltd would have an unacceptable impact is also accepted. The Concept Plan lodged by Charles Connell & Co, whilst perhaps, indicative, includes an internal woodland belt. However, the housing layout to the east of the woodland belt appears to have taken little account of the proximity to the green belt boundary.

37. Undoubtedly, Site H106 would have a visual impact when approaching from the east and, to some extent, this would affect the landscape setting of the village. The settlement statement recognises the site as being “highly visible” and requiring a design solution to respect the sensitive nature of the location. Taking account of the proposed location for the cemetery extension and existing development on the north side of Campsie Road along with the need for an appropriate design solution, the allocation of the housing site is regarded as being acceptable.

38. The planning authority points out that details of the development, including related traffic matters would be brought forward through a development brief and planning application. This is standard development management procedure and there is no reason to believe that the design challenges posed by the site could not be met in an acceptable manner. Although it has been suggested that a roundabout would be appropriate to provide access, the planning authority, very fairly, has indicated that such a feature would be difficult to justify.

39. The planning authority has noted the references to drainage and water levels at the proposed cemetery extension site. Whilst recognising this potential constraint, the use of the land for burial purposes has not been ruled out. It is reasonable therefore to retain this local development plan allocation.

40. The reference by Strathblane Committee for the Preservation of the Green Belt to the Battle of Ardingning is noted. This battle is not included in the Inventory of Battlefield Sites and, in any event, appears to have taken place closer to Loch Ardingning. It therefore does not appear that there would be an impact on historic culture to the extent of precluding the allocation of Site H106 or the cemetery extension.

41. All-in-all there is not a requirement to modify the local development plan in respect of allocated housing site H106 and the proposed cemetery extension.

Allocated Housing Site H108, South of 13 Old Mugdock Road

42. Development for housing purposes has been precluded by the conversion of this property to commercial use. The site cannot therefore be regarded as effective and has been removed from the 2102 Housing Land Audit for the period to 2024. On this basis the site should be deleted from the local development plan.

Reporter's recommendations:

The local development plan should be modified by:

1. Adding an extra paragraph to the "Description" section of the Strathblane and Blanefield settlement statement to provide a context for the map entitled "Carbeth" on page 229.
2. Retaining not deleting the designated green belt at land west of the A809.
3. Retaining not deleting the designated green belt at land north of the B821.
4. Excluding the garden and house at land at Campsie Dene Road from the designated green belt and countryside policy area.
5. Deleting all reference to site H108 South of 13 Old Mugdock Road entirely.

Issue 38	Mugdock	
Development plan reference:	Chapter 10: Strathblane & Blanefield Settlement Statement (pages 226 – 231 of the Plan)	Reporter: Richard G Dent
Body or person(s) submitting a representation raising the issue (including reference number):		
Strathblane Community Council (SLDP_102) Robert D Nixon (01065) Kenneth Harvie (01327)		Grant Gibson (01328) Rosemary M H Brown (01349) Scotia House (SLDP_1272)
Provision of the development plan to which the issue relates:	Mugdock lies outwith the settlement and therefore does not appear on the Settlement Proposals Map on page 231.	
Planning authority's summary of the representation(s):		
<p>Strathblane Community Council (SLDP_102/002) - Strongly supports the retention of the Green Belt designation around Strathblane generally and in particular throughout Mugdock and would not wish to see any change to this in the future.</p> <p>Robert D Nixon (01065/001); Kenneth Harvie (01327/001); Grant Gibson (01328/001) - Consider Mugdock should be given village status as it is recognised locally and by other Council departments as a village. A defined boundary should be created for the purposes of clarity.</p> <p>Rosemary Brown (01349/001) - Having been an employer at Easterton for the last 17 years, part of the attraction is the fact that Mugdock has always been referred to as our village. Surprised that the boundary is not legally defined, this presents problems for new clients occasionally.</p> <p>Scotia House (SLDP_1272/001) - The settlement status of Mugdock, and the need for a Green Belt should be reviewed as there is an opportunity to release land in this area for development that would help meet the overall spatial strategy. The Council's review of the Green Belt presupposes that the Green Belt should remain but this should be reviewed further and other policy means e.g. Countryside, Local Landscape Area, be considered. Submits a landscape and visual impact assessment in support of releasing land for housing at Mugdock. Scottish Planning Policy guidance outlines a far more permissive regime for development within Green Belts than was previously the case. Considers Mugdock to be a settlement because of its plan form, how it is described in the Stirling Local Plan, and how Scottish Ministers and reporters have referred to it as a settlement in appeal decisions. It was listed as a Proposed Small Settlement in Appendix A (Settlement and Site Assessment) of the Main Issues Report. Suggests a 'defensible' boundary for Mugdock and an area to be developed along with potential development infill.</p>		
Modifications sought by those submitting representations:		
Robert D Nixon (01065/001); Rosemary Brown (01349/001); Kenneth Harvie (01327/001); Grant Gibson (01328/001) – All request that a village status be granted for Mugdock and a		

defined boundary set round the village.

Scotia House (SLDP_1272/001) - Replace the Green Belt with an alternative landscape-based policy. Alternatively the removal of Mugdock from the Green Belt with a new defensible boundary (plans submitted for two boundary options - expanded or tightly drawn). Identify Mugdock as a separate small village/settlement suitable for development in Chapter 10. Release land for housing with the extent of release dependent on the eventual decision regarding an appropriate Green Belt and settlement boundary for Mugdock.

Summary of responses (including reasons) by planning authority:

Robert D Nixon (01065/001); Rosemary Brown (01349/001); Kenneth Harvie (01327/001); Grant Gibson (01328/001); Scotia House (SLDP_1272/001) - There is no legal definition of a 'village' or 'settlement' within Scottish Planning Policy. SPP Para.77 indicates that the Local Development Plan sets out the settlement strategy for its area under a number of key considerations. The deliverability of the strategy, accessibility by a range of transport options, and protection and enhancement of the landscape and the wider environment, are just three of these considerations. The Settlement Strategy Table 1 in the Plan refers to the strategic area of the Rural Villages Area and its more modest role in meeting future development needs. The Settlement Hierarchy map at Page 17 of the Plan clearly identifies all the settlements that constitute Rural Villages and therefore are identified within Chapter 10 with a Settlement Statement. Not all Rural Villages are defined with a Countryside Policy Boundary i.e. Ardeonaig, which is considered a dispersed rural crofting community, worthy of identification in the Plan.

Mugdock comprises of fragmented groups of smaller houses and very large single houses with large gardens, all within a countryside setting. The Appeal Reporter (CD90) describes Mugdock as comprising of an 'irregular scatter of buildings' (Para.28). The housing dates from the 19th and 20th centuries and includes one listed building at Dineiddwg. When compared with the Tier 4 Rural Villages identified for modest housing development in the Plan such as Killearn, Buchlyvie and Strathblane, Mugdock does not compare favourably. There is no recognisable 'centre' to the settlement and it lacks local facilities including shops, schools and other amenities. It has very poor walking and cycling links, which are considered suitable and safe, to access these facilities in other nearby settlements, and poor public transport provision. It also does not compare favourably with other Tier 5 settlements such as Ardeonaig (a remote dispersed rural community), and Arnprior and Blairlogie, located outwith the Green Belt and positioned directly on main A class roads.

As well as not being suitable in principle, the identification of a Countryside Policy/Green Belt boundary at Mugdock is also problematic due to its dispersed characteristics. The Council does not therefore support the identification of Mugdock as a Rural Village in the Plan.

The Mains Issues Report Appendix A, Section 3 (CD42), put forward a proposed policy on small settlements for inclusion in the Plan which initially highlighted Mugdock, but questioned whether such a policy should apply within Green Belts. The Strategic Environmental Assessment of the Plan and Appendix B Addendum Components (CD83) highlights that as developments in the suggested small settlements are not likely to be able to connect to public sewer systems they have the potential to affect a number of Scottish Environment Protection Agency classified water bodies.

The lack of public waste water treatment systems and the need for further investigations in most cases, led the Council not to identify small settlements in the Plan. Housing development in the countryside permitted under Policy 2.10 and forming building groups that reach a certain size, places particular pressures on the provision of local services and amenities, as well as having a greater impact on the immediate and sometimes wider landscape setting. The Action Programme (CD48) and Supplementary Guidance SG10 on Housing in the Countryside (CD177a) indicates the intention to produce Supplementary Guidance on small settlements which will explore all these issues in greater detail.

The timescale for producing the Guidance on small settlements is indicated as October 2013, with final adoption alongside the Plan in 2014. The merits of identifying Mugdock as a small settlement, and whether this will apply within Green Belts, will be considered as part of this process. It is therefore considered too early to give clarity on whether the approach finally adopted by the Council will include Mugdock. This approach is considered appropriate given that the context for Green Belts and housing in the countryside is already set out in Policies 1.4, 2.10 and SG10. The Council does not therefore agree to modify the Plan in response to these representations.

Scotia House (SLDP_1272/001) - The Council's Strathblane Green Belt Study (CD54) only considered objectives 2 and 3, leaving the Local Development Plan, and a further review to look at the justification for Green Belts in particular locations in the context of the future development strategy. This is discussed under Issue 8 - Green Belts. The Central Region Landscape Character Assessment formed the basis for the Green Belt Study but included a review and refinement of that earlier work.

The Council's review of the Green Belt (CD55) did not presuppose the retention of a Green Belt at Strathblane. The review methodology (Para.1.1) looked at the need for specific designations considering whether land currently designated as Green Belt should remain as such. In the case of Strathblane (Paras.5.34 – 5.42 of CD55) indicates that the Green Belt has a different function in different areas. Immediately south of Strathblane it has a strategic role in terms of contributing to settlement setting and identity, and provides separation between Mugdock and the dispersed properties in the south of Strathblane. Elsewhere the Green Belt further contributes to settlement setting and identity and has a wider strategic role in relation to the Greater Glasgow conurbation. There is not therefore considered to be any justification for the wholesale removal of the Green Belt at Strathblane.

It is not considered that Scottish Planning Policy (CD1) (Para.159) has a far more permissive regime for development in Green Belts than was previously the case in Scottish Planning Policy 21 Green Belts (CD8). Para.163 of Scottish Planning Policy (CD1) still regards developments associated with agriculture, woodland, forestry, horticulture and recreational uses as appropriate uses within the Green Belt, similar to para.22 of Scottish Planning Policy 21. The only difference is that essential infrastructure has been added. Residential uses continue to be inappropriate.

The use of policies other than Green Belt to protect the identity and setting of settlements is responded to under Issue 8. The primary purpose of a landscape designation is to safeguard the character and quality of the landscape which would not therefore presume against inappropriate uses such as residential.

The Appeal Reporter (CD90) reflects further on the landscape character of Mugdock and refers to the "delicate balance between the natural and developed features in the area", and the need for any new development to be "in harmony with the existing landscape scale, which remains predominantly small to intimate" (Para.26). The Council agrees with this view

of the landscape character of Mugdock. There is a strong case for retaining a Green Belt designation at Mugdock to protect this character and the wider role and function of the Green Belt in this location. Given that the Council does not support the removal of the Green Belt and the identification of Mugdock as a Rural Village, neither of the two boundary options put forward have been considered further. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

Settlement status

1. It is argued that Mugdock is recognised locally and by council departments as a village. Furthermore, it is claimed that it looks and feels like a settlement. However, the planning authority argues that there is no recognisable centre and local facilities and amenities are lacking. In turn, says the planning authority, Mugdock is not suitable for Tier 5 status in the settlement strategy. Furthermore, the dispersed characteristics of Mugdock would provide a practical difficulty in the identification of a boundary.
2. Mugdock is clearly "a place" and, indeed, roadside signs identify it as such. However, despite a significant number of houses in total, Mugdock does not give rise to a "sense of place". Only a very small central section comes close to providing a sense of place. Even then, the lack of any ancillary facilities and amenities with no street lighting or footpaths ensure that there is a failure to instil village character.
3. In relatively recent appeal decisions, Mugdock has been described as somewhat "irregular scatter of buildings" and "a very informal scattering of residential properties". The opinion was expressed that "it would be a serious exaggeration" to describe Mugdock as a village.
4. The situation does not appear to have changed significantly and this points to the conclusion that the planning authority was correct not to define Mugdock as a village defined by a settlement boundary.
5. On the basis of this conclusion it is not necessary to consider the planning authority's belief that the identification of a boundary would be a problem. Equally, the alternative boundary suggestions put forward by Scotia House do not require analysis although the wider "defensible boundary" appears to have little relationship to the built form of Mugdock.
6. The local development plan should not be modified to identify Mugdock as a settlement to be included in Chapter 10.

Green belt status

7. Scotia House believes that the countryside policy could be applied in this vicinity. This would provide a suitable policy basis for restricting unacceptable development and could therefore replace the green belt designation. The historic identity of nearby Strathblane could be further protected by the additional designation of a local landscape area.
8. Strathblane Community Council supports the retention of the current green belt provisions, "in particular throughout Mugdock". The planning authority emphasises that the green belt shown in the local development plan has been proposed following a review.

9. As explained in the review, the green belt in this area has a local importance insofar as there is significant development pressure in the vicinity of Strathblane and Blanefield. Indeed, the hope of Scotia House that land at Mugdock could be released for housing reflects this pressure. The green belt also has strategic relevance in terms of the relationship between Strathblane and the greater Glasgow conurbation.

10. Although Scotia House argues that the provisions of SPP are more permissive in terms of green belt, the planning authority disagrees.

11. SPP confirms that the purpose of green belt designation as part of the settlement strategy is to direct planned growth to the most appropriate locations; to protect and enhance the quality, character, landscape setting and identity of towns and cities; and to protect and give access to open space within and around towns and cities. Whilst SPP recognises that other policies and designations can provide an appropriate context for decision-making, in this instance, the green belt serves a recognised and important purpose. The objectives of the green belt, the extent of which has been the subject of review, are worthy of support. Accordingly, modification of the local development plan is neither necessary nor justified. The green belt designation should therefore be retained.

Reporter's recommendations:

No modifications.

Issue 39	Blairlogie	
Development plan reference:	Chapter 10: Blairlogie Settlement Statement (page 118– 119) B24 - Manor Farm Business Extension	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126) Logie Community Council (SLDP_94) Mary Maxwell-Irving (00706) Dumyat Farms (01318)		Tom Cox (SLDP_704) James Logan (00700) John Logan (SLDP_1329) Mark McGrath (SLDP_702)
Provision of the development plan to which the issue relates:	The Blairlogie Settlement Statement is the section of the Plan that sets out the approach to development in the village. All of the sites and designations considered under this Issue are contained within the Blairlogie Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Blairlogie Settlement Statement</u> Scottish Water (SLDP_126/008) - Updates to water and drainage infrastructure statements are suggested. Comments based on current capacity information. Logie Community Council (SLDP_94/001) - Notes several expressions of interest in housing and other developments in the Logie area. The Community Council is opposed to any development in the Orchard area to the west of the village and to any housing development to the west, on either side of the A91. Not opposed to infill on gap sites and some modest development to the south of the A91 and east of Manor Loan. Note the use of gap sites is constrained by drainage issues and the unsuitability of the lanes to accommodate much more traffic. Support for the Conservation Area boundary and pleased to note that this is not to change. Mary Maxwell-Irving (00706/001) - The statement that Blairlogie has "no known restrictions with regard to water supply and waste water treatment" is untrue. Blairlogie has no mains drainage and relies on septic tanks. SEPA has already stated that there is no further capacity on the flood plain of the Carse for further drainage from septic tanks. This statement has already misled the applicant in a current planning appeal. <u>Representations to the Allocated Site</u> <u>B24 - Manor Farm Business Extension</u> Dumyat Farms (01318/002) - Objects to the proposed Business Land extension at Manor Farm for Use Classes 4, 5 and 6 for the following reasons: <ul style="list-style-type: none">• Land is subject to flooding as referred to in the Proposed Plan. Land raising would have unacceptable visual impacts.• Sensitive location, set within the context of the Ochil Hills, a protected sensitive landscape.• Promotion for business does not comply with Policy 2.5 (Employment Development) as it is not located within an allocated employment site, or an area safeguarded for such		

uses, and it does not demonstrate considerable economic benefits to the Stirling economy, and is located in the Core Area and cannot be allocated on an allocated/safeguarded site.

- Inferior access. Further traffic, including for storage and distribution which will have a significant impact upon the C class road, leading to the Conservation Village of Blairlogie.
- The proposal is an anomaly. This size of site does not comply with key site requirements of comparable business and employment sites in the Stirling area.
- An assessment of the Council's supply of employment land concludes that this site in the countryside area is being promoted to the biggest business site in the Stirling area. There is no justification for this release at this rural location. It is not an effective site and is clearly not in a recognised or suitable location.

Representations to non-allocated Sites

SS17 – Manor Powis

Tom Cox (SLDP_704/003) - Considers land at Manor Powis should be allocated for mixed use development in order to contribute to achieving the Proposed Plan Vision. Part of the proposed site includes land to the north of the A907 which is already allocated in the Proposed Plan for Employment Use (B24). The Manor Powis Bing site is allocated in the adopted Stirling Local Plan for 'Business and Economic Activity' although this use has failed to materialise because of difficulties with access and ground conditions. Support for the business allocation but consider that a major opportunity is being missed to create a mixed use hub, combining a number of complementary uses.

The existing business park has the potential for further commercial development, including business incubator units and research / technology facilities. The site is close to Stirling University Research Park and synergies could be developed including specialist sports clinic. The site has the potential to act as a national hub for such uses. A hotel is proposed for an area adjacent to the A907. This would provide accommodation for people visiting the Business Park and tourists visiting Stirling and would also offer conference, leisure and spa facilities. The adjacent site has been under consideration for a national tennis academy. Judy Murray continues to seek a location for this facility and the subject site has the potential to accommodate it.

The area adjacent to Manor Powis is considered an ideal location for creating a high quality residential 'eco-village' of around 120 houses, which will contribute towards the undersupply of housing in Stirling. It can also provide an ideal location for 'live-work' homes and business, which can benefit from the co-location with the business park. It will incorporate a combination of renewable/sustainable energy innovations and have a relationship with the proposed solar energy park on the bing site - a large area of currently derelict land.

SS18 – West of A907, Blairlogie

James Logan (00700/001) - Wants a site west of A907 road and north of Manor Powis Farm allocated for tourism development to support the Plan Vision for more tourism and recreational activities close to the city. The proposal is supported by Policy 15.1 on tourist accommodation.

The size and shape of the site make it uneconomic as an agricultural enterprise, but its proximity to Stirling and Wallace Monument give it potential for a quality tourist accommodation development. The site is relatively low lying and benefits from the mature

tree belt to the north which provides an attractive backdrop. The local topography and established landscape framework combine to ensure that the new buildings developed in the northern part of the field would not be prominent in the landscape. Submits a plan in support of the representation to show proposed tree planting. The initial development is for 4-6 timber chalets, low density development with an organic layout avoiding any uniformity. The development will deliver quality tourist accommodation in a location where it is needed and where there is acknowledged demand.

SS19 - East of Guschetneuk, Blairlogie

Mark McGrath (SLDP_702/001) - Proposes a housing site of 3.27 acres (6 detached low-carbon housing units) east of Guschetneuk to provide much needed new housing for the area. Development will be of high quality design, to reflect the Blairlogie Conservation Area and adjacent Listed Building at Blair Park. Refers to adjacent planning application (CD148) which they understand had significant local support (CD230). Considers their site would provide a logical 'rounding off' of adjacent land within the village envelope with well established trees and hedgerows to form a structural and logical stop to any further development. Considers the site to be in the village envelope for Blairlogie.

SS20 - Blairmains Farm, Blairlogie

John Logan (SLDP_1329/002) - Proposes development at Blairmains Farm on the south side of the A91 in/adjacent to the village of Blairlogie. Proposes residential development (13 units) set within a generous landscape framework and designed in a manner to fully complement the character and appearance of the Conservation Area and surroundings. The development includes houses, allotments, additional parking and generous amounts of open space/landscaping and would also assist with the funding of the related rural business, that of the Blairmains Farm Coffee and Farm shop. The cross funding here would both ease existing business debt levels and facilitate further investment in the business, both of which would assist the longer term success of this visitor attraction and employer - all to the benefit of the local economy.

The site, utilising the form of development proposed (see submitted Supporting Statement), represents a deliverable and supportable form of development in terms of its accessibility, integration with the village/Conservation Area, and overall quality. This development will primarily meet a niche within the housing market for higher value (executive) housing, a sector of the market not provided for elsewhere within the Proposed Plan housing land allocations and for which provision must be made. There is a clear obligation in Scottish Planning Policy to this effect. The location/accessibility of the Blairmains Farm site, the quality/form of development being proposed, the deliverability of the development, the ability to supply new homes to help address the needs of an identified housing sector, and the benefit to the related business operation at Blairmains Farm provide a compelling case for the development as proposed. In terms of the deliverability/effectiveness, the site complies with the effectiveness criteria set out within PAN 2/2010.

SS21 - Land south of Blairlogie

Dumyat Farms (01318/001) - Objects to the non-allocation of additional housing on land south and adjacent to Blairlogie. Requests that Blairlogie be identified for a Masterplan expansion area for housing (south). The settlement has been subject to a number of development pressures in the last two years, for housing. None of these applications have been approved to date, however it is recognised that there is effective demand for housing of various tenure at this location.

Puts forward a masterplanned approach to creating a designed expansion to Blairlogie, similar to the award winning development at Sandford Conservation Village, South Lanarkshire. This approach is a suitable vehicle to create and control a suitable design of development. The introduction of improved road proposals to the south, could address a number of existing local road and access problems, particularly the 'cross roads'. The introduction of an appropriate number of new houses of various size, design and tenure, linked into a new drainage facility would also be considered a local improvement. At present there is no public drainage system in the vicinity. The local restaurant is extremely busy which has created further traffic and safety concerns at the cross roads junction. The planned expansion to Blairlogie to the south avoids local landscape area for suitable housing and community benefits, accords with Scottish Government guidance on sustainable local communities. The land is available for development and is considered effective.

Modifications sought by those submitting representations:

Blairlogie Settlement Statement

Scottish Water (SLDP_126/008) - Turret Water Treatment Works has available capacity. There is no public Waste Water Treatment Works serving this village.

B24 Manor Farm Business Extension

Dumyat Farms (01318/002) - B24 should be deleted. There is no justification or requirement to promote this 9.4 ha of business land at this isolated and sensitive location.

Representations to non-allocated Sites

SS17 – Manor Powis

Tom Cox (SLDP_704/003) - The B24 allocation should be amended and the area extended to identify the uses set out below:

Land to the north of the A907:

- Commercial - Business Uses, including, business incubator units and research/technology facilities.
- Tourism - Hotel, Spa, and Conference Facilities.
- Leisure - Potential for National Tennis Academy.
- Healthcare - Sports Clinic

Land adjacent to Manor Powis:

- Residential - Sustainable 'eco houses' (c.120 units).

Manor Powis Bing Site:

- Renewable Energy - Solar (Photovoltaic) Energy Park.

SS18 – West of A907, Blairlogie

James Logan (00700/001) - Allocate a site west of A907 road and north of Manor Powis Farm for tourism development.

SS19 - East of Guschetneuk, Blairlogie

Mark McGrath (SLDP_702/001) - Include site in the Plan, for housing development.

SS20 - Blairmains Farm, Blairlogie

John Logan (SLDP_1329/002) - The identified site at Blairmains Farm, Blairlogie should be allocated for residential and related development within the emerging Local Development Plan subject to safeguards related to the quality of the development and the conservation/enhancement of the character/appearance of the Conservation Area (as per submitted Supporting Statement).

SS21 - Land south of Blairlogie

Dumyat Farms (01318/001) - Blairlogie be identified for a cohesive Masterplan, addressing housing need, access, drainage, design and community benefit (see submitted plan). Land to the west should be denoted as "Countryside".

Summary of responses (including reasons) by planning authority:

The 2010 Settlement and Site Assessments (CD42) have been carried out to determine potential sites to support the Plan's strategy for development reflecting the key development approaches of urban consolidation, strategic development, regeneration and sustaining rural communities. The Assessments summarise local character and identity and consider various place-making criteria. These assessments are also component parts of the wider Strategic Environmental Assessment of the Plan.

With respect to the Plan's Spatial Strategy, Blairlogie is one of 5 Tier 5 villages (Ref: Table 1) which are all are very small villages with no local services, shops or schools. Public transport links are poor and infrastructure provision inadequate, for example waste water treatment. They are therefore deemed unsustainable locations for new development, particularly housing. Therefore no residential development sites in these villages have been allocated within the Plan.

Blairlogie Settlement Statement

Scottish Water (SLDP_126/008); Mary Maxwell-Irving (00706/001) - In light of these comments the Council accepts it is inaccurate for the Blairlogie Settlement Statement to say there are no known restrictions with regard to Waste Water Treatment capacity, and the Council are agreeable to the modifying the Plan to rectify this mistake. The Council considers this to be non-notifiable modification.

Logie Community Council (SLDP_94/001) - The Council notes support for some modest development to the south of the A91 and east of Manor Loan, though the Community Council do not seek any specific modification to the Plan. Other matters raised relate to detailed matters normally considered at the development management stage. The Council does not support any modification to the Plan in response to this representation.

B24 - Manor Farm Business Extension

Dumyat Farms (01318/002) - 9.2 ha of employment land is allocated at site B24. With reference to paras. 6.1 and 6.2 of the Employment Land Requirement Background Report (CD51), a requirement has been identified for around 86.8 hectares of employment land for

period 2010 – 2024. Given available supply of 61.8 hectares, a further 25 hectares of land has been allocated in the Plan. Manor Farm (i.e. site B24) is one of eight new sites that make up the shortfall. The site adjoins the developing Manor Farm Business Park and its good accessibility favours expansion of this employment site. The Key Site requirements refer to structural landscaping and a flood risk assessment and a range of other detailed siting, design and layout issues will require to be addressed at the planning application stage, including the positioning and finished floor levels of buildings. Following from this the Council does not agree to the Plan being modified to delete B24.

Representations to non-allocated Sites

SS17 – Manor Powis

Tom Cox (SLDP_704/003) - Regarding representations on the range of uses on site B24, the Council considers the Class 4, 5 and 6 uses specified in the Key Site Requirements already allows for the proposed range of 'commercial-business' uses. The suggested tourism, leisure and health care uses are, by definition, of a specialised nature and whilst the Council does not wish to discourage economic development in these sectors, it needs to be demonstrated that alternative Plan-wide potential location(s) have been fully evaluated to ensure the most suitable site is selected in terms of environmental and transport impacts, and compliance with development plan policies and guidance. The Council therefore does not agree to modify the Plan to widen the range of permitted uses.

A proposed residential development (120 units) is deemed contrary to key aspects of the Spatial Strategy. It will not reduce the need to travel or reduce demands on servicing and infrastructure. It will not strengthen the existing urban structure and is contrary to Blairlogie's 'Tier 5' designation. In turn this reflects advice in Scottish Planning Policy (Para. 40) (CD1) that settlement strategies should promote a more sustainable pattern of growth for an area, taking account of the scale and type of development pressure and the need for growth and regeneration. Preceding paragraphs (37, 38 and 39) draw attention to associated benefits such as reduction of greenhouse gas emissions and reduction in the need to travel. Furthermore the Council is not persuaded that any of the supporting circumstances set out in the representation, such as the sustainable 'eco-village' concept or perceived shortfalls in the housing land supply (discussed in detail in Issue 4 – Housing Land Requirement) have sufficient weight to justify the proposed allocation. The Council therefore does not agree to modify the Plan in this regard.

With regard to the proposed Solar (Photovoltaic) Energy Park, the Plan's Primary Policy 12: Renewable Energy and Policy 12.2 support the principle of this type of project. However the Council is of the opinion that, until such time as the necessary environmental assessments have progressed to a more advanced stage for consideration through the development management process, it would be inappropriate for the Plan to allocate the site as a Solar Energy Park. Therefore the Council does not agree to modify the Plan in this regard.

SS18 – West of A907, Blairlogie

James Logan (00700/001) - Policy 15.1: Tourism Development including Facilities and Accommodation sets out various criteria to assess the planning merits of tourism developments. Proposed Supplementary Guidance SG35 Chalet Developments (CD185) supports this policy by providing detailed guidance on the location, siting and design of chalet developments. Similar provisions exist under the current adopted development plan (CD35). The Council is therefore of the view that it would be inappropriate for the Plan to specifically allocate the site for tourist chalet development until such time as the planning

merits have been assessed through the development management process. The Council therefore does not agree to modify the Plan in this regard.

SS19 - East of Guschetneuk, Blairlogie, SS20 - Blairmains Farm, Blairlogie, SS21 - Land south of Blairlogie

Mark McGrath (SLDP_702/001); John Logan (SLDP_1329/002); Dumyat Farms (01318/001) - These representations seek the allocation of various sites for residential development. Site SS19 has been the subject of an application for planning permission in principle, refused on 26 June 2012 and subsequently dismissed on appeal on 28 November 2012 (CD89). Site SS20 has been the subject of an application for planning permission in principle, refused on 21 February 2013. (CD148).

As with SS17, these sites are deemed contrary to key aspects of the Spatial Strategy. They will not reduce the need to travel or reduce demands on servicing and infrastructure. They will not strengthen the existing urban structure and are contrary to Blairlogie's 'Tier 5' designation. In turn this reflects advice in Scottish Planning Policy (Para. 40) (CD1) that settlement strategies should promote a more sustainable pattern of growth for an area, taking account of the scale and type of development pressure and the need for growth and regeneration. Preceding paragraphs (37, 38 and 39) draw attention to associated benefits such as reduction of greenhouse gas emissions and reduction in the need to travel.

Furthermore the Council is not persuaded that any of the supporting circumstances set out in the representations, such as road improvements, improved drainage, community woodlands, allotments, generous parking and perceived shortfalls in the housing land supply (discussed in detail in Issue 4 – Housing Land Requirement), have sufficient weight to justify any of the proposed allocations. The recent Guschetneuk appeal decision and Blairmains Farmhouse decision notice, though assessed against adopted development plan policies, also concludes that development, even in principle, would fail to preserve or enhance the character and appearance of the Conservation Area.

The Council therefore does not agree to modify the Plan to allocate any of the proposed sites for housing purposes.

Reporter's conclusions:

Blairlogie Settlement Statement

1. The planning authority states that it has already modified the local development plan to reflect the representations from Scottish Water and Mary Maxwell-Irving that Turret Water Treatment Works has available capacity and that there is no public Waste Water Treatment Works (mains sewerage) serving this village.
2. I am content that Scottish Water's concerns appear to have been resolved by the planning authority's non-notifiable pre-examination modification. No further action is therefore required.
3. The representations from the Community Council broadly support the plan and they also mention a number of individual site matters. However, I find that none of these matters require specific modifications to the plan. The conclusions and recommendations on a number of sites in and around Blairlogie, set out below, support the Community Council's position and so no other modifications to the plan are required.

B24 - Manor Farm Business Extension

4. An area extending to 9.2 hectares to the east of the existing Manor Farm Business Park is proposed as an employment site and the area is covered by local development plan Policy 2.4: Safeguarding Employment Land and Property. The plan proposals are based on the conclusions of an assessment of employment land supply set out in Background Report: Employment Land Requirements (CD51) published in September 2012. A requirement for additional employment land was identified for the whole plan period until 2024 and 8 locations, including B24 Manor Farm, are allocated to help remedy the shortfall (paragraph 6.2, Table 5).
5. The representation on behalf of Dumyat Farms does not challenge the plan's overall assessment of employment land requirements but suggests that the new allocation at Manor Farm does not accord with Policy 2.5: Employment Development. The Manor Farm site is covered by Policy 2.4 which aims to protect key employment sites from inappropriate development. Policy 2.5(a) criterion (i) reiterates support for business and other industrial proposals which fall within these safeguarded areas, subject to complying with the plan's Key Site Requirements.
6. Therefore, it is quite clear that both policies support employment development at Manor Farm given that it is allocated for employment uses and lies within a safeguarded employment area. Furthermore, the allocation at Manor Farm is consistent with the plan's Spatial Strategy as it would be a Strategic Development well located to serve the Stirling Core Area as defined on the plan's Key Diagram.
7. The representation raises a number of site-specific concerns namely, flooding, access and visual impact. The Key Site Requirements for B24 require a flood risk assessment to be prepared and development to avoid the functional flood plan. A flood risk statement submitted with the representation appears to support the principle of development on the site. The statement suggests that the direct risk of fluvial flooding is low and that any surface ponding or poor drainage that may arise can be mitigated by forming raised development platforms. On this basis, the statement concludes that any development parcels on the site could be located outwith the functional flood plain.
8. The existing business park is accessed off Manor Loan that leads directly to the A907 Alloa to Stirling road. A full transportation assessment would be required to accompany any specific development proposals given the potential scale and type of business space that could be built on the site. Detailed access and road safety issues and, if necessary, potential junction improvements could be addressed at that stage through established development management processes.
9. The site is sufficiently distant from Blairlogie that any buildings would not adversely impact on the setting or character of the village or the conservation area. Similarly, I do not consider that built development would impact on the attractiveness of the Forth carselands and the Ochil Hills to the north. Provision is made in the Key Site Requirements for structural landscaping around the site. The existing business buildings at Manor Park sit well in the landscape as a result of their size, design and external finishes. The extension area should be subject to a similar design approach. I would not expect that any increase in ground levels to mitigate flood risk would be significant.
10. Circular 3/2013: Development Management Procedures requires the submission of a design statement to accompany certain categories of planning application. In light of the site's size and location, it would be prudent for the Key Site Requirements to reflect the

Circular's emphasis on design and to incorporate an additional requirement to prepare a design statement. At the outset, the developer and the planning authority can establish clear design principles for the whole site to guide subsequent phased development. I consider that the addition of this provision in the plan's Key Site Requirements would adequately address the design and impact concerns set out in the representation.

11. Overall, I do not support the main thrust of the representation that the Manor Park Business Extension at site B24 should be deleted from the plan. I recommend a minor modification to the Key Site Requirements to add a requirement for preparation of a design statement.

SS17 - Manor Powis

12. The representation on behalf of Mr Cox proposes mixed land use allocations on 3 separate parcels of land at Manor Powis. The northernmost area (Zone 1) is already allocated on the plan for employment use (site B24). Class 4 business, Class 5 industry and/or Class 6 warehousing and distribution uses are listed in the Key Site Requirements as acceptable uses for this area.

13. I accept the planning authority's position that, in principle, these classes would allow some of the uses sought in the representation including incubator units and research and technology facilities. However, the representation seeks provision for other uses including a healthcare clinic, sports facilities, hotel, conference and spa facilities and holiday lodges. The case for these additional uses is not supported by any evidence of market demand or any assessment of alternative opportunities for such uses elsewhere in the plan area, particularly within established settlements.

14. Some of the proposed uses do not require an employment land location. If they were to be located on employment land they could potentially dilute the supply of business locations to the detriment of the wider plan strategy for economic growth. Nevertheless, plan policies already provide some flexibility in terms of other appropriate uses that could be accommodated on safeguarded employment land. Policy 2.4 criteria (b) and (c) support complementary uses where they would enable the majority of a site to be developed for employment uses. Any other use would also have to meet the criteria set out in Policy 2.8: Sites Suitable for a Mix of Uses.

15. So, although I do not find any justification for modifying the plan and allocating Zone 1/site B24 for a wider range of uses, it would be open for a developer to bring forward mixed use proposals through the development management process. Such proposals would need to be supported by market evidence and accord with the detailed requirements of local development plan Policies 2.4 and 2.8.

16. The representation promotes an area of land immediately to the south of the A907 road for housing development (Zone 2). A high quality residential 'eco-village' of 120 houses is proposed. However, the conclusions for Issue 4 of this examination show that there is no requirement for large additions to the housing land supply in any part of the plan area. There may be a modest short term need for some small scale additions to the land supply that are capable of being effective in the early years of the plan period. But importantly, any additional housing allocations should be in environmentally acceptable and sustainable locations, and they should fit with the local development plan's wider Settlement Strategy.

17. Against this, the proposed housing development would create an isolated pocket of development remote from any local community facilities or infrastructure and unrelated to

Blairlogie or other established community group. Housing development in this location would run counter to the key policy provisions in the plan, not least the Settlement Strategy and supporting Settlement Hierarchy that promote urban consolidation, regeneration and controlled greenfield expansion in the Stirling City Corridor.

18. The scale of development proposed is unlikely to support the provision of even basic local services. Although 'live-work' units are proposed, these are unlikely to mitigate the need to travel further afield for employment, social, retail and education purposes. These considerations outweigh any potential benefits that would arise from zero carbon homes or other sustainable energy innovations.

19. Even if all the above concerns could be addressed, the site is unlikely to be able to contribute housing completions in the short to medium term given pre-planning and infrastructure requirements. Therefore, I do not support any modifications to the plan so far as the Zone 2 area is concerned.

20. The Zone 3 area is a former pit bing located to the south of the railway line. The representation proposes that the site should be allocated for a Solar (Photovoltaic) Energy Park. The site is unlikely to be attractive for built development because of its derelict condition, poor ground conditions and potential contamination.

21. Primary Policy 12: Renewable Energy notes that the plan area has the potential to contribute to energy generation through most of the renewable and low-carbon technologies currently being developed. Policy 12.2 supports renewable technologies subject to detailed environmental assessment and appropriate mitigation of potentially adverse environmental impacts. So, it is clear that there is policy support, in principle, for a range of renewable technologies that would include solar (photovoltaic) energy.

22. However, the proposals are at a very outline stage. The representation is not accompanied by any environmental information that would support this type of development in this location. More detailed environmental and technical studies and assessments would be required. In the absence of this information, it would be inappropriate at this stage to specifically allocate the site as a Solar Energy Park. Detailed proposals could be brought forward through the development management process accompanied by the appropriate environmental and technical assessments. In this way, the planning authority could give full and proper consideration to the proposal.

23. Overall, I do not support the representations in relation to any part of the Manor Powis site and so I do not propose any modifications to the plan.

SS18 - West of A907

24. The representation relates to a small triangular area of agricultural land sitting opposite Crossroad Cottages to the west of Blairlogie village. The representation proposes that the site is allocated for tourism development of 4 to 6 holiday chalets and the submission includes a written description of the type of development envisaged.

25. The planning authority considers that the proposal should be assessed against criteria contained in Proposed Supplementary Guidance SG35: Chalet Developments and that any assessment should be carried out through the development management process. However, it is clear from the terms of paragraph 2.2 of SG35 that supplementary guidance would only apply where the key policy principle in Policy 15.1: Tourism Development including Facilities and Accommodation had already been met.

26. The site forms part of the wider carseland on the north side of the River Forth. It has open fenced boundaries and does not have any natural boundary landscaping or landform containment. It does not fit with, or relate to, any village or building group. I consider that the local landscape could not accommodate development without it being visually prominent. As a result, chalet development would fail to meet the key policy requirements in Policy 15.1.

27. Accordingly, I do not consider that the site should be allocated for tourism development and I recommend no modification to the plan in relation to this representation.

SS19 - East of Guschetneuk

SS20 - Blairmains Farm

SS21 - Land south of Blairlogie

28. Three separate areas are proposed for development to the south of the A91 road and the main part of the village. The representations for land east of Guschetneuk and Blairmains Farm relate to specific sites whilst the representation on behalf of Dumyat Farms seeks the identification of a general location south of the A91 at SS21 for a masterplan-led expansion area for housing. The proposals are considered together as they raise similar issues regarding the acceptability of new housing in the rural area where the principle and proposed scale of development is not supported by the local development plan's Spatial Strategy.

29. Blairlogie is identified as a Tier 5 settlement in the Spatial Strategy and linked Settlement Hierarchy. The strategy proposes controlled small scale expansion of Tier 5 villages consistent with their limited size and role in the hierarchy. The Strategy is clear that development should be concentrated within settlements where services and facilities are readily accessible. Blairlogie has only a population of around 230 and does not have a school, shops or other community facilities or infrastructure that would support an increased number of houses. Any new village residents would have to travel to employment centres and local services in larger settlements nearby, such as Stirling or Bridge of Allan.

30. The main part of Blairlogie is located on the north side of the A91 and forms the core of the Blairlogie Conservation Area. This part of the conservation area is characterised by a tight pattern of narrow roads and paths with an irregular grouping of medieval stone buildings. In contrast, the sites at Guschetneuk and Blairmains Farm are located in more open rural locations on the south side of the A91 road, quite separate and detached from the main village. Modern housing development in either location would contrast sharply with the character of the core village building group and would adversely affect the setting of the village and the conservation area, particularly when viewed from the south and east. As a result, the proposals would be at odds with Policy 7.2: Development within and outwith Conservation Areas, that seeks to preserve or enhance the character, appearance and setting of conservation areas. For similar reasons, the proposals would not meet the requirements of Primary Policy 1: Placemaking or Primary Policy 7: Conservation Areas.

31. The representation for site SS21 promotes a longer term proposal for housing which is also at odds with the plan's Spatial Strategy. The representation proposes the re-routing of the existing A91 road through the village and the provision of upgraded local drainage for existing houses adjoining the site. The illustrative plan accompanying the representation shows an area that would accommodate a significant number of houses. These would be needed to justify the cost of road and infrastructure works and so make the development proposals viable. However, the conclusions for Issue 4 of this examination show that there is no requirement for this scale of housing development or any longer term additions to the

housing land supply in the plan area.

32. The Dumyat Farms representation makes no reference to the provision of essential local facilities that would be required to create a new sustainable community. In addition, housing development on any part of the site would impact adversely on the setting of the village and the conservation area, similar to the proposals at Guschetneuk and Blairmains Farm, so would also be at odds with Primary Policy 7 and Policy 7.2.

33. In conclusion, Blairlogie village would not be a sustainable location for new housing and any housing development, in or adjacent to the village, would not accord with the local development plan's Spatial Strategy or Sustainable Development Criteria. Each of the 3 sites put forward would be contrary to the objectives of Primary Policy 1, Primary Policy 7 and Policy 7.2. Therefore, I do not support any modifications to the plan.

Reporter's recommendations:

The local development plan should be modified by:

1. Inserting the following additional bullet point to the Key Site Requirements for Site B24: Manor Farm Business Extension in the Existing and Future Land Supply table attached to the Blairlogie Settlement Statement:

"Preparation of a design statement for the full site."

Issue 40	Bridge of Allan	
Development plan reference:	Chapter 10: Bridge of Allan Settlement (Page 120 – 125)	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
A McPherson (00961) Adam Preece (01015) Aidan Miller (01002) Alekszandra Lord (01159) Alexandra Eadie (01021) Alexei Dalton (01145) Alexis Kaine (01084) Alistair Davidson (00975) Alvano Merino (01052) Amy Butterfield (00972) Amy Easton (00974) Andrea Bosso (01157) Andrew Badger (00992) Andrew Campbell (00962) Andrew Fowlie (01074) Andrew Gault (01163) Andrew Gilmore (01099) Andrew McCormack (01247) Andrew Mitchell (01017) Angus Mackenzie (00988) Anthony McCluskey (01152) Anton Shelton (00983) Anum Qaisar (01010) Ashleigh Dodds (01005) Benjamin Newton (01155) Billy Neilson (00967) Blake Turner (01059) Robert Fairgrieve (00315) Bridge of Allan & Logie SNP (01047) Bridge of Allan Community Council (SLDP_73) Bryan Clark (00306) CALA Homes (West) Ltd. (01338) Callum Blackburn (00066) Catherine Cunningham (00978) Catherine Lyons (00963) Catriona Muckart (01020) Catriona Sinclair (00980) Central Scotland Circuit Meeting of the Methodist Church (01003) Charlotte Telfer (01024) Claire Gribben (01070) Clare Dias (00981) Cllr Mark Ruskell (01218)	Joanne Blackburn (01250) Joanne Gibb (01169) Joao Piedade (01060) John & Joan Hvass (00013) John Darley (01063) John Gibson (00990) John Seggie (01136) Jordan Tillier (01008) Julie Devonald (00960) Kada Alexander (01083) Kajsa Karlstrom (00957) Katy Lister (01032) Kay Fairgrieve (00234) Keir Estate Ltd (SLDP_707) Kirstin McDougall (01175) Kirsty Beveridge (01086) Kirsty McCall (01054) Lachlan MacKinnon (01107) Lara Flint (01055) Lara Goessmann (00997) Laura John (01341) Lauren Kater (01097) Lauren Marriott (01089) Lee Deane (01043) Liam Beattie (01041) Lorna Blackmore (01132) Lucy Drummond (01009) Luke Fenton (01134) Lynsey Waddell (01027) Mactaggart & Mickel (Homes) Ltd (SLDP_346) Mae Diansangu (00984) Magnus Olafsson (01006) Margaret Prentice (00317) Mark Jason (01211) Mary Shelton (00982) Maureen Jones (00969) May F MacAskill (01181) Megan Lackie (01090) Meghan Cunningham (01004) Melissa J Shaw (01248) Michael Allen (00954) Michael Burt (SLDP_1109) Michael Christie (01050)	

Conn O'Neill (01037)	Michael Kiernan (01029)
Conner Dornan (01062)	Michael Thompson (01067)
Coraline Lawson (01104)	Michael Wilson (00965)
Craig Law (01075)	Michell Keenan (01071)
Danielle Kelly (00993)	Mike Williams (00976)
Darren Hatfield (01066)	Miles Welstead (01000)
David & Linda Harrison (01149)	Mr & Mrs R McCreath (01184)
David Barkson (01160)	Mr Antonio-John Abrante (01095)
David Clark (01064)	Janet Scobie (SLDP_1148)
David Costello (00968)	Neil Myles (00989)
David Dow (01045)	Network Rail (SLDP_151)
David Hunter (01109)	Oisin Scott (01161)
David Inglis (00116)	Orsolya Kerr (01001)
David Skillman (01110)	Owen Auskerry (01131)
David Wilson (00178)	P Stephen (00958)
Donald Nairn (01035)	Persimmon Homes East Scotland (SLDP_200)
Donna Rodgers (01038)	Peter Pearson (001167)
Doris Littlejohn (00451)	Poppy Murray (01103)
Dougie Scott (01094)	Mr & Mrs R J Limmack (01148)
Douglas Bruce (00955)	Rajmund Bakonyi (01142)
Douglas Rooney (00973)	Rasat Sharma (01144)
Dr Andrew Knock (00985)	Rehana Shivji (01056)
Dr Ian & Davina Thomson (01343)	Reith & Airth Households (SLDP_1182)
Dr Kevin H Lynch (00994)	Rhona Gordon (01014)
Duncan Eastoe (001138)	Robert Coleman (00987)
Duncan McDougall (SLDP_1384)	Robert Gray (01048)
Edward Jackson (01077)	Robert McOwan (00475)
Eirik F Warttinen (01139)	Romain Maradan (01078)
Emily G Buxton (01150)	Romuald Rouger (01049)
Erik Von Berlekom (01069)	Ronald Dey (SLDP_1115)
Eva Cunningham (00964)	Rory McGown (01026)
Fanny Schmidt (00995)	Sandi Grieve (SLDP_952)
Finlay Sim (01092)	Sarah McIlwain-Bates (01044)
Friends of the Ochils (SLDP_141)	Scotbeef (01108)
Geraint Short (01087)	Scott Jarvie (00970)
Glen Montgomery (01344)	Shannon Kerr (00991)
Graham's The Family Dairy (SLDP_327)	Shaun M Moloney (00996)
Hannah McCluskey (01154)	Shona K Tinkler (01058)
Hayley Dickson (01033)	Simon Leigh (01151)
Hilary Morton (00966)	Scott Maitland (00257)
Hilary Webber (01261)	Scottish National Party Group (00711)
I Popouloupoulos (01101)	Stefan Muessig (01147)
Ivelina Georgieua (00952)	Steven Hamilton (01098)
Joan Keen (SLDP_1307)	Stirling University Nature Society (01158)
J Rushforth (00979)	TACTRAN (SLDP_193)
Jacob Whittle (00977)	Tan Morgan (01012)
James Crone (01036)	Theo Burke (01166)
James T Sinclair (01270)	Theo Hardie (01061)
James Wemyss (01279)	Tom Ritchie (01106)
Jane Muirhead (00986)	University of Stirling (SLDP_324)
Janette Hastings (00971)	University of Stirling Students' Union (00951)
Janine McGowan (01023)	Valerie Sinclair (01256)
Jacqui Lenaghan (00999)	

Jay Mitchell (01143) Jean Davidson (00959) Jennifer Anderson (01272) Jennifer Bairner (01340) Jill Burt (00308) Jim McArthur (01240) Jimmy Russell (00956)	Viivi Tikanmeki (00953) Walter Attwood (SLDP_842) Walker Group (Scotland) Ltd (SLDP_103) Will Stafford (01100) Mr & Mrs William Lyons (00229) William A K Purdie (01251) William Park (01269)
Provision of the development plan to which the issue relates:	The Bridge of Allan Settlement Statement is the section of the Plan that sets out the approach to development in Bridge of Allan. All of the sites and designations considered under this Issue are contained within the Bridge of Allan Settlement Statement.
Planning authority's summary of the representation(s):	
<p><u>Bridge of Allan Settlement Statement</u></p> <p><u>Grahams Dairy</u></p> <p>Hilary Webber (01261/002) - Considers that no further development should be allowed at Graham's factory as this is a farm which has turned into a factory.</p> <p>Scottish National Party Group (00711/004) - Notes the removal of the employment allocation at Airthrey Green at the request of the landowner. Requests that a statement is included that the land remains green space or part of Green Belt.</p> <p>Lachlan MacKinnon (01107/001); Margaret Prentice (00317/001) - Concerned that there is nothing prohibiting extension of the dairy in the direction of the residential area as this would cause noise nuisance and visual offence and has proven to clog up the drains which has caused local flooding.</p> <p><u>North Stirling Woodland Park</u></p> <p>Friends of the Ochils (SLDP_141/007) - Object to reference being made in the Plan to the North Stirling Woodland / Forest Park - such as at pages 122 - unless or until such time as there has been proper public consultation on the concept, boundaries and proposals for the Park, and due process has resulted in an explicit statement of what the concept entails, approved by the Council. We would strongly welcome an appropriate consultation process, to take place in early 2013.</p> <p>Peter Pearson (001167/003) - References to the North Stirling Woodland Park, such as those on page 122, are in conflict with other aspects of the Plan, particularly the impact on the character of the Local Landscape Area.</p> <p>University Of Stirling (SLDP_324/006) - Supports the concept of a North Stirling Woodland Park with links to the University Campus and Hill foots Trail. The University would be content to work with partners to explore the potential for this development.</p> <p><u>Green Belt</u></p> <p>Scotbeef (01108/001) - Considers the proposed extension the Green Belt to the west of Bridge of Allan is unnecessary as the existing Green Belt edge follows a clear definable boundary in the fork of the railway line which meets the requirements of Scottish Planning Policy in terms of the role and function of Green Belts. Extending the Green Belt does not</p>	

further the aims and the inclusion runs counter to the assessment undertaken by the Council's landscape consultants in 2009 which notes that the railway line forms a strong boundary to the edge of Bridge of Allan. The grounds that the loss of open landscape would negatively affect "perception of settlement identity, particularly when travelling along the A9, M9 or railway", is not considered a sound basis to include land within the Green Belt. Including Longleys within the Green Belt will however impact on the function of the business.

Graham's The Family Dairy (SLDP_327/009) – Comments on the Green Belt designation and how this is in conflict with the Plan Vision and Spatial Strategy.

General Settlement Statement

University Of Stirling (SLDP_324/006) - Support the spatial strategy considerations of the Plan which confirm that the University has produced a Masterplan, 2011. The University believes that this recognises the Masterplan as being the guiding document for development that will allow the University to plan its future strategy in the knowledge that the changes proposed in the Masterplan, including growth, have broad planning approval.

TACTRAN (SLDP_193/015) - The Plan comments that "the outcomes of a rail parking strategy review being led by Transport Scotland on the need to expand the parking at the station are awaited". Tactran understands that the Transport Scotland rail parking strategy review will not include recommendations for specific stations such as Bridge of Allan.

Jim McArthur (01240/003) - Considers that the approach in Bridge of Allan is correct.

Kildean Link Road

Fanny Schmidt (00995/002); Shaun Martin Moloney (00996/002); Lara Goessmann (00997/002); Billy Neilson (00967/002); David Costello (00968/002); Maureen Jones (00969/002); Scott Jarvie (00970/002); Janette Hastings (00971/002); Amy Butterfield (00972/002); Douglas Rooney (00973/002); Amy Easton (00974/002); Alistair Davidson (00975/002); Mike Williams (00976/002); Jacob Whittle (00977/002); Catherine Cunningham (00978/002); J Rushforth (00979/002); Catriona Sinclair (00980/002); Clare Dias (00981/002); Mary Shelton (00982/002); Anton Shelton (00983/001); Mae Diansangu (00984/002); Dr Andrew Knock (00985/002); University of Stirling Students' Union (00951/002); Ivelina Georgieua (00952/002); Viivi Tikanmeki (00953/002); Michael Allen (00954/002); Douglas Bruce (00955/002); Jimmy Russell (00956/002); Kajsa Karlstrom (00957/002); P Stephen (00958/002); Jean Davidson (00959/002); Julie Devonald (00960/002); A McPherson (00961/002); Andrew Campbell (00962/002); Catherine Lyons (00963/002); Eva Cunningham (00964/002); Michael Wilson (00965/002); Hilary Morton (00966/002); David Dow (01045/002); Robert Gray (01048/002); Romuald Rouger (01049/002); Michael Christie (01050/002); Alvano Merino (01052/002); Kirsty McCall (01054/002); Lara Flint (01055/002); Rehana Shivji (01056/002); Shona K Tinkler (01058/002); Blake Turner (01059/002); Joao Piedade (01060/002); Theo Hardie (01061/002); David Clark (01064/002); Darren Hatfield (01066/002); Michael Thompson (01067/002); Erik Von Berlekom (01069/002); Jaqui Lenaghen (00999/002); Miles Welstead (01000/002); Orsolya Kerr (0100/002); Aidan Miller (01002/002); Meghan Cunningham (01004/002); Ashleigh Dodds (01005/002); Magnus Olafsson (01006/002); Jordan Tillier (01008/002); Lucy Drummond (01009/002); Anum Qaisar (01010/002); Tan Morgan (01012/002); Rhona Gordon (010174/002); Adam Preece (01015/002); Andrew Mitchell (01017/002); Catriona Muckart (01020/002); Alexandra Eadie (01021/002); Janine McGowan (01023/002); Charlotte Telfer (01024/002); Rory McGown (01026/002); Lynsey Waddell (01027/002); Michael Kiernan (01029/002); Katy Lister (01032/002); Hayley

Dickson (01033/002); Donald Nairn (01035/002); James Crone (01036/002); Conn O'Neill (01037/002); Donna Rodgers (01038/002); Jane Muirhead (00986/002); Robert Coleman (00987/002); Angus Mackenzie (00988/002); Neil Myles (00989/002); John Gibson (00990/002); Shannon Kerr (00991/002); Andrew Badger (00992/002); Danielle Kelly (00993/002); Liam Beattie (01041/002); W Attwood (SLDP_842/002); Lee Deane (01043/002); Sarah McIlwain-Bates (01044/002); John Darley (01063/003); Conner Dornan (01062/002); Claire Gribben (01070/002); Michell Keenan (01071/002); Andrew Fowlie (01074/002); Craig Law (01075/002); Edward Jackson (01077/002); Romain Maradan (01078/002); Kada Alexander (01083/002); Alexis Kaine (01084/002); Kirsty Beveridge (01086/002); Geraint Short (01087/002); Lauren Marriott (01089/002); Megan Lackie (01090/002); Finlay Sim (01092/002); Dougie Scott (01094/002); Antonio-John Abrante (01095/002); Lauren Kater (01097/002); Andrew Gilmore (01099/002); Will Stafford (01100/002); I Popouloupoulos (01101/002); Poppy Murray (01103/002); Coraline Lawson (01104/002); Tom Ritchie (01106/002); David Hunter (01109/002); Owen Auskerry (01131/002); Luke Fenton (01134/002); John Seggie (01136/002); Duncan Eastoe (001138/002); Eirik F Wartianen (01139/002); Rajmund Bakonyi (01142/002); Jay Mitchell (01143/002); Rasat Sharma (01144/002); Alexei Dalton (01145/002); Stefan Muessig (01147/002); Emily G Buxton (01150/002); Simon Leigh (01151/002); Anthony McCluskey (01152/002); Hannah McCluskey (01154/002); Benjamin Newton (01155/002); Andrea Bosso (01157/002); Alekzandra Lord (01159/002); David Barkson (01160/002); Oisin Scott (01161/002); Andrew Gault (01163/002); Theo Burke (01166/002); Dr Ian & Davina Thomson (01343/002); William Park (01269/002); Glen Montgomery (01344/003); Andrew McCormack (01247/002); David Inglis (00116/002); William & Agnes Lyons (00229/002); Bridge of Allan Community Council (SLDP_73/002); Kay Fairgrieve (00234/003); Lorna Blackmore (01132/002); Mrs J Scobie (SLDP_1148/002); R J Limmack & A C Limmack (01148/002); Kirstin McDougall (01175/002); Ronald Dey (SLDP_1115/002); Central Scotland Circuit Meeting of The Methodist Church (01003/002); Michael Burt (SLDP_1109/002); Steven Hamilton (01098/002); Bryan Clark (00306/002); Jill Burt (00308/002); Doris Littlejohn (00451/002); Bob Fairgrieve (00315/002); Dr Kevin H Lynch (00994/002); Sandi Grieve (SLDP_952/002); Scottish National Party Group (00711/006); Jennifer Anderson (01272/002); James T Sinclair (01270/002); Stirling University Nature Society (01158/002); Joanne Gibb (01169/002); Duncan McDougall (SLDP_1384/002); David Wilson (00178/002); Callum Blackburn (00066/002); Mr & Mrs K McCreath (01184/002); Mark Jason (01211/002); Melissa J Shaw (01248/002); Joanne Blackburn (01250/002); William A K Purdie (01251/002); Valerie Sinclair (01256/002); Jennifer Bairner (01340/002); Laura John (01341/002); Cllr Mark Ruskell (01218/003); David Skillman (0111/002); John & Joan Hvass (00013/004); J Keen (SLDP_1307/003); Bridge of Allan & Logie SNP (01047/001) - Object to the references to the Kildean Link Road in the Plan citing one or more of the following reasons:

- Impact on local community in terms of loss of public amenity, loss of right of way, increased risk of accidents and increased noise affecting the wellbeing the local residents.
- Loss of Green Belt and coalescence.
- Increased traffic growth, air pollution/carbon emissions (going against the duty the Council has under the Climate Change Scotland Act).
- Considers the link road breaches Policy 3 and SG14 in the Plan.
- Impact on setting of Bridge of Allan and University campus.
- Flooding.
- Likelihood of it setting a precedent for housing development. This would make air quality worse.
- Improvement of cycle paths and reduction of bus fares would encourage modal shift and be an alternative to the link road.

- Questions if an EIA has been undertaken to assess the impacts of the road on unique biodiversity and habitats. Concerned that invasive species may be spread by development.
- Concerned at visual impact of elevated structure and danger created in high winds.
- The stabilisation work required to provide a solid road foundation will interfere with the water table.

David & Linda Harrison (01149/002) - Considers that although this is a Local Transport Strategy project, due to the physical difficulties it needs to overcome, the costs imply that development is needed to justify it. Concerned that it would not be a new edge to the settlement but would destroy it.

University of Stirling (SLDP_324/006) - Supports the transport enhancements of the City Transport Strategy and a Cornton Road to Airthrey Road link, subject to compliance with overarching planning policies. This is in the context of the University being able to offer collaborative educational pathways and services with Forth Valley College in the interests of connecting disparate parts of Stirling.

Jim McArthur (01240/003) - Considers the Kildean Link Road is much needed and welcome way of improving the road network.

TACTRAN (SLDP_193/015) - Reference to the Kildean Link Road being identified in the Local Transport Strategy should also make reference to its inclusion in the Regional Transport Strategy Delivery Plan.

Network Rail (SLDP_151/002) - Considers that aspirations for Bridge of Allan and in particular Airthrey Kerse, give insufficient consideration to potential impacts on the use of Cornton Level Crossing and Easter Cornton pedestrian crossing. Cornton level Crossing has a high risk score. It is heavily used with 6000 vehicle crossing per day, around 135 pedestrians and cycle users and 170 trains. Other risk factors include poor road alignment on the approach to the crossing and proximity of other junctions increasing the risk of traffic blocking back onto the crossing. Regular reports are made of misuse and there are only limited physical changes which can be made to the crossing to mitigate these risks. The cumulative impacts of potential development in the area could have a significant adverse impact on this situation.

Representations to Allocated Sites

H007 - Carsaig Court

James Wemyss (01279/001) - Concerned at the financial implications of having the site (Mackenzie Trailers) identified as a development opportunity when the land will likely be required to facilitate the infrastructure associated with the construction of a new bridge over the adjacent railway line to replace the existing vehicle and pedestrian level crossing. Concerned that development here would eventually lead to the requirement for costly CPO procedures.

Representations to Non-Allocated Sites

SS22 – John Murray Drive

Walker Group (Scotland) Ltd (SLDP_103/007) - The Plan should identify a small residential development opportunity at John Murray Drive, Bridge of Allan (map provided). The site has capacity for 3 plots in keeping with the scale of development in the surrounding area and

accessed from Sunnyslaw Road. The site currently does not contribute in any meaningful way to the open space requirements of the surrounding development and represents an infill development supported by national policy. Any housing developed on the land will contribute, in a limited way, towards maintaining a generous housing land supply.

SS23- Lecropt/Milseybank

Reith & Airth Households (SLDP_1182/001) - Objects to the drawing of the settlement boundary and Green Belt boundary around Bridge of Allan at the west end of the town. The boundary outlined in the Plan shows land to the east of the railway and north of the Perth Road as being in the settlement, and land to the west as being Green Belt. Proposes a minor deviation of the Green Belt boundary from the railway bridge at Bridge of Allan up to the end of the lane leading up to Milseybank. The proposed Green Belt boundary for this short stretch would be the tarmac lane. The enclosed land is completely bounded by the railway line to the east and by the steep cutting terminating at Lecropt nursery to the south, and by Milseybank and its terraced garden running down to the railway line to the north. The houses here are well placed within convenient walking distance of all transport and shopping facilities of the village. The Green Belt must have robust and defensible boundaries. Scottish Planning Policy advises that these should take the form of features clearly identifiable on the ground including roads, which it would.

Keir & Cawdor Estates Ltd (SLDP_707/001) - Considers the area of land around Milseybank and Lecropt House be identified for some 15 houses to create a sustainable grouping of buildings within 3-5 minutes walk of the train station and which would contribute to required affordable housing in the area. Considers small development would have limited impact on the landscape, is well contained, has access and is sustainably located. Objects to the inclusion of the area of land, west of the railway line and east of the motorway within the Green Belt. Considers the application of the Countryside Policy Boundary in this area reflects the nature and character of the land and the Green Belt allocation is inappropriate, preventing small scale development which could be accommodated within the area without major impact on the landscape. Considers there is no reason to extend the Green Belt boundary over the area that contains the Longleys factory.

SS24 - West of Railway Station

Bridge of Allan Community Council (SLDP_73/003) - Considers that there are other sites suitable for development instead of Airthrey Kerse including an area between the railway station and Lecropt Church with the proviso that the site lines are preserved to Stirling Castle and beyond from the A9. Considers the area immediately adjacent to the A9 could be developed to provide a car park for the train station with housing on a lower level.

Jim McArthur (01240/003) - Does not support the alternative site being promoted by the Community Council between the train station and Lecropt.

May F MacAskill (01181/002) - Land between Lecropt Church and the Meat Factory would be a better choice for development.

SS26 - Westerlea

Persimmon Homes East Scotland (SLDP_200/003) - Promote a 6.1 hectare site at Westerlea, Bridge of Allan for housing development and consider it to be an effective opportunity which can come forward in the Plan period. The site could accommodate up to 50 new houses with a range of house types. A Masterplan is available to show an indicative development and access would be taken from Westerlea Drive, an agreement has been

made with landowners here to allow this. An initial flood risk assessment shows that although all the site lies outwith the 200 year fluvial and pluvial flood plains, the lower western section provides some flood storage during heavy rainfall whilst the higher eastern parts do not. Therefore there is scope for development on the higher eastern parts. There are no adverse ground conditions or evidence that the site is supported any protected species. The Council's Site Assessment establishes the Green Belt was designated to prevent coalescence between Bridge of Allan and Causewayhead but it clarifies that if required as part of the Spatial Strategy, the site could be suitable for release on the basis that the edge of the Green Belt is inconsistent and the development could deliver a more robust and defensible boundary to this section. The indicative masterplan shows how a more uniform boundary could be achieved when considered in conjunction with adjacent land uses to improve the defensibility of the settlement edge.

SS27 - Causewayhead

Mactaggart & Mickel (Homes) Ltd (SLDP_346/014) - Consider that their landholdings and that of the wider North Stirling/Causewayhead area can be developed without any infrastructure impediments, in terms of drainage or transportation. Developer contributions sought in accordance with Circular 1/2010 will be proportionally met by the landowner in accordance with their landholding as part of the wider allocation. Consider that Flood Risk Management is not an impediment to the development of their landholdings or a substantial component of the wider Airthrey Kerse landholding and discussions and reports on these matters are currently lodged with SEPA/Council for comment. Suggest significant areas for future development with all flood risk issues capable of being addressed. Notes that there are other allocated sites within the Plan which require to have Flood Risk Assessments (H023, H028, H053, H058, H060, H062) and if it is acceptable for other sites to come forward in the Plan, then it is perfectly acceptable for a similar and consistent approach to be applied to their land holdings.

The Green Belt boundary should be altered to exclude their landholdings or as suggested by the developers promoting H056. The site should be allocated for residential development over the plan period. The precise and retained Green Belt boundary, as altered in the North Stirling/Causewayhead area, will be determined by the Masterplan process once the final boundaries of the built limit are agreed with Stirling Council.

Consider 400 units be allocated within Phase 1 and 400 in Phase 2 and support the Key Site Requirements checklist provided and the infrastructure identified and safeguards required as forming part of the overall development proposal at North Stirling/Causewayhead area.

SS40 - Sheriffmuir Road

CALA Homes (West) Ltd (01338/001) - Seeking inclusion of site located in Sherriffmuir Road, Bridge of Allan for small scale housing development. Consider the site is a small infill site which could come forward in Phase 1 of the Plan and make a valuable contribution to providing high quality housing in Bridge of Allan if it was removal from the Countryside Policy boundary. The site extends to 0.65 hectares and is located adjacent to the existing north eastern edge of the settlement of Bridge of Allan. The site is currently an open grassed field with fence and hedge enclosures around the perimeter. It is likely that the field has been a single open space only in the relatively recent past, with old maps and Ordnance Survey plans showing previous divisions. The field is not in use, either for agricultural or any other use, and forms part of the private ground of Blawlowan.

The site can accommodate a notional capacity of around 8 homes, with associated landscaping and access and will provide a financial contribution towards affordable housing provision. Access into the site will be provided from Sheriffmuir Road.

Modifications sought by those submitting representations:

Bridge of Allan Settlement Statement

Grahams Dairy

Scottish National Party Group (00711/004) - A statement must be included that the land remains green space or part of Green Belt.

Lachlan MacKinnon (01107/001); Margaret Prentice (00317/001) - Include provision prohibiting extension of the dairy in the direction of residential area and prevent a reduction of the Green Belt between it and the existing houses/tennis courts.

North Stirling Woodland Park

Friends of the Ochils (141/007) - Remove references to the North Stirling Woodland/Forest Park until there has been a proper public consultation on the concept, boundaries and proposals, and due process has resulted in an explicit statement of what the concept entails, approved by the Council.

Peter Pearson (001167/003) - References to the North Stirling Woodland Park be withdrawn from the Plan, such as those on page 122.

Green Belt

Scotbeef (01108/001) - Removal of the proposed extension of the Green Belt in a westward extension at Bridge of Allan.

Graham's The Family Dairy (SLDP_327/009) - Amend Green Belt boundary between Bridge of Allan and Causewayhead as shown on the submitted plans.

General Settlement Statement

TACTRAN (SLDP_193/015) - Clarity should be sought on the Bridge of Allan rail parking strategy from Transport Scotland.

Kildean Link Road

Fanny Schmidt (00995/002); Shaun M Moloney (00996/002); Lara Goessmann (00997/002); Billy Neilson (00967/002); David Costello (00968/002); Maureen Jones (00969/002); Scott Jarvie (00970/002); Janette Hastings (00971/002); Amy Butterfield (00972/002); Douglas Rooney (00973/002); Amy Easton (00974/002); Alistair Davidson (00975/002); Mike Williams (00976/002); Jacob Whittle (00977/002); Catherine Cunningham (00978/002); J Rushforth (00979/002); Catriona Sinclair (00980/002); Clare Dias (00981/002); Mary Shelton (00982/002); Anton Shelton (00983/001); Mae Diansangu (00984/002); Dr Andrew Knock (00985/002); University of Stirling Students' Union (009851/002); Ivelina Georgieua (00952/002); Viivi Tikanmeki (00953/002); Michael Allen (00954/002); Douglas Bruce (00955/002); Jimmy Russell (00956/002); Kajsa Karlstrom (00957/002); P Stephen

(00958/002); Jean Davidson (00959/002); Julie Devonald (00960/002); A McPherson (00961/002); Andrew Campbell (00962/002); Catherine Lyons (00963/002); Eva Cunningham (00964/002); Michael Wilson (00965/002); Hilary Morton (00966/002); David Dow (01045/002); Robert Gray (01048/002); Romuald Rouger (01049/002); Michael Christie (01050/002); Alvano Merino (01052/002); Kirsty McCall (01054/002); Lara Flint (01055/002); Rehana Shivji (01056/002); Shona K Tinkler (01058/002); Blake Turner (01059/002); Joao Piedade (01060/002); Theo Hardie (01061/002); David Clark (01064/002); Darren Hatfield (01066/002); Michael Thompson (01067/002); Erik Von Berlekom (01069/002); Jaqui Lenaghan (00999/002); Miles Welstead (01000/002); Orsolya Kerr (0100/002); Aidan Miller (01002/002); Meghan Cunningham (01004/002); Ashleigh Dodds (01005/002); Magnus Olafsson (01006/002); Jordan Tillier (01008/002); Lucy Drummond (01009/002); Anum Qaisar (01010/002); Tan Morgan (01012/002); Rhona Gordon (010174/002); Adam Preece (01015/002); Andrew Mitchell (01017/002); Catriona Muckart (01020/002); Alexandra Eadie (01021/002); Janine McGowan (01023/002); Charlotte Telfer (01024/002); Rory McGown (01026/002); Lynsey Waddell (01027/002); Michael Kiernan (01029/002); Katy Lister (01032/002); Hayley Dickson (01033/002); Donald Nairn (01035/002); James Crone (01036/002); Conn O'Neill (01037/002); Donna Rodgers (01038/002); Jane Muirhead (00986/002); Robert Coleman (00987/002); Angus Mackenzie (00988/002); Neil Myles (00989/002); John Gibson (00990/002); Shannon Kerr (00991/002); Andrew Badger (00992/002); Danielle Kelly (00993/002); Liam Beattie (01041/002); W Attwood (SLDP_842/002); Lee Deane (01043/002); Sarah McIlwain-Bates (01044/002); John Darley (01063/003); Conner Dornan (01062/002); Claire Gribben (01070/002); Michell Keenan (01071/002); Andrew Fowlie (01074/002); Craig Law (01075/002); Edward Jackson (01077/002); Romain Maradan (01078/002); Kada Alexander (01083/002); Alexis Kaine (01084/002); Kirsty Beveridge (01086/002); Geraint Short (01087/002); Lauren Marriott (01089/002); Megan Lackie (01090/002); Finlay Sim (01092/002); Dougie Scott (01094/002); Antonio-John Abrante (01095/002); Lauren Kater (01097/002); Andrew Gilmore (01099/002); Will Stafford (0100/002); I Popouloupoulos (01101/002); Poppy Murray (01103/002); Coraline Lawson (01104/002); Tom Ritchie (01106/002); David Hunter (01109/002); Owen Auskerry (01131/002); Luke Fenton (01134/002); John Seggie (01136/002); Duncan Eastoe (001138/002); Eirik F Wartianen (01139/002); Rajmund Bakonyi (01142/002); Jay Mitchell (01143/002); Rasat Sharma (01144/002); Alexei Dalton (01145/002); Stefan Muessig (01147/002); Emily G Buxton (01150/002); Simon Leigh (01151/002); Anthony McCluskey (01152/002); Hannah McCluskey (01154/002); Benjamin Newton (01155/002); Andrea Bosso (01157/002); Alekzandra Lord (01159/002); David Barkson (01160/002); Oisin Scott (01161/002); Andrew Gault (01163/002); Theo Burke (01166/002); Andrew McCormack (01247/002); David Inglis (00116/002); Kay Fairgrieve (00234/003); Mrs J Scobie (SLDP_1148/002); Kirstin McDougall (01175/002); Michael Burt (SLDP_1109/002); Steven Hamilton (01098/002); Robert McOwan (00475/002); Jill Burt (00308/002); Doris Littlejohn (00451/002); Dr Kevin H Lynch (00994/002); Sandi Grieve (SLDP_952/002); Jennifer Anderson (01272/002); James T Sinclair (01270/002); Duncan McDougall (SLDP_1384/002); David Wilson (00178/002); Callum Blackburn (00066/002); Mr & Mrs K McCreath (01184/002); Joanne Blackburn (01250/002); Valerie Sinclair (01256/002); Jennifer Bairner (01340/002); Laura John (01341/002); Cllr Mark Ruskell (01218/003); David Skillman (0111/002); John & Joan Hvass (00013/004); J Keen (SLDP_1307); Bridge of Allan & Logie SNP (01047/001); William Park (01269/002) - Remove all references to the Kildean Link Road from the Plan.

R J Limmack & A C Limmack (01148/002) - Would like to see additional park and ride in the area with a more regular and comprehensive service across Stirling made available with better sign posting for existing services. Considers this is a cheaper and more sustainable alternative.

Lorna Blackmore (01132/002) - Would like to request a traffic impact assessment is undertaken to assess the impact on traffic in this area, although would ideally like to see the whole project removed from the Plan and the land used as a wetland for water storage and biodiversity. Would like to request that an EIA is undertaken and that it covers all the issues raised in the full representation.

William & Agnes Lyons (00229/002) - Removal all references to any development on the Kerse.

Bridge of Allan Community Council (SLDP_73/002) - Remove references to all and any development on the Kerse, including the link road. If any development is ever permitted ensure a meaningful and constructive engagement takes places with the community in respect of the type and extent of any development.

David & Linda Harrison (01149/002) - Considers that upgrading from half to full barriers would solve the concerns at the level crossing.

Central Scotland Circuit Meeting of the Methodist Church (01003/002) - Removal of the Kildean Link Road from the Proposed Plan. The improvement and creation of cycle paths and the reduction of bus fares to encourage modal shift must be seen as a sustainable alternative to the proposed new road.

Ronald Dey (SLDP_1115/002) - Widen the existing Causewayhead Road and Cornton Road instead.

Stirling University Nature Society (01158/002); Joanne Gibb (01169/002) - Considers the creation and improvement of cycle paths and reduction of bus fares to encourage modal shift can be seen as a sustainable alternative to the proposal of a new link road. Requests an evaluation to assess the impact of traffic being pinpointed into the local area of Bridge of Allan. Consider further consultation on flood risk issues is required. Would like to see the area used for flood mitigation and defence which would aid biodiversity. Wishes confirmation on whether an EIA has been undertaken to assess the impacts on the wide range of plant, insect, amphibian, birds and mammals that use the area. Seeks deletion of the project.

TACTRAN (SLDP_193/015) - Add reference to the Kildean Link Road being included in the Regional Transport Strategy Delivery Plan.

Mark Jason (01211/002); Melissa J Shaw (01248/002); William A K Purdie (01251/002) - Considers improvement and creation of cycle paths and the reduction of bus fares to encourage modal shift must be seen as a sustainable alternative to the proposal of a new link road. Would like an EIA to be undertaken.

Network Rail (SLDP_151/002) - Note the Council recognises the concerns and reference is made to the closure of the crossing and a road bridge on the Bridge of Allan settlement map and to the need to safeguard land for a road diversion and road bridge within site assessment H056 at page 217. However, continue to object unless the following changes are made. H056 Airthrey Kerse to include the provision, or contribution to the provision of, a road bridge which enables the closure of the Cornton Level Crossings unless future traffic assessment proves no increase in adverse impact on the crossings and statements on the safeguarding of a route for the Kildean Link Road are clarified to recognise the need to demonstrate no increase in adverse impact on the crossing.

Representations to Allocated SitesH007 - Carsaig Court

James Wemyss (01279/001) - Seeks to secure a new road over bridge with pedestrian footpaths being constructed and completed over the Stirling to Dunblane rail line between Cornton Road and Easter Cornton Road with associated local road network improvements in place. This would require no building on the site until such time as the level crossing improvements have taken place.

Representations to Non-Allocated SitesSS22 – John Murray Drive

Walker Group (Scotland) Ltd (SLDP_103/007) - Allocate land at John Murray Drive/Sunnylaw Road for residential development (capacity 3 units).

SS23- Lecropt/Milseybank

Scott Maitland (00257/002) - Wish to see site north of Bridge of Allan train station considered instead for development.

Reith & Airth Households (SLDP_1182/001) - The amendment of the Settlement Boundary to include land at Milseybank and Lecropt House north of the Perth Road and west of the railway line.

Keir & Cawdor Estates Ltd (SLDP_707/001) - Allocate a small scale development of around 15 houses in this area and identify it as an opportunity for 'Leisure and Tourist facility'. Delete the proposed new Green Belt west of the railway line, east of the M9 and both north and south of Perth Road and ensure it is only a countryside policy boundary which applies here.

SS24 - West of Railway Station

Bridge of Allan Community Council (SLDP_73/003) - Considers this area for development.

David & Linda Harrison (01149/002) - Recognises the broad strategy of the Plan and the need for housing in this part of the Core Area, would suggest that an area west of the town be investigated for development potential.

May F MacAskill (01181/002) - Land between Lecropt Church and the (Longleys) Meat Factory would be a better choice for development.

Sandi Grieve (SLDP_952/001) - Considers there is scope for development in the north west instead beyond the station.

Michael Burt (SLDP_1109/001); Jill Burt (00308/002) - Land west of the rail line at Lecropt would have no flooding and transport implications and should be considered.

SS26 - Westerlea

Persimmon Homes East Scotland (SLDP_200/003) - Consider that the number of homes previously and currently allocated for a tier 2 settlement is too low. Requests that the

Council include land at Westerlea for modest residential development as it is a real opportunity to deliver homes to Bridge of Allan that would allow the creation of a sensitive, clearly defined and well contained interface with the Green Belt.

SS27 - Causewayhead

Mactaggart & Mickel (Homes) Ltd (SLDP_346/014) - Spatial Strategy considerations should include a reference to a major new housing proposal for North Stirling/Causewayhead and this should also be identified on the list of development frameworks for major new developments. On Stirling North Map 1, the North Stirling/Causewayhead (H056) should be highlighted, consistent with the other development proposals, with the site requirements checklist highlighting that the precise boundaries/Green Belt limits will be determined via the Masterplan process. Failing which in the short term specifically as an early phase of development their landholdings should be allocated for residential development on the proposals map.

The Green Belt boundary should be altered to exclude their landholdings or as suggested by the developers promoting H056. The site should be allocated for residential development over the plan period. The precise and retained Green Belt boundary, as altered in the North Stirling/Causewayhead area, will be determined by the Masterplan process once the final boundaries of the built limit are agreed with Stirling Council. Consider 400 units be allocated within Phase 1 and 400 in Phase 2 and support the Key Site Requirements checklist provided and the infrastructure identified and safeguards required as forming part of the overall development proposal at North Stirling/Causewayhead area.

SS40 - Sheriffmuir Road

Cala Homes (West) Ltd. (01338/001) - Include this site at Sherriffmuir Road, Bridge of Allan as a small infill-housing site and allow its removal from the Countryside Policy boundary.

Summary of responses (including reasons) by planning authority:

Bridge of Allan Settlement Statement

Grahams Dairy

Scottish National Party Group (00711/004); Lachlan MacKinnon (01107/001); Margaret Prentice (00317/001) - The allocation of a business site (previously B08 Airthrey Green, Henderson Street), in the Draft Proposed Plan pg 21 (CD44b) was proposed by the landowners to facilitate expansion of their business. However, this was subsequently removed at the request of the land owner. As a result, the site has reverted to its original designation as part of the Green Belt separating the dairy from the Pullar Memorial Park / Anne Drive and tennis courts to the west. Green Belt policies therefore apply to the site and would be instrumental in determining any planning application coming forward in this location. There are no outstanding objections to this site seeking development and as such the Green Belt designation is not in contention. Therefore, no additional policy direction is needed in this area.

North Stirling Woodland Park

Friends of the Ochils (00141/007); Peter Pearson (001167/003) - The concept of a North Stirling Forest Park was raised as part of the Stirling Council Open Space Strategy 2012 -

2017 (CD56) and subject to public Consultation. It has been identified in Policy Objective 1 of the Open Space Strategy approved by Council on 13th December 2013 as an important project to progress in establishing a Green Network in and around Stirling. This is not an endorsement of the details of this, as these will eventually emerge as a result of further work. However, as a land use plan, it is appropriate that the Local Development Plan acknowledges other strategies and concepts that involve land use and, where appropriate, offers support. Therefore, no changes are proposed as a result of this representation.

Green Belt

Scotbeef (01108/001) – In relation to the Longleys site, west of the railway, Proposed Supplementary Guidance SG03 Green Belts (CD160) explains why a Green Belt is proposed for this location. This area is considered important to protect the setting and identity of Bridge of Allan and Stirling and maintain views to important landmarks. The Green Belt Review Background Report (CD55) details the review of the Green Belt in this location and recommends the Green Belt be extended. The area of land to the west of Bridge of Allan (west of the railway line and east of the M9) is highly visible and contributes to the wider setting of Bridge of Allan and Stirling within the carse landscape. Loss of this open landscape would have a negative impact on the identity of the individual settlements and views to important landmarks. The area also has a local recreational role including a core path link. The proposed outer boundaries for this extended Green Belt are formed by the motorway (M9) to the west, the River Forth to the south and link up with the existing Green Belt at Lecropt Kirk to the north. The Council does not therefore agree that the Green Belt boundary should be amended as suggested in the representation.

Graham's The Family Dairy (SLDP_327/009) – The Council's response to this representation is dealt with in Issue 8 – Green Belts.

General Settlement Statement

TACTRAN (SLDP_193/015) – The parking review does not include any specific references to Bridge of Allan station and references to the review should be removed ie Bridge of Allan Settlement Statement , page 121, delete the sentence "The outcomes of a rail parking strategy review being led by Transport Scotland on the need to expand the parking at the station are awaited" so that the paragraph reads "Demand for parking at the Bridge of Allan railway station is in excess of capacities, however the site is physically constrained. New development sites should therefore consider the impact of development on parking demand, and the possibilities of pedestrian and cycle links to reduce the parking demand".

'Kildean' Link Road

Fanny Schmidt (00995/002); Shaun Martin Moloney (00996/002); Lara Goessmann (00997/002); Billy Neilson (00967/002); David Costello (00968/002); Maureen Jones (00969/002); Scott Jarvie (00970/002); Janette Hastings (00971/002); Amy Butterfield (00972/002); Douglas Rooney (00973/002); Amy Easton (00974/002); Alistair Davidson (00975/002); Mike Williams (00976/002); Jacob Whittle (00977/002); Catherine Cunningham (00978/002); J Rushforth (00979/002); Catriona Sinclair (00980/002); Clare Dias (00981/002); Mary Shelton (00982/002); Anton Shelton (00983/001); Mae Diansangu (00984/002); Dr Andrew Knock (00985/002); University of Stirling Students' Union (009851/002); Ivelina Georgieua (00952/002); Viivi Tikanmeki (00953/002); Michael Allen (00954/002); Douglas Bruce (00955/002); Jimmy Russell (00956/002); Kajsa Karlstrom (00957/002); P Stephen (00958/002); Jean Davidson (00959/002); Julie Devonald (00960/002); A McPherson (00961/002); Andrew Campbell (00962/002); Catherine Lyons

(00963/002); Eva Cunningham (00964/002); Michael Wilson (00965/002); Hilary Morton (00966/002); David Dow (01045/002); Robert Gray (01048/002); Romuald Rouger (01049/002); Michael Christie (01050/002); Alvano Merino (01052/002); Kirsty McCall (01054/002); Lara Flint (01055/002); Rehana Shivji (01056/002); Shona K Tinkler (01058/002); Blake Turner (01059/002); Joao Piedade (01060/002); Theo Hardie (01061/002); David Clark (01064/002); Darren Hatfield (01066/002); Michael Thompson (01067/002); Erik Von Berlekom (01069/002); Jaqui Lenaghan (00999/002); Miles Welstead (01000/002); Orsolya Kerr (0100/002); Aidan Miller (01002/002); Meghan Cunningham (01004/002); Ashleigh Dodds (01005/002); Magnus Olafsson (01006/002); Jordan Tillier (01008/002); Lucy Drummond (01009/002); Anum Qaisar (01010/002); Tan Morgan (01012/002); Rhona Gordon (010174/002); Adam Preece (01015/002); Andrew Mitchell (01017/002); Catriona Muckart (01020/002); Alexandra Eadie (01021/002); Janine McGowan (01023/002); Charlotte Telfer (01024/002); Rory McGown (01026/002); Lynsey Waddell (01027/002); Michael Kiernan (01029/002); Katy Lister (01032/002); Hayley Dickson (01033/002); Donald Nairn (01035/002); James Crone (01036/002); Conn O'Neill (01037/002); Donna Rodgers (01038/002); Jane Muirhead (00986/002); Robert Coleman (00987/002); Angus Mackenzie (00988/002); Neil Myles (00989/002); John Gibson (00990/002); Shannon Kerr (00991/002); Andrew Badger (00992/002); Danielle Kelly (00993/002); Liam Beattie (01041/002); W Attwood (SLDP_842/002); Lee Deane (01043/002); Sarah McIlwain-Bates (01044/002); John Darley (01063/003); Conner Dornan (01062/002); Claire Gribben (01070/002); Michell Keenan (01071/002); Andrew Fowlie (01074/002); Craig Law (01075/002); Edward Jackson (01077/002); Romain Maradan (01078/002); Kada Alexander (01083/002); Alexis Kaine (01084/002); Kirsty Beveridge (01086/002); Geraint Short (01087/002); Lauren Marriott (01089/002); Megan Lackie (01090/002); Finlay Sim (01092/002); Dougie Scott (01094/002); Antonio-John Abrante (01095/002); Lauren Kater (01097/002); Andrew Gilmore (01099/002); Will Stafford (0100/002); I Popouloupoulos (01101/002); Poppy Murray (01103/002); Coraline Lawson (01104/002); Tom Ritchie (01106/002); David Hunter (01109/002); Owen Auskerry (01131/002); Luke Fenton (01134/002); John Seggie (01136/002); Duncan Eastoe (001138/002); Eirik F Wartianen (01139/002); Rajmund Bakonyi (01142/002); Jay Mitchell (01143/002); Rasat Sharma (01144/002); Alexei Dalton (01145/002); Stefan Muessig (01147/002); Emily Grace Buxton (01150/002); Simon Leigh (01151/002); Anthony McCluskey (01152/002); Hannah McCluskey (01154/002); Benjamin Newton (01155/002); Andrea Bosso (01157/002); Alekzandra Lord (01159/002); David Barkson (01160/002); Oisin Scott (01161/002); Andrew Gault (01163/002); Theo Burke (01166/002); Andrew McCormack (01247/002); David Inglis (00116/002); Kay Fairgrieve (00234/003); Mrs J Scobie (SLDP_1148/002); Kirstin McDougall (01175/002); Michael Burt (SLDP_1109/002); Steven Hamilton (01098/002); Robert McOwan (00475/002); Jill Burt (00308/002); Doris Littlejohn (00451/002); Dr Kevin H Lynch (00994/002); Sandi Grieve (SLDP_952/002); Jennifer Anderson (01272/002); James T Sinclair (01270/002); Duncan McDougall (SLDP_1384/002); David Wilson (00178/002); Callum Blackburn (00066/002); Mr & Mrs K McCreath (01184/002); Joanne Blackburn (01250/002); Valerie Sinclair (01256/002); Jennifer Bairner (01340/002); Laura John (01341/002); Cllr Mark Ruskell (01218/003); David Skillman (0111/002); John And Joan Hvass (00013/004); J Keen (SLDP_1307); Bridge of Allan & Logie SNP (01047/001); William And Agnes Kerr Lyons (00229/002); Bridge of Allan Community Council (SLDP_73/002); Central Scotland Circuit Meeting Of The Methodist Church (01003/002) - A large number of detailed comments have been raised against the 'Kildean' Link Road. Whilst this was a proposal included in the Stirling Council City Transport Strategy: Transport for 2020 Stirling (CD72), throughout the Plan process, and in line with the proposed Stirling Council Draft City Transport Plan, 2013/14 – 2015/16 (CD73a), the Council have referred to two roads, one between Kildean and Cornton Road, and one between Cornton Road and Airthrey Road.

To date, traffic modelling exercises have been undertaken which show the benefits to reducing congestion and improving accessibility across Stirling by relieving traffic problems at Clock/Customs roundabout through the introduction of a link between Kildean and Cornton Rd. These benefits would be further increased by a link between Cornton Road and Airthrey Road. Whether one and/or the other will be required will be determined by both the level of development locally and across Stirling, and the ability to encourage a significant proportion of new and existing trips to be undertaken by walking, cycling and public transport rather than motor vehicles.

Other than the traffic modelling undertaken to inform the Plan and the City Transport Plan (CD72), the Council has not undertaken a detailed assessment of all the impacts of the potential links at this stage. This includes any potential impacts on the Green Belt, coalescence and residential amenity. It is considered most appropriate to undertake such detailed assessments (following Scottish Transport Appraisal Guidance (2008) (CD33) - best practice to ensure all aspects are appropriately considered), closer to the time when the links may be required to ensure that the studies are as up to date and accurate as possible.

Hence, the information contained in the 'Kildean' Link Road Response Table (CD239) offers the best response that the Council can give at this time to respond to the issues raised. Responses are provided for each separate road link as the extent to which each issue applies to each route will vary. Furthermore, the nature of any link between Cornton Road and Airthrey Road will vary depending on whether it passes through any development at Airthrey Kerse (H056).

R J Limmack & A C Limmack (01148/002) - The traffic modelling undertaken to inform the Plan and the City Transport Plan indicates that in the long term both a modal shift and new infrastructure would be required. With particular reference to improved park and ride from the north of Stirling the park and ride could contribute to a modal shift towards public transport. However it is unlikely to be able to be sufficient on its own. Improved rail park and ride towards Edinburgh/Glasgow is limited by parking capacity/train capacity/costs of tickets; while bus base park and ride into Stirling will be restricted by the ability to provide bus priority at Clock/Customs roundabout (which is likely only to be relieved by a Kildean to Cornton Rd link) as well as at other locations. Additional comments available within 'Kildean' Link Road Response Table (CD239).

William Park (01269/002) - The traffic modelling undertaken to inform the Plan and the City Transport Plan indicates that in the long term both a modal shift and new infrastructure would be required. With particular reference to subsidising bus fares, even if the revenue funding for supporting bus fares is available (compared to securing capital funding for physical infrastructure), the Council is constrained to the degree it can do this on routes where there are commercial services (such as Cornton Rd and Causewayhead Rd). Additional details available within Kildean Link Road Response Table (CD239).

Lorna Blackmore (01132/002) - No traffic impact assessment has been done yet on the proposal. An Environmental Impact Assessment will be undertaken should it be shown through further work that the road would assist in dealing with congestion over the duration of the Plan.

William And Agnes Kerr Lyons (00229/002) - Issue 41 (H056) deals with further development on the Kerse and advises that the area is not an allocation but an indication of future development, if and when required.

Bridge of Allan Community Council (SLDP_73/002) - The concern regarding H056 is covered in Issue 41 dealing solely with that particular issue. However, if any development was shown to be feasible on any part of the site, the Community Council would be consulted.

David & Linda Harrison (01149/002) - Addressing the current safety risks at the level crossings are high on Network Rail's agenda. The current (and any future) safety risk at Cornton Road Level Crossing could be resolved by Network Rail amending the barrier arrangement from half barriers to full barriers. Whilst this could also address Network Rail's objection to any proposed development that could increase safety risk, it would effectively result in Cornton Road being closed for approximately 50% of every hour. This is likely to result in traffic being diverted to Causewayhead Road and exacerbating current and future problems on that road. Accordingly it is suggested that Stirling Council and Network Rail investigate the replacement of the level crossing with a bridge which could resolve the safety issues without exacerbating traffic issues in the vicinity.

Central Scotland Circuit Meeting of The Methodist Church (01003/002) - The traffic modelling undertaken to inform the Plan and the City Transport Plan indicates that in the long term both a modal shift and new infrastructure would be required. With particular reference to subsidising bus fares, even if the revenue funding for supporting bus fares is available (compared to securing capital funding for physical infrastructure), the Council is constrained to the degree it can do this on routes where there are commercial services (such as Cornton Rd and Causewayhead Rd).

Ronald Dey (SLDP_1115/002) - The capacity of any route is principally defined by the capacity of the junctions rather than the links. Hence, the principal problem remaining to be addressed is the long term capacity of Clock/Customs roundabout to handle both inner ring road traffic and also traffic crossing the River Forth at this location. Widening both Cornton Road and Causewayhead Road would have little or no impact.

Stirling University Nature Society (01158/002); Joanne Gibb (01169/002) - The traffic modelling undertaken to inform the Plan and the City Transport Plan indicates that in the long term both a modal shift and new infrastructure would be required. With particular reference to:

- Subsidising bus fares: even if the revenue funding for supporting bus fares is available (compared to securing capital funding for physical infrastructure), the Council is constrained to the degree it can do this on routes where there are commercial services (such as Cornton Rd and Causewayhead Rd)
- Improve park and ride from the north of Stirling: Park and ride could contribute to a modal shift towards public transport, however it is unlikely to be able to be sufficient on its own. Improved rail park and ride towards Edinburgh/Glasgow is limited by parking capacity/train capacity/costs of tickets; while bus base park and ride into Stirling will be restricted by the ability to provide bus priority at Clock/Customs roundabout (which is likely only to be relieved by a Kildean to Cornton Rd link) as well as at other locations.

Further traffic modelling will be undertaken to assess the contribution that an Airthrey to Cornton Link could make to reducing congestion in the area.

The impacts of any road construction on water tables and flooding would need to be considered as part of any detailed assessment. However measures to mitigate against or even improve existing situation would normally be expected to be found.

An Environmental Impact Assessment would be undertaken should it be highlighted that the link road would be useful in improving traffic flow.

TACTRAN (SLDP_193/015) - The Council agree with the proposed modification, but reference to a Kildean Link Road is misleading and needs to be replaced, here and wherever else it appears in the Plan. There are two separate road link schemes, which are complementary, but are not mutually exclusive. The Council suggest that the text reads: "The Kildean to Cornton Road Link, and the Cornton to Airthrey Road Link are identified in the Stirling Council City Transport Strategy Transport for 2020 Stirling (page 34 and 50) (CD72) and TACTRAN Regional Transport Delivery Plan (page 13, Project I4) (CD31) and therefore any development should not prevent this from being realised".

Mark Jason (01211/002); Melissa Jane Shaw (01248/002); William Andrew Kennedy Purdie (01251/002) - The traffic modelling undertaken to inform the Plan and the City Transport Plan indicates that in the long term both a modal shift and new infrastructure would be required. With particular reference to:

- Subsidising bus fares: even if the revenue funding for supporting bus fares is available (compared to securing capital funding for physical infrastructure), the Council is constrained to the degree it can do this on routes where there are commercial services (such as Cornton Rd and Causewayhead Rd)
- Improve park and ride from the north of Stirling: Park and ride could contribute to a modal shift towards public transport, however it is unlikely to be able to be sufficient on its own. Improved rail park and ride towards Edinburgh/Glasgow is limited by parking capacity/train capacity/costs of tickets; while bus base park and ride into Stirling will be restricted by the ability to provide bus priority at Clock/Customs roundabout (which is likely only to be relieved by a Kildean to Cornton Rd link) as well as at other locations.

An Environmental Impact Assessment would be undertaken at a larger stage of project planning should it be concluded that the route could assist in reducing traffic congestion.

Network Rail (SLDP_151/002) - Any proposed development may exacerbate safety risks at Cornton Road Level Crossing and at the Easter Cornton Road Pedestrian Crossing due to additional trips. However it is understood that addressing the current safety risks at these crossings are high on Network Rail's agenda. The current (and any future) safety risk at Cornton Road Level Crossing could be resolved by Network Rail amending the barrier arrangement from half barriers to full barriers. Whilst this could also address Network Rail's objection to any proposed development that could increase safety risk, it would effectively result in Cornton Road being closed for approximately 50% of every hour. This is likely to result in traffic being diverted to Causewayhead Road and exacerbating current and future problems on that road. Accordingly it is suggested that Stirling Council and Network Rail investigate the replacement of the level crossing with a bridge which could resolve the safety issues without exacerbating traffic issues in the vicinity.

Representations on Allocated Sites

H007 Carsaig Court

James Wemyss (01279/001) - The Plan ensures that there is land safeguarded for infrastructure projects in the vicinity of Bridge of Allan and this includes land for a rail bridge across the railway line to facilitate the closure of the Cornton Level Crossing.

Representations on Non-Allocated SitesSS22 – John Murray Drive

Walker Group (Scotland) Ltd (SLDP_103/007) - The Council has carefully considered the various reasons put forward in support of the modification to allocated land at Sunnyslaw for residential purposes, but remains of the view that there is insufficient justification to allocate this land for development. The site was considered at the Main Issues Report stage and considered in the Site Assessment process (CD42) (Site Ref: BOFA04). It does not conform with the Spatial Strategy and also offers several significant shortcomings. None of the supporting information included in the submission is considered to be of sufficient merit to support a modification. In particular the Plan allocates sufficient land for residential use as demonstrated by the on the Housing Land Requirement Background Report (CD61) and discussed more fully In Issue 4.

Notwithstanding the supporting information submitted with the representation, there remains significant concern regarding adverse effects the development would have on the Green Corridor and the site's role as open space. It is considered to be an important link in the Bridge of Allan Green Corridor connecting Henderson Street to Sunnyslaw Road. It is one of the few flat open grassed areas in this part of Bridge of Allan which is available for children to congregate on and is an important amenity space for residents. It is considered inappropriate to impinge on it, no matter how small the proposal, particularly when there is no pressing need for additional residential development to meet the housing land requirement. The Council does not therefore agree to modify the Plan in response to this representation.

SS23- Lecropt/Milseybank

Scott Maitland (00257/002); Reith & Airth Households (SLDP_1182/001); Keir & Cawdor Estates Ltd (SLDP_707/001) - These representations seek the allocation of land at Lecropt Road in Bridge of Allan for residential purposes. The Council has carefully considered the various reasons put forward in support of the modification requested but remains of the view that there is insufficient justification to allocate this land for development.

The site was considered at the Main Issues Report stage and considered in the Site Assessment process (CD45) (Site Ref: BOFA09). It does not conform with the Spatial Strategy and also offers several significant shortcomings. None of the supporting information included in the submission is considered to be of sufficient merit to support a modification.

In particular, the Plan allocates sufficient land for residential use as demonstrated by the on Housing Land Requirements Background Report (CD61) and discussed more fully In Issue 4 Housing Land Requirements.

The site is located within the Green Belt and although the site is within the vicinity of the train station and the main transport routes, development here would represent an unprecedented leap across the railway line away from the built up area of Bridge of Allan, adversely impacting on the Green Belt. The justification for the Green Belt allocation can be found with the Green Belt Review Background Report (CD55) and is also dealt with under Issue 8 - Green Belts.

Although the town does have severe constraints to growth, at this time, development in this location is seen as unnecessary and undesirable. Development here would be highly visible and the landscape of this area is very sensitive. Proposed Supplementary Guidance SG27,

Protecting Special Landscapes (CD187) highlights that this area is within the Keir Local Landscape Area which is considered to be an important buffer of countryside between Bridge of Allan and Dunblane. It also plays some role in the setting and approach to both settlements. In reviewing sensitivity to change in the Keir Local Landscape Area, SG27 highlights the “cumulative effects of other development eroding the character and quality of the LLA” and “suburbanising valued countryside”. The development potential at Park of Keir (CD128, CD129 and CD130) increases the sensitivity of the remaining undeveloped land in the LLA (page 51). The type of development put forward in this representation would have cumulative impacts when considered with the Park of Keir proposed hotel and golf course.

Keir & Cawdor Estates Ltd (SLDP_707/001) - further suggest that the site should be identified as an ‘opportunity for leisure and tourist facility’ and that its allocation would allow an effective site for affordable housing. Such a use would not normally be allocated but instead dealt with through the policy framework in the Plan. The Council is not clear how these various uses are compatible with one another on this site. The Council does not therefore agree to modify the Plan in response to these representations.

SS24 West of Railway Station

Bridge of Allan Community Council (SLDP_73/003); David & Linda Harrison (01149/002); May F MacAskill (01181/002); Sandi Grieve (SLDP_952/001); Michael Burt (SLDP_1109/001); Jill Burt (00308/002) - These representations seek the identification of land west of the railway line in Bridge of Allan for residential purposes, as a substitute for future development at H056 Airthrey Kerse (see Issue 41 for response to H056).

The Council has carefully considered the various reasons put forward in support of the modification requested but remains of the view that there is insufficient justification to allocate this land for development. The site was considered at the Main Issues Report stage and considered in the Site Assessment process (Site Ref: NEW12 (CD45) and NEW7 (CD253)). It does not conform with the Spatial Strategy and also offers several significant shortcomings. None of the supporting information included in the submission is considered to be of sufficient merit to support a modification.

In particular, the Plan allocates sufficient land for residential use as demonstrated by the on Housing Land Requirements Background Report (CD61) and discussed more fully In Issue 4. This site is suggested as an alternative to H056 Airthrey Kerse, however H056 is not an allocation in the Plan but only an indication of where development could go in the future if it is required. The area west of the railway line are within the existing / proposed Green Belt and would be ‘jumping’ the existing defensible settlement boundary of the railway line, creating a separate neighbour of Bridge of Allan.

The Stirling Green Belt Study: Contributing to Stirling Green Belt Review, Land Use Consultants (2009) (CD53) strongly reaffirmed the role and importance of Green Belt between Bridge of Allan and Dunblane in terms of settlement setting / identity and recreational use, and this area contributes towards this. Parts of the site are highly visible from the M9 and development would have an impact on the A Listed Lecropt Church and associated B and C Listed properties. Access of the A9 would need to be improved and there are few opportunities for access into the site due to existing widths and visibility. It is considered that development here would compromise the landscape setting.

This area is also referenced in the Keir Local Landscape Area, Proposed Supplementary Planning Guidance SG27 Protecting Special Landscapes (CD187) which states that the “The influence of Keir Estate historically extended to the farmland surrounding Knock Hill,

Gallow Hill and Park of Keir, although this area is now physically separated from the estate by the M9 and B8033 dual carriageway. The eastern boundary of this area lies in the gorge-like valley of the Allan Water and is skirted by the railway line. Close-by, and lying between the A9 and M9, is Lecropt Kirk, which also has links to the estate. It occupies a fine, elevated position on the south facing slopes looking across the carse" (Page 48). Although, the reference acknowledges the physical changes to the area, it identifies the strong ties that the landscape here has to their historical routes and the importance of physical features in this area to the wider landscape setting.

SG27 (CD187) (Page 49) goes on to state that "Lecropt Kirk forms a local landmark and another fine vantage point to Stirling Castle and the carse", further reaffirming the role the features in this landscape have in relation to the wider context. The Kirk as a landmark building and is sensitive to change by "Prominent buildings or structures that interrupt the skyline viewed from the carse or compete with the local landmark feature of Lecropt Church" (page 51). SG27 highlights that the land here is considered to be an important buffer of countryside between Bridge of Allan and Dunblane and plays some role in the setting and approach to both settlements.

In light of the above, the site suggested is not considered to be suitable for development both in the short or longer term. The Council does not therefore agree to modify the Plan in response to these representations.

SS26 - Westerlea

Persimmon Homes East Scotland (SLDP_200/003) - This representation seeks the allocation of land, east of Westerlea Drive in Bridge of Allan for residential purposes. The Council has carefully considered the various reasons put forward in support of the modification requested but remains of the view that there is insufficient justification to allocate this land for development.

The site was considered at the Main Issues Report stage and considered in the Site Assessment process (CD45) (Site Ref: BOFA01). It does not conform with the Spatial Strategy and also offers several significant shortcomings. None of the supporting information included in the submission is considered to be of sufficient merit to support a modification.

In particular, the Plan allocates sufficient land for residential use as demonstrated by the Housing Land Requirements Background Report (CD61) and discussed more fully in Issue 4. The housing land supply discussion (Issue 4) has shown that there is no need to allocate additional housing sites in the period to 2024 and the manifestation of allocations is explained and justified in Issue 3 Spatial Strategy.

This site is part of the Green Belt which assists in creating the setting for Stirling, Bridge of Allan and Causewayhead. It also facilitates views between a number of key features around the area. However, it is recognised that the Green Belt here is inconsistently defined and made up of individual plot boundaries with various treatments. It is considered that quality development in this area, if required in terms of the Spatial Strategy, could provide a more robust and defensible boundary to this section of the green buffer between Causewayhead and Bridge of Allan and could contribute to the supply of sustainably located housing sites to serve the demand in and around the city.

The Plan's Vision and Spatial Strategy recognises the importance of development within the City Corridor and to the north of the city spine. The identification of H056 Airthrey Kerse as having long term potential for development, if found to be appropriate through future reviews

of the Plan is in response to this. A Development Framework will be required for any use of the Green Belt at this wider location, as the location and setting of the Green Belt here are extremely sensitive and would require a Masterplanned approach rather than piecemeal development.

It is noted there is no natural stop to development at Westerlea although it is acknowledged that planting to create a new edge would be a possibility. The developer advises that access can be taken from Westerlea Drive however this would require to be agreed with the Council's Road Authority.

Due to flood risk, the proposed 6.1 hectare Westerlea site is only advised as having a 50 unit indicative capacity. Within the response to representations to H056 (Issue 41), the Scottish Environment Protection Agency's response to development on the wider Carse is given, albeit that this in connection with a much wider and complex site. This response however, does also refer to the land contained by SS26 - Westerlea. The Scottish Environment Protection Agency is continuing to object to any development in this area (SEPA letter to Stirling Council dated 16th April 2013) (CD197) and the Council as the Flood Prevention Authority also raise concerns (Stirling Council Flood Prevention Authority memo dated 12 April 2013 regarding H056, Airthrey Kerse) (CD199). The hydrology in the wider carse area is complex and cannot be reviewed in isolation. Any development on any of the carse will require a wider solution to flood risk and the alleviation of existing problems in and around the area. The Council and the Scottish Environment Protection Agency are not satisfied that a suitable solution has been found to address this although they recognise the part that the carse can play in the longer term.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

SS27 - Causewayhead

Mactaggart & Mickel (Homes) Ltd (SLDP_346/014) – The Plan's Vision and Spatial Strategy recognises the importance of development within the City Corridor and to the north of the city spine. The identification of H056 Airthrey Kerse as having long term potential for development, if found to be appropriate through future reviews of the Plan is in response to this. A Development Framework will be required for any use of the Green Belt at this wider location, as the location and setting of the Green Belt here are extremely sensitive and would require a Masterplanned approach rather than piecemeal development. This representation essentially relates to H056 Airthrey Kerse which is dealt with separately in Issue 41. Further, Issue 4 Housing Land Requirement highlights that there is no need to identify additional sites prior to a future reviews of the Plan. The Council does not therefore agree to modify the Plan in response to this representation.

SS40 - Sheriffmuir Road

CALA Homes (West) Ltd. (01338/001) - This representation seeks the removal of land at Sheriffmuir Road in Bridge of Allan from the countryside and its allocation for residential purposes. The Council has carefully considered the various reasons put forward in support of the modification requested but remains of the view that there is insufficient justification to allocate this land for development.

The site was not put forward at the Main Issues Report stage and therefore was not subject to a Site Assessment. The Council has now produced a Site Assessment (CD240) which highlights that the site does not conform with the Spatial Strategy and also offers several

significant environmental shortcomings. None of the supporting information included in the submission is considered to be of sufficient merit to support a modification. In particular:

- The Plan allocates sufficient land for residential use as demonstrated by the Background Report on Housing Land Requirements (CD61) and discussed more fully In Issue 4.
- This 0.65 hectare site is surrounded on three sides by development. The site itself lies within the countryside but partly fronts Sheriffmuir Road. It is bounded to the north by the property and grounds of the Category B Listed Blawlowan (also known as East Lodge, Blairlowan). The Council has concerns that the setting of Blawlowan will be compromised by residential development in this location. The existence of detailed planning permission (CD145) for a single house within the walled garden of Blawlowan has no bearing on the suitability of this larger, separate proposal at Sheriffmuir Road, as this single house was considered under the current Housing in the Countryside Policy H10A.
- The site is within the Local Landscape Area identified as the Western Ochils (LLA3) as per Proposed Supplementary Guidance SG27 Protecting Special Landscapes (CD187), where the lower hill fringes form an attractive transitional edge between the open hills and settled carse and university campus. The landscape makes an important contribution to the setting of the University. This site is prominent at this transitional edge where the landscape is becoming increasingly rural. At the eastern end of the site, the road begins to rise steeply towards Dumyat and the Ochil Hills. It is considered that urban scale of modern housing development within this location would have a significant impact on the landscape setting of the area. This is in contrast to the presence of the University buildings to the east and to the south which are low density with a large tree covering.

The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

General settlement statement

1. The proposed local development plan (LDP) text refers the need to expand parking facilities at Bridge of Allan Station. The representations want to clarify that the parking review does not mention this specifically. In response, the planning authority proposes to delete the sentence "The outcomes of a rail parking strategy review being led by Transport Scotland on the need to expand the parking at the station are awaited" (page 121). The remaining paragraph would then read "Demand for parking at the Bridge of Allan railway station is in excess of capacities, however the site is physically constrained. New development sites should therefore consider the impact of development on parking demand, and the possibilities of pedestrian and cycle links to reduce the parking demand". This proposed change would address this otherwise uncontroversial issue.

North Stirling Woodland Park

2. The representations submitted about this LDP text reference match those submitted for Dunblane. It follows that the same Issue 42 conclusions apply for Bridge of Allan.

Link road

3. The LDP Key Diagram – Core Area shows an indicative new/upgraded road link from the A84 road west of the Raploch, across Kildean to Cornton, then diagonally north east from Cornton across the established green belt. The link road would then join the A9 on Airthrey Road, about mid-way between Causewayhead and Bridge of Allan. However, the Kildean

section of that link does not appear on any of the settlement specific proposals maps. As a result, the LDP does not make clear whether in fact the Kildean link remains the planning authority's intention during the plan period.

4. The proposals maps for Stirling North and Bridge of Allan then show a different from that shown on the Key Diagram, albeit that both are indicative. This second route from Cornton to Causewayhead is broadly along the south edge of the green belt, and roughly parallel to Easter Cornton Road. The maps also suggest a new road bridge across the main railway line beside Wester Cornton Farm.

5. Taking the road link first, the "Land Safeguarded for Infrastructure" table in the LDP states "Land to be safeguarded to ensure that in the future, to meet the needs of the CTS, a Cornton Road to Airthrey Road link can be completed. This route is likely to be required if development here goes ahead, and should be designed accordingly ie. as a street and only to serve the purpose of distributing development traffic". Stirling City Transport Strategy (which is presumably the CTS referred to in the quote), is dated 2007 and it sets out a new vision for transport until 2020 (CD72). The Strategy identifies ever worsening traffic congestion and delays at bottlenecks such as Cornton Road/Causewayhead (section 5). These problems are to be resolved by various measures, including a new link road between Kildean (A84 road) and Airthrey Road (A9) (section 14). Other measures include better traffic signalling and greater use of more attractive public transport options. Appendix II to the Strategy then sets out an action plan for delivering these measures, with the link road in the short and medium terms (page 34). The strategy implementation map shows the whole link road split into 2 phases along a route that resembles the LDP Key Diagram. The route is annotated as still requiring funding and approval (pages 50 and 51).

6. The TACTRAN Regional Transport Delivery Plan, which is dated June 2012, identifies the design and development of an A84/A9 link-road to the west of Stirling and associated package of pedestrian, cycling and bus priority measures in Stirling City centre as Project I4 (CD31, page 13).

7. The Transport and Access Background Report for the LDP, which is dated September 2012, also identifies the Cornton Road/Causewayhead junction as one of several significant existing pinch points in the road network. Traffic growth alone is predicted to increase that congestion significantly (CD71, paragraph 2.2), but the developments envisaged in the LDP would worsen it even more (paragraph 3.12). The report notes that the current City Transport Programme includes proposals for a 2 part link road between Kildean and Cornton, and Cornton and Causewayhead. The identified advantages of that are that the road would:

- spread the traffic load on the wider network;
- allow better, more direct road links;
- improve route choices for road users;
- improve traffic flow stability; and
- thereby reduce congestion and delays.

The report then requests that the LDP protects land to deliver both parts of the link (paragraph 4.27), and states that if housing development were to proceed at Airthrey Kerse, then the link should be designed as a street (paragraphs 3.38, 3.39 and 4.12).

8. The new draft City Transport Plan, dated March 2013, includes both parts of the link road on Table 1, as a project to be partly or wholly funded by Stirling Council for the period 2016 to 2028 (CD73a, page 10). The link road also appears as a major project aimed at

improving the attractiveness and sustainability of Stirling, as well to accommodate growth (page 23).

9. Turning then to the proposed new road/railway bridge, Cornton Road is an important distributor road that carries a significant volume of traffic. In part, this is traffic by-passing Causewayhead, but there is also a considerable flow of local traffic generated by Cornton Vale prison and the existing local housing. The railway line runs parallel to Cornton Road, and it carries long-distance and local services. The evidence is that this traffic amounts to 170 trains passing daily. Currently, there are 2 level crossings, one each to the north and south of the prison. The south crossing is on Easter Cornton Road and it is limited to pedestrians and cyclists. The crossing has an unlocked gate, it is regulated by lights and an audible warning, and it seems not to be well floodlit. The evidence records that this crossing is used some 350 times daily, with a significant history of misuse, many near accidents, and 1 recent fatality. The pedestrian crossing is also an important link for Cornton, including between the LDP existing regeneration priority area, and Wallace High School. The north railway crossing is vehicular, with traffic lights and partial safety barriers. That crossing is also heavily used by some 6000 vehicles and 135 pedestrians daily, and again, there is a significant history of misuse. My site visit to both crossings confirmed the references to fast, frequent train traffic, as well as misuse.

10. The LDP text for Bridge of Allan reflects these safety concerns, and confirms Network Rail's wish "to close the level crossing" as well as to have land safeguarded in the LDP for the most likely resolution, which be a road diversion and a new bridge over the railway. Accordingly, the proposals maps for Stirling North and Bridge of Allan show the indicative bridge location by Wester Cornton Farm, at the west end of the road link. In addition, the infrastructure section on the table of allocations safeguards land beside the railway for road realignment and a bridge crossing, to allow the closure of "Cornton Level Crossing". The LDP does not make clear whether the intention is to close the vehicular and the pedestrian crossings, or just the road crossing.

11. The new road/rail bridge is also listed as a major project in the draft City Transport Plan, for the period 2016 to 2028 (CD73a, page 22).

12. Taken together, all of the above shows that a new link road is a necessary Stirling Council proposal of long-standing. The above also represents a strong case for safety and traffic flow improvements over the railway. As such, the LDP proposals are justified. From there, logic dictates that the whole link road should be shown on the LDP Spatial Strategy Key Diagram and on both relevant proposals maps. That said, the link is clearly intended in 2 parts and the examination evidence suggests that the authority may decide not to pursue the Kildean part. Although complementary, the link road parts are not mutually exclusive, so the absence of the Kildean portion is not a fundamental flaw in the LDP. The planning authority should nonetheless rectify the inconsistencies in the LDP and clarify the final position. Significantly though, all of the above also shows that the link from Cornton to Airthrey Road, which is to be retained in the LDP, is not a direct consequence of potential new housing at Airthrey Kerse (H056), as the table of allocations suggests. Accordingly, the wording of the table also requires adjustment.

13. The representations suggest that improved barriers at the vehicular level crossing would also achieve better safety. Network Rail argues that option would slow traffic flow substantially, because full barriers would effectively close Cornton Road for approximately 30 minutes in every hour. Clearly the knock-on from that would delay traffic considerably, leading to increased driver frustration, and thereby also to enhanced risk of misuse of the level crossing. Delays are also likely to encourage drivers to divert onto potentially

unsuitable side roads. The suggested solution also offers no improvement for the pedestrian crossing.

14. Other representations suggest addressing the traffic volume and safety issues by encouraging modal shift away from private cars to other, more sustainable, public transport options. The above transport reports and strategies already contain significant enhancements around that approach, including with specific proposals. The LDP also does likewise, so far as is reasonable and appropriate for its planning function. The ability of the LDP as a planning policy document to influence and deliver these external factors is inevitably constrained. However, the reports and strategies also confirm that these measures alone would not address the impact of traffic growth even without extra development. It follows that they could not then address the knock-on likelihood of increased risk at the Cornton Road level crossing.

15. Next, while the LDP makes clear that the exact routes and solutions for the whole link road and for the railway crossing have yet to be assessed fully, the indicative route close to Easter Cornton Road seems logical and would more than likely be the least intrusive for the green belt. The appraisal process would include traffic modelling, analysis of the wider transport implications, and a full environmental impact assessment, all to justify the scheme and finalise the route. However, it makes sense to link the new road and the railway crossing for the following reasons:

- Each would need a significant amount of land when space is constrained and they would erode the green belt. A joint scheme would rationalise that;
- Traffic flow implications and advantages could be assessed cumulatively, not piecemeal; and
- The scheme could be implemented in a more cohesive and generally efficient way.

If the link road does not happen as a result of these various assessments, or if it happens in a way that does not facilitate the new road/rail crossing, other options would need to be considered. But engineering the new crossing would take up a significant amount of land and the options for that are constrained by the configuration of Cornton Road and the railway. The road level crossing is also adjoined by existing development, which further reduces the available space.

Site H007

16. Given the current uncertainty over route options and the possibility of an advantageous comprehensive solution that is described above, it is premature and contradictory for the LDP to be safeguarding unspecified land for the new crossing on one hand, while identifying housing site H007 for the first LDP period, i.e. before 2019.

17. In reply to a further information request, the planning authority has confirmed that a decision was taken in October 2008 to grant outline planning permission for housing on the site, subject to an agreement about certain developer contributions (reference 04/00986/OUT). The agreement has never been concluded. The developer has cited abnormal costs related to noise and vibration mitigation associated with the railway traffic, but the final decision has not been issued. Under the circumstances, it seems reasonable to suppose that development will not now proceed.

18. Site H007 is located immediately beside the existing road level crossing and losing it to development at this stage would reduce the possible rail crossing options even more. Instead, and bearing in mind all of the above, H007 should be safeguarded until it can be

ruled out from any level crossing redevelopment scheme. Once that has all been clarified, if it transpires that H007 is not needed for the road/rail safety improvements, the site could then be released for development because it does have value and potential for housing.

Other housing sites

19. The first suggested site is SS22 at Sunnyslaw Road, which is inside the LDP defined settlement boundary. The representation seeks to have a roadside strip allocated for housing, with an estimated density of 3 homes.

20. Site SS22 currently comprises part of open space that separates the conservation area from some relatively new housing along John Murray Drive. Replies to a further information request confirm that although the open space is maintained by Stirling Council, virtually all of it belongs to a commercial house builder.

21. Ground within the open space is comparatively flat for about the first 100 metres south from Sunnyslaw Road, before it drops steeply towards Blairforkie Drive. The space is crossed by 2 footpaths that broadly follow its east and west edges. The east path marks a change in character from open grass with a few trees, to densely wooded scrub land. The houses beside the open space edges orientate away from it, and the mutual boundaries are marked either by stone walls or high wooden fences.

22. The site is allocated as an open space audit site and as part of a green corridor in the LDP, whereby it would be protected from development by Policy 1.3. As a result, the position is largely unchanged from the adopted local plan, where the site was allocated as a protected environment site. The space is well used and maintained, and it provides an important link to woodland to the north of the defined settlement area, across Sunnyslaw Road. In addition, based on explanations and definitions in the LDP proposed Supplementary Guidance SG02: Green Network (CD159), the whole space undoubtedly contributes to the amount, as well as to the recreational and wildlife value of public open space in Bridge of Allan. Site SS22 as proposed, would sever that link.

23. Developing the flat roadside area as is proposed would bring modern development to the stone boundary wall of 'Fernebank', which marks the edge of the conservation area. The wall is an important distinguishing feature of the conservation area and it runs continuously along virtually the whole west side of the open space. Currently, the wall is widely visible across the open space and the separation of new and traditional housing appears to have been deliberate, to maintain the impact of that effect. Allocating site SS22 for development, and thereby removing it from the open space, would interrupt the rhythm and visual impact of the long wall. Development would also diminish the value of the wall for the definition, character and amenity of the conservation area.

24. For all of these reasons, site SS22 should not be allocated for housing in the LDP.

25. Site SS40 is accessed off Sheriffmuir Road and is located outwith the LDP defined settlement boundary for Bridge of Allan. The representation suggests that the site could contain 8 homes.

26. The planning authority's site assessment sheet for SS40 refers to the existence of the Historic Garden and Designed Landscape of Airthrey Castle (CD240). From my site inspection, these grounds appear to comprise the nearby Stirling University campus. SS40 has no functional relationship with the grounds and development would not damage them in any significant way.

27. Site SS40 is not public open space and it is not an open space audit site covered by the adopted local plan, or by SG02 and LDP Policy 1.3. The site comprises a paddock that is separated from the defined urban area by trees to the west and a stone wall along Sheriffmuir Road, to the south. However, development has already spread over the road and around SS40. To the north of the site is 'Blawlowan', which is a category B listed building that is separated from the site by a private road. Planning permission was granted in September 2012 for a new house at a walled garden that is immediately east of and on the same road side as the listed building (reference 12/00453/FUL, CD145). To the west of SS40 is an enclave of substantial modern detached houses on Pathfoot Avenue, and to the south and east, across Sheriffmuir Road, is the university campus. Pathfoot Building, which is an extensive, tall, flat roofed educational building on Grange Road in the campus, is opposite SS40, as are 10 wooden chalet style residences on Pendreich Way. These surrounding buildings are all clearly visible from SS40, especially the university buildings. Representations received from the university that are attributed to Issue 41 of this examination include a campus masterplan that shows the chalets are under consideration for redevelopment. As a result of all of these factors, site SS40 reads as part of the urban area, not the countryside. The local topography, which climbs steeply into woodland north of and behind the listed building, adds to the impression of SS40 being in a developed area by creating a strong sense of containment.

28. Site SS40 is separate from the curtilage of the listed building and there is no suggestion that they are linked in any historic or functional way. That said, SS40 occupies the foreground of the listed building in many views and development would inevitably affect its setting. The extant permission for the neighbouring walled garden confirms that acceptable development may still be achieved even with such a close physical relationship. New housing opposite on SS40 need not be any more damaging to the setting of the listed building than development of the walled garden. Accordingly, SS40 can be allocated for housing development inside the defined urban boundary. However, the site would not be straightforward to develop and its capacity would more than likely be less than the representation suggests. The Key Site Requirements arising should reflect this, and the need to protect views of the front elevation of the listed building to preserve its setting, through sympathetically designed and positioned low-density and comparatively low-rise development.

29. Sites SS23 and SS24 are located west of the LDP defined settlement boundary, between the railway and the M9 motorway. SS23 surrounds some existing housing north of the A9, which is already in the green belt. SS24 lies south of the A9, towards 'Scotbeef' meat processing plant at Longleys. Based on the LDP proposals map, SS24 would be in the green belt. The representations for both seek to have these sites removed from the green belt and allocated for development.

30. Bridge of Allan is a Tier 2 settlement in the hierarchy and, as such, it is likely to have to grow beyond the existing defined boundary and into the green belt at some stage in the future. Scottish Planning Policy (SPP) accepts that principle, provided that growth is planned and co-ordinated, not piecemeal (paragraphs 159 to 164). However, SPP confirms that a particular function of the green belt is to protect and enhance the quality, character, landscape setting and identity of towns. The impact and implications of allowing development to spread across the railway line and onto sites SS23 and SS24 are such that the vicinity is likely to be an area of last resort for subsequent growth. In the first instance, this is because the railway line gives Bridge of Allan a strongly defensible, easily identifiable and long-established eastern edge. Very little urban development has spread beyond it, especially at this northern end. Secondly, Lecropt Church and the 'Scotbeef' buildings show just how visible development in the area would be in views from the main road and rail

routes, across the low-lying intervening ground. Allowing development on SS23 and SS24 would undoubtedly diminish the dramatic impact of the church in these views, and create pressure for yet more development. In turn, that would further reduce the strength, value and purpose of the green belt, as well as the amenity of the area and the character, landscape setting and identity of Bridge of Allan.

31. Bridge of Allan, Causewayhead and Cornton surround a substantial greenfield area referred to as Airthrey Kerse. This area was designated as green belt in the adopted local plan and it would largely remain so in the LDP, aside from the link road discussed above and site H056 for future housing development. However, the Kerse area is also affected by conflicting representations that want variously:

- no further development at Graham's Dairy;
- amended green belt boundaries to make them more robust;
- the allocation of housing sites at SS25, SS26, SS27 and SS41.

32. Site H056 is already the subject of Issue 41 in this examination. Because all these other matters affect the same space, and because of the close interaction between them, I have addressed them all in the conclusions for Issue 41.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting the sentence "The outcomes of a rail parking strategy review being led by Transport Scotland on the need to expand the parking at the station are awaited" from page 121, so that the remaining paragraph would read "Demand for parking at the Bridge of Allan railway station is in excess of capacities, however the site is physically constrained. New development sites should therefore consider the impact of development on parking demand, and the possibilities of pedestrian and cycle links to reduce the parking demand".
2. Clarifying whether the intention is to close the vehicular and the pedestrian level crossings over the railway, or just the road crossing on Cornton Road.
3. Rectifying the internal inconsistencies in the LDP maps and clarifying the final position about the Kildean link road.
4. Replacing the first bullet point in the "Land Safeguarded for Infrastructure" table on page 123 with "Land to be safeguarded to ensure that a Cornton Road to Airthrey Road link can be completed. If the development envisaged at Airthrey Kerse (H056) proceeds, the link road should be designed in as a street, to serve as a distribution route for development traffic."
5. Deleting site H007 from the "Existing and future land supply" table on page 122 until the site can be ruled out from any level crossing redevelopment scheme.
6. Allocating site SS40 for housing development, and placing it inside a redefined urban boundary. The Key Site Requirements arising for that site should then reflect that:
 - the site will not be straightforward to develop;
 - its capacity would more than likely be less than the representation suggests; and
 - views of the front elevation of the listed building should be protected, to preserve its setting, through sympathetically designed and positioned low-density and comparatively low-rise development.

Issue 41	H056 - Airthrey Kerse	
Development plan reference:	Stirling Settlement Statement (Pages 188 – 225)	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
<div> <div> A McPherson (00961) Adam Preece (01015) Aidan Miller (01002) Alekszandra Lord (01159) Alex J MacAskill (01178) Alexandra Eadie (01021) Alexei Dalton (01145) Alexis Kaine (01084) Alison M Little (01260) Alistair Davidson (00975) Alvano Merino (01052) Amy Butterfield (00972) Amy Easton (00974) Andrea Bosso (01157) Andrew Badger (00992) Andrew Campbell (00962) Andrew Fowlie (01074) Andrew Gault (01163) Andrew Gilmore (01099) Andrew McCormack (01247) Andrew Mitchell (01017) Angus Mackenzie (00988) Anna Hvass (01243) Anthony McCluskey (01152) Anton Shelton (00983) Anum Qaisar (01010) Ashleigh Dodds (01005) Barbara Johnston (01225) Benjamin Newton (01155) Billy Neilson (00967) Blake Turner (01059) Robert Fairgrieve (00315) Brian P Turner (00389) Bridge of Allan & Logie SNP (01047) Bridge of Allan Community Council (SLDP_73) Bryan Clark (00306) Catherine Lafferty (SLDP_932) Callum Blackburn (00066) Carolyn Rowlinson (01253) Catherine Cunningham (00978) Catherine Lyons (00963) Catriona Muckart (01020) Catriona Sinclair (00980) </div> <div> Joyce Hockley (SLDP_1117) Julie Devonald (00960) Kada Alexander (01083) Kajsa Karlstrom (00957) Kathleen M Hamilton (01068) Katy Lister (01032) Kay Fairgrieve (00234) Kenneth Ferguson (01278) Kevin Swingler (SLDP_867) Kirstin McDougall (01175) Kirsty Beveridge (01086) Kirsty McCall (01054) Lachlan McKinnon (01107) Lara Flint (01055) Lara Goessmann (00997) Laura John (01341) Lauren Kater (01097) Lauren Marriott (01089) Laurence A Ewbank (01267) Lee Deane (01043) Liam Beattie (01041) Linda Galloway (01140) Linda Hamilton (SLDP_1218) Liz Albert (SLDP_939) Lorna Blackmore (01132) Lucy Drummond (01009) Luke Fenton (01134) Lynsey Waddell (01027) Mactaggart & Mickel (Homes) Ltd (SLDP_346) Mae Diansangu (00984) Magnus Olafsson (01006) Margaret & Norah Gardner (SLDP_957) Margaret McDougall (00490) Margaret Moss (01280) Margaret Prentice (00317) Marilyn Hawley (01277) Mark Jason (01211) Mary Fraser (SLDP_1363) Mary H Ruffell (01081) Mary Shelton (00982) Maureen Jones (00969) Maxine Swingler (00097) May F MacAskill (01181) </div> </div>		

Central Scotland Circuit Meeting of the Methodist Church (01003)	Megan Lackie (01090)
Charlotte Telfer (01024)	Meghan Cunningham (01004)
Christopher McManus (01283)	Melissa J Shaw (01248)
Claire Gribben (01070)	Michael Allen (00954)
Clare Dias (00981)	Michael Burt (SLDP_1109)
Cllr Mark Ruskell (01218)	Michael Christie (01050)
Conn O'Neill (01037)	Michael Hockley (01259)
Connero Dornan (01062)	Michael Kiernan (01029)
Coraline Lawson (01104)	Michael Rea (01223)
Craig Law (01075)	Michael Thompson (01067)
Danielle Kelly (00993)	Michael Wilson (00965)
Darren Hatfield (01066)	Michell Keenan (01071)
David & Linda Harrison (01149)	Mike Williams (00976)
David Barkson (01160)	Miles Welstead (01000)
David Clark (01064)	Morris Paton (01252)
David Conner (01263)	Mr & Mrs C Falconer (SLDP_1373)
David Costello (00968)	Mr & Mrs R McCreath (01184)
David Dow (01045)	Mr & Mrs Robert Turnbull (01282)
David Hunter (01109)	Antonio-John Abrante (01095)
David Inglis (00116)	Gordon Hardy (01080)
David Skillman (01110)	Thomas Hardy (01079)
David C Wilson (00178)	Mr & Mrs G Archibald (00346)
Denise Cain (01264)	Mr & Mrs J Johnstone (00208)
Donald Nairn (01035)	Anne F Pickles (01255)
Donna Rodgers (01038)	Mrs E Turner (01130)
Doris Littlejohn (00451)	Mrs E B Holliday (01114)
Dougie Scott (01094)	Janet Scobie (SLDP_1148)
Douglas Bruce (00955)	Mrs J Dow (01019)
Douglas Rooney (00973)	Lesley Gardiner (01257)
Dr Andrew Knock (00985)	Sandra Hardy (01073)
Dr & Mrs Ian Thomson (01343)	Muriel Whitfield (01018)
Dr Jonathan Bowes (01311)	Muriel Macleod (SLDP_953)
Dr Kevin H Lynch (00994)	Nancy Ewbank (01268)
Dr Robert Railton (01266)	Neil Myles (00989)
Duncan Eastoe (01138)	Neils B Hvass (01076)
Duncan McDougall (SLDP_1384)	Network Rail (SLDP_151)
Edaward Jackson (01077)	Nicola Hamilton (01352)
Eirik F Warttinen (01139)	Oisin Scott (01161)
Eleavona Yoloczek (01180)	Orsolya Kerr (01001)
Emily G Buxton (01150)	Owen Auskerry (01131)
Eric Denison (01072)	P Stephen (00958)
Erik Von Berkkom (01069)	Patricia A McLaren (01276)
Eva Cunningham (00964)	Peter & Hilary Meech (SLDP_1311)
Fanny Schmidt (00995)	Peter Skerry (00143)
Finlay Sim (01092)	Philip Cavanagh (01262)
Fiona McLean (01281)	Poppy Murray (01103)
Frances Fielding (00486)	R M F Moss (01274)
Gareth Bryan-Jones (00029)	R J Limmack & A C Limmack (01148)
Geraint Short (01087)	Rajmund Bakonyi (01142)
Glen Montgomery (01344)	Rasat Sharma (01144)
Gordon & Alice Stewart (01153)	Rehana Shivji (01056)
Graeme Hamilton (01096)	Rhona Gordon (01014)
	Robert A Franks (00512)

<p>Graham's The Family Dairy (SLDP_327) Hannah McCluskey (01154) Hayley Dickson (01033) Helen Cormack (01273) Hilary Morton (00966) Hilary Webber (01261) I Popouloupoulos (01101) Dr Ian C Grieve (00105) Ian M McLaren (01275) Ivelina Georgieua (00952) J Carberry (01123) Joan Keen (SLDP_1307) J Anderson (01271) J Rushforth (00979) Jack A Paton (00141) Jacob Whittle (00977) James Crone (01036) James T Sinclair (01270) Jane Muirhead (00986) Jane Smith (01254) Janette Hastings (00971) Janine McGowan (01023) Jacqui Lenaghan (00999) Jay Mitchell (01143) Jean Davidson (00959) Jennifer Anderson (01272) Jennifer Bairner (01340) Jill Burt (00308) Jim McArthur (01240) Jimmy Russell (00956) Joanne Blackburn (01250) Joanne Gibb (01169) Joao Piedade (01060) John & Joan Hvass (00013) John Darley (01063) John Gibson (00990) John Johnston (01226) John Seggie (01136) John W Morgan (SLDP_1172/2/001) Jordan Tillier (01008)</p>	<p>Robert Coleman (00987) Robert Gray (01048) Robert McOwan (00475) Romain Maradan (01078) Romuald Rouger (01049) Ronald Dey (SLDP_1115) Rory McGown (01026) S Pate (01122) Sandi Grieve (SLDP_952) Sarah McIlwain-Bates (01044) Sarah Shaw (01238) Scott Maitland (00257) Scotti Jarvie (00970) Scottish Environment Protection Agency (SLDP_175) Shannon Kerr (00991) Shaun M Moloney (00996) Shona K Tinkler (01058) Simon Leigh (01151) SNP Group (00711) Stefan Muessig (01147) Steven Hamilton (01098) Stirling Civic Trust (SLDP_183) Stirling University Nature Society (01158) Tan Morgan (01012) Theo Burke (01166) Theo Hardie (01061) Tom Ritchie (01106) University of Stirling Students' Union (00951) University of Stirling (SLDP_324) Valerie Sinclair (01256) Viivi Tikanmeki (00953) Walter Attwood (SLDP_842) William L McGregor (00174) Will Stafford (01100) Mr & Mrs William Lyons (00229) William & Sarah McLellan (00072) William A K Purdie (01251) William M Wood (01258) William Park (01269)</p>
<p>Provision of the development plan to which the issue relates:</p>	<p>The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in Stirling. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Scottish Environment Protection Agency (SLDP_175/056) - In Scottish Environment Protection Agency's response to your authority on 10 December 2012 to the Proposed Plan, we stated that we would update our response once we had had an opportunity to review the information, <i>A SUDS concept and Fluvial-Pluvial Modelling Report</i> dated November 2012 and <i>Addendum</i> to the November 2012 report dated 28 November (CD192), submitted by the promoter's agent with regards flood risk at Airthrey Kerse site.</p>	

The flood risk assessment has not yet been finalised and the Scottish Environment Protection Agency is not yet satisfied that there is a practical solution to the management of surface waters on the site and that floodwaters can be discharged without increasing the risk of flooding elsewhere. We therefore maintain our objection to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy, PAN 69 and sustainable flood risk management, (SEPA letter to Stirling Council dated 17 December 2012 regarding H056, Airthrey Kerse) (CD198).

Blake Turner (01059/001); Fanny Schmidt (00995/001); Shaun M Moloney (00996/001); Lara Goessmann (00997/001); Jaqui Lenaghan (00991/001); Miles Welstead (01000/001); Orsolya Kerr (01001/001); Aidan Miller (01002/001); Meghan Cunningham (01004/001); Ashleigh Dodds (01005/001); Magnus Olafsson (01006/001); Jordan Tillier (01008/001); Lucy Drummond (01009/001); Anum Qaisar (01010/001); Tan Morgan (01012/001); Rhona Gordon (01014/001); Adam Preece (01015/001); Andrew Mitchell (01017/001); Catriona Minekart (01020/001); Alexandra Eadie (01021/001); Janine McGowan (01023/001); Charlotte Telfer (01024/001); Rory McGown (01026/001); Lynsey Waddell (01027/001); Michael Kiernan (01029/001); Katy Lister (01032/001); Hayley Dickson (01033/001); Donald Nairn (01035/001); James Crone (01036/001); Conn O'Neill (01037/001); Donna Rodgers (01038/001); Liam Beattie (01041/001); W Attwood (SLDP_842/001); Lee Deane (01043/001); Sarah McIlwain-Bates (01044/001); David Dow (01045/001); Robert Gray (01048/001); Lara Flint (01055/001); Romuald Rouger (01049/001); Michael Christie (01050/001); Alvano Merino (01052/001); Rehana Shivji (01056/001); Shona K Tinkler (01058/001); Joao Piedade (01060/001); Theo Hardie (01061/001); Conner Dornan (01062/001); John Darley (01063/002); David Clark (01064/001); Darren Hatfield (01066/001); Michael Thompson (01067/001); Erik Von Berlekom (01069/001); Claire Gribben (01070/001); Kirsty McCall (01054/001); Michell Keenan (01071/001); Andrew Fowlie (01074/001); Craig Law (01075/001); Edaward Jackson (01077/001); Romain Maradan (01078/001); Kada Alexander (01083/001); Alexis Kaine (01084/001); Kirsty Beveridge (01086/001); Geraint Short (01087/001); David Skillman (01110/001); Lauren Marriott (01089/001); Megan Lackie (01090/001); Finlay Sim (01092/001); Dougie Scott (01094/001); Antonio-John Abrante (01095/001); Lauren Kater (01097/001); Andrew Gilmore (01099/001); Will Stafford (01100/001); I Popouloupoulos (01101/001); Poppy Murray (01103/001); Coraline Lawson (01104/001); Tom Ritchie (01106/001); David Hunter (01109/001); Owen Auskerry (01131/001); Luke Fenton (01134/001); John Seggie (01136/001); Duncan Eastoe (01138/001); Eirik F Wartianen (01139/001); Rajmund Bakonyi (01142/001); Jay Mitchell (01143/001); Rasat Sharma (01144/001); Alexei Dalton (01145/001); Stefan Muessig (01147/001); Emily G Buxton (01150/001); Simon Leigh (01151/001); Anthony McCluskey (01152/001); Hannah McCluskey (01154/001); Benjamin Nentan (01155/001); Andrea Bosso (01157/001); Alekzandra Lord (01159/001); David Barkson (01160/001); Oisin Scott (01161/001); Andrew Gault (01163/001); Theo Burke (01166/001); Ivelina Georgieua (00952/001); Viivi Tikanmeki (00953/001); Michael Allen (00954/001); Douglas Bruce (00955/001); Jimmy Russell (00956/001); Kajsa Karlstrom (00957/001); P Stephen (00958/001); Jean Davidson (00959/001); Julie Devonald (00960/001); A McPherson (00961/001); Andrew Campbell (00962/001); Catherine Lyons (00963/001); Eva Cunningham (00964/001); Michael Wilson (00965/001); Hilary Morton (00966/001); Billy Neilson (00967/001); David Costello (00968/001); Maureen Jones (00969/001); Scott Jarvie (00970/001); Janette Hastings (00971/001); Amy Butterfield (00972/001); Douglas Rooney (00973/001); Amy Easton (00974/001); Alistair Davidson (00975/001); Mike Williams (00970/001); Jacob Whittle (00977/001); Catherine Cunningham (00978/001); J Rushforth (00979/001); Catriona Sinclair (00980/001); Clare Dias (00981/001); Mary Shelton (00928/001); Anton Shelton (00981/002); Mae Diansangu (00984/001); Dr Andrew Knock (00985/001); Jane Muirhead (00986/001); Robert Coleman (00987/001); Angus Mackenzie (00988/001); Neil Myles (00989/001); John Gibson

(0099/001); Shannon Kerr (00991/001); Andrew Badger (00992/001); Danielle Kelly (00993/001); Margaret Prentice (00317/001); Brian P Turner (00389/001); Lesley Gardiner (01257/001); Ian M McLaren (01275/001); Patricia A McLaren (01276/001); Kenneth Ferguson (01278/001); Margaret Moss (01280/001); Christopher McManus (01283/001); Mr & Mrs Robert Turnbull (01282/001); Peter & Hilary Meech (SLDP_1311/001); Jennifer Bairner (01340/001); Laura John (01341/001); Nicola Hamilton (01352/001); Dr Ian & Davina Thomson (01343/001); Glen Montgomery (01344/001); Mr & Mrs Falconer (SLDP_1373/001); William M Wood (01258/001); Hilary Webber (01261/001); Alison Little (01260/001); William Park (01269/001); Nancy Ewbank (01268/001); Laurence Ewbank (01267/001); Dr Robert Railton (01266/001); Denise Cain (01246/001); David Conner (01263/001); R M F Moss (01274/001); Helen Cormack (01273/001); Jennifer Anderson (01272/001); Mrs E B Holliday (01114/001); Lachlan McKinnon (01107/001); Steven Hamilton (01098/001); Graeme Hamilton (01096/001); Mary H Ruffell (01081/001); Gordon Hardy (01081/001); Scott Maitland (00257/001); Thomas Hardy (01079/001); Sandra Hardy (01073/001); Eric Denison (01072/001); Murial Whitfield (01018/001); Michael Rea (01223/001); W L McGregor (00174/001); Bob Fairgrieve (00315/001); C Lafferty (SLDP_932/001); Dr Kevin H Lynch (00994/001); Margaret & Norah Gardner (SLDP_957/001); John & Joan Hvass (00013/001); Gareth Bryan-Jones (00029/001); Peter & Sandra Skerry (00143/001); Jack Paton (00141/001); David Inglis (00116/001); Mr & Mrs K McCreath (01184/001); Mark Jason (01211/001); Linda Hamilton (SLDP_1218); Barbara Johnston (01225/001); John Johnston (01226/001); Sarah Shaw (012385/001); Carolyn Rowlinson (01253/001); Robert A Franks (00512/001); Mrs J Dow (01019/001); Kay Fairgrieve (00234/001); Jill Burt (00308/001); S Pate (01122/001); Mrs J Scobie (SLDP_1148/001); Linda Galloway (01140/001); Jane Smith (01254/001); Alex J MacAskill (01178/001); Eleavona Yoloczek (01180/001); Anna Hvass (01243/001); May F MacAskill (01181/001); University of Stirling Students' Union (00951/001); William & Agnes Lyons (00229/001); Mr & Mrs G Archibald (00346/001); Doris Littlejohn (00451/001); Anne F Pickles (01255/001); Valerie Sinclair (01256/001); Fiona McLean (01281/001); J Keen (SLDP_1307/001); Philip Cavanagh (01262/001); Cllr Mark Ruskell (01218/002); Neils B Hvass (01076/001); Morris Paton (01252/001); Kathleen M Hamilton (01068/001); William & Sarah McLellan (00072/001); Muriel Macleod (SLDP_953/001); Liz Albert (SLDP_939/001); Robert McOwan (00475/001); Andrew McCormack (01247/001); Melissa J Shaw (01248/001); Bryan Clark (00306/001); William A K Purdie (01251/001); Bridge of Allan & Logie SNP (01047/001); Mrs E Turner (01130/001); R J Limmack & A C Limmack (01148/001); David & Linda Harrison (01149/001); Gordon & Alice Stewart (01153/001); Maxine Swingler (000974/001); Mr & Mrs J Johnstone (00208/001); Frances Fielding (00486/001); J Carberry (01123/001); Margaret McDougall (00490/001); Joyce Hockley (SLDP_1117/001); Lorna Blackmore (01132/001); Kirstin McDougall (01175/001); Callum Blackburn (00066/001); Joanne Blackburn (01250/001); Ian Grieve (00105/001); Sandi Grieve (SLDP_952/001); Kevin Swingler (SLDP_867/001); Mary Fraser (SLDP_1363/001); Michael Hockley (01259/001); J Anderson (01271/001); James T Sinclair (01270/001); John W Morgan (SLDP_1172/001); David Wilson (00178/001); Dr Jonathan Bowes (01311/001); Stirling University Nature Society (01158/001); Joanne Gibb (01169/001); Ronald Dey (SLDP_1115/001); Michael Burt (SLDP_1109/001); Central Scotland Circuit Meeting of the Methodist Church (01003/001); Duncan McDougall (SLDP_1384/001); Frances Fielding (00486/001) - Object to this site for one or more of the following reasons:

- **Flooding** - Widely state that the site is on a flood plain; concerned about possible exacerbated flooding in relation to existing properties and worse/wider spread of flooding to new areas; and associated insurance implications for homeowners, existing and new. Highlight that flooding issues have worsened since the construction of Wallace High School. Suggest the interpretation of the flood risk from previous models was wrong and do not give an accurate reflection of the joint risk of fluvial and pluvial conjoined flooding.

Suggest the water courses are tidal and 'flashy'. In addition, suggest that there is an increased likelihood of severe weather events due to global warming and therefore there will be greater impacts on this area in terms of flooding to be considered in years to come. Also suggested that flooding leads to rat displacement which can affect human health and that flood lines across the Kerse site impinge on private property. The site is inappropriate as determined by the Scottish Environment Protection Agency, and there is a lack of time/detail available for the Scottish Environment Protection Agency to consider and comment along with concerns that their view is being ignored. Houses will not sell on the flood plain.

- Drainage – It will cause an increase in drainage problems in areas where drainage is already antiquated and over stretched. There are inappropriate ground conditions for building and complex hydrology. Concerned about a larger dairy as the current one clogs up the drainage and the loss of a natural soakaway. Objects to the prospect of additional run off onto Easter Cornton Road due to increased hard surfaces instead of green fields.
- Process – The lack of community consultation/awareness-raising of the impact of the proposals and lack of consideration of the community's view. Lack of transparency/democracy in the process. Lack of need for additional housing in the area. Concerned that financial interests are driving the project. The inclusion of this site is premature until such time as further research is undertaken on design etc. Concerned about the site being reviewed prior to 2024, which the residents were told would not happen. There is a lack of funding available for the public to state their case against. An appropriate assessment of the impact of the development has not been carried out. Considers the Council will be subject to legal challenge if the site goes ahead and flooding is exacerbated. Considers the offer of a new school is a sweetener and the site was voted against at a Council meeting but still appears for 800 houses. Considers local opposition is huge. Consider that the site is no longer needed as the previous proposed allocation has been distributed elsewhere.
- Green Belt – The loss of Green Belt, coalescence and impact on the urbanisation of open space through commercial playing fields. The lack of need for new public open space/parkland when there is so much already available in the area.
- Service and infrastructure capacity - Increase in traffic levels and increased parking pressures in Bridge of Allan. Housing on the site facilitates the need for the Kildean Link Road. Increased strain on existing services such as schools and health centre, libraries etc. The need for a new high school post 2016. Increased pressure on the water supply.
- Community Implications - Development will have a negative impact on the local community with a loss of identity/community feel, and impact on the setting of Bridge of Allan and the University Campus. There will be loss of views/visual impact due to inappropriate ribbon development/urban sprawl. Concerns over loss of character which is associated with increased house prices in Bridge of Allan and the prospect of construction and associated traffic for ten years. Concerns over impacts on the tourist experience and resultant implications for local businesses and the loss of the Victorian Spa Village character of Bridge of Allan. Concerns over the loss of an area for leisure pursuits and the increase in bus fares envisaged to pay for the associated road networks. Questions the affordable nature of any housing development on the site. No plans are included for dedicated cycle routes or a dedicated bus lane. Impact on community severance due to traffic levels leading to a decline in local health and the loss of a right of way.
- Environmental impact – Concerns over impacts on biodiversity in terms of the loss of habitat for wildlife, feeding grounds and a wildlife corridor. Concerns over the Loss of agricultural land, in a time when home grown food is becoming increasingly necessary. Potential contamination concerns and the loss of a green lung to reduce air pollution which will be caused by the development. Air quality is already breaching NO2 levels at Causewayhead and that this is not being adequately modelled or addressed. The

proposals lack a sufficient landscape framework to absorb the development. The site will make negative contributions to the Council's climate change target. Concerned over loss of green areas as viewed from elevated positions and wetlands. Concerns over impact on historic landscape and views to and from historic monuments as well as the Stirling Bridge Battlefield. Objects to the site being referred to as under utilised when it is well managed and regularly grazed by cattle and sheep.

- Policy Implications – Suggested breaches of Plan Policy 3.1 Addressing the Travel Demands of New Development; Proposed SG14 Ensuring a Choice of Access for New Developments; Chapter 3, Para 3.3; pg 49; Chapter 7 Overarching Policy, Primary Policies and Policies; Proposed SG03 Green Belts; Scottish Planning Policy; PAN 69 Planning and Building Standards Advice on Flooding; Policy 1.4 Green Belts; Climate change and adaptation (main theme of the Plan); Primary Policy 5 Flood Risk Management; SPP21 Green Belts; Scottish Government policy published on 29th November 2010 under 10/85 Green Belt Policy; Stirling Plan Topic Paper 31 Water Resources Management etc; Proposed Supplementary Guidance SG18 Planning and Flood Risk Management, paras 5.1 and 6.1.

Dr Jonathan Bowes (01311/001) - States it is not the obligation of the private sector to fund schools and considers the development is a way for the Council to solve the education capacity problems created by previous development. Considers there is no demand for housing development, only affordable housing and this would be better placed south of Stirling out of the flood plain.

David Wilson (00178/001) - Objects to the open space and Green Belt of Airthrey Kerse not being included with the Open Space Strategy 2012 and suggests that the development is a fait accompli. Questions why the decision was taken not to include the area within the open space audit as considers this prevents it from receiving the protecting that other spaces receive through the audit. Considers this is a pre loaded Open Space audit and questions when it was consulted upon, when and with whom.

Lorna Blackmore (01132/001) - Considers that the area is better suited to water store, a soft flood defence. Wants to see Bridge of Allan preserved as a small sustainable community surrounded by green space. Concerned about the effects on biodiversity both for habitat and foraging areas as well as a green corridor for movement of species.

Melissa J Shaw (01248/001) - Questions whether an EIA has been undertaken as a number of species will be affected.

Bridge of Allan Community Council(SLDP_73/001) - Consider confusion has been increased by identifying H056 in the Plan's Stirling Settlement Statement and not the Bridge of Allan Settlement Statement. Concerned that the Reporter will allocate the site for development without taking on the strong and clear local opposition. Concern about the long term piecemeal development and coalescence between the communities of Bridge of Allan and Causewayhead which has been confirmed through public consultation on the Bridge of Allan Community Action Plan 2011 – 2016 (CD195). Specific concerns relate to the increased flood risk, the loss of Green Belt, the potential major scale of development, the impact of additional traffic on the existing village environment and drainage, including existing sewage capacity. Considers that there are other sites suitable for development instead of this one.

Marilyn Hawley (01277/001) - Would always welcome new houses to Bridge of Allan but has concerns regarding the increased flood risk.

Jim McArthur (01240/002) - Welcomes the decision to conduct a future review of the Plan with regard to Airthrey Kerse once a flood risk assessment is available. Trusts this will be available for public view and comment once complete and hopes that major development of the site will take place. Welcomes the direct engagement with the public by planning officers and level of detail and consultation undertaken on the site. Considers the site is currently neglected with little appeal and no amenity. Considers that development can happen whilst addressing local concerns but thinks that community food growing inclusion is unnecessary as is the consideration of s-shaped fields. Hopes that drainage issues can be addressed and flooding is not used as an excuse to abandon the whole development.

University of Stirling (SLDP_324/009) - The University of Stirling has been engaged in discussions with Grahams Dairy on the potential development of site H056 on the basis that two major landowners were developing Masterplans and should seek to ensure that any proposals were aligned, make sense as a whole and deliver benefit to the community. This reflects a key aspiration of the Plan to ensure that Masterplans provide a coherent structure for the development of the area, and reinforce the importance of place making. During the course of the discussions, the potential for development of further sports pitches for use by University of Stirling was identified together with the possibility of linking green spaces and pedestrian footpaths / cycle routes into the city. Notes that the development of site H056 is now to be determined in a future Plan review, but welcomes the inclusion of the Key Site requirements for the development.

Graham's The Family Dairy (SLDP_327/008) - Considers the site is supported in a strategic policy context by the City Vision which focuses on a clearly defined city corridor and requires land release in the north Stirling ward. The Main Issues Report supported the identification based on the sites characteristics, scale, deliverability and alignment. Public consultation resulted in 4% of the combined population of Bridge of Allan and Causewayhead objecting to the site. Consider that the Vision is now at odds with the Proposed Plan which appears to rely on early release of a new settlement and the strategic expansion of the eastern villages. States that the site is deliverable within the short term being unconstrained technically, legally (ownership) and financially. Technical submissions support this.

This part of the Stirling Green Belt has the capacity to accommodate sensitively designed strategic development without adversely affecting landscape character, and the view and setting of existing settlements. It has potential to enhance the Green Belt through strategic woodland planting whilst the proposed park can strengthened Green Belt edge and facilitate greater public use.

The transport plan has established that Airthrey Kerse is one of the few strategic development sites within Stirling that has the potential to facilitate higher levels of non vehicular transport patterns. In terms of public transport, bus routes from the University and Bridge of Allan will access the site. There will be a new road access from Airthrey Road and a secondary access on Easter Cornton Road. A dedicated construction access will be provided.

An Education Impact Assessment has determined capacity at Wallace High School, 150 house capacity at Bridge of Allan Primary School, and a new primary school at Causewayhead. Proposes development at Causewayhead for around 650 houses as Phase 1 of the development. Flood study has been undertaken and directs development out of the functioning flood plain and surface water flow paths and offers flood alleviation to both communities.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/018) - Consider that their landholdings and that of the wider North Stirling/Causewayhead area can be developed without any infrastructure impediments, in terms of drainage or transportation. Developer contributions sought in accordance with Circular 1/2010 will be proportionally met by the landowner in accordance with their landholding as part of the wider allocation.

Consider that Flood Risk Management is not an impediment to the development of their landholdings or a substantial component of the wider Airthrey Kerse landholding and discussions and reports on these matters are currently lodged with the Scottish Environment Protection Agency/Council for comment. Suggests significant areas for future development with all flood risk issues capable of being addressed. Notes that there are other allocated sites within the Plan which require to have flood risk assessments i.e. H023, H028, H053, H058, H060, H062 and if it is acceptable for other sites to come forward in the Plan and be allocated within the Plan period, whilst still requiring to provide a flood risk assessment then it is perfectly acceptable for a similar and consistent approach to be applied to their land holdings as with the wider North Stirling/Causewayhead site (H056). Considers 400 units be allocated within Phase 1 and 400 in Phase 2, and supports the Key Site Requirements and the infrastructure identified.

Network Rail (SLDP_151/002) - Considers that aspirations for Bridge of Allan and in particular Airthrey Kerse, give insufficient consideration to potential impacts on the use of Cornton Level Crossing and Easter Cornton pedestrian crossing. Cornton level Crossing has a high risk score. It is heavily used with 6000 vehicle crossing per day, around 135 pedestrians and cycle users and 170 trains. Other risk factors include poor road alignment on the approach to the crossing and proximity of other junctions increasing the risk of traffic blocking back onto the crossing. Regular reports are made of misuse and there are only limited physical changes which can be made to the crossing to mitigate these risks. The cumulative impacts of potential development in the area could have a significant adverse impact on this situation.

Stirling Civic Trust (SLDP_183/002) - Supports the postponement of the site to Period 2 of the Plan. However, concerned about the reasons for doing so - considers that this has been done for flooding reasons, rather than the erosion of the Green Belt. Considers that the Plan should contain a statement in relation to the site regarding the value of the existing green space, and the need to prevent coalescence between Bridge of Allan and Causewayhead.

Scottish National Party Group (00711/005) - Note that the Scottish Environment Protection Agency has a holding objection, subject to further information coming forward on flood management but has not made an outright rejection of this proposal. Believes as a consequence, that there are mixed messages being sent to adjacent neighbours and developers in regard to what sites are and are not available for development. SEPA has made statements on flooding to a number of sites promoted in the Plan i.e. South Stirling Gateway (B010) and Kildean Hospital (B006), but the promoters have not been requested to bring forward flood management proposals at this stage. Considers that the Airthrey Green site is being treated differently, hence the confusion created in local communities, who now believe there will be no development at Airthrey Green (H056).

The Plan promotes Causewayhead (unallocated) which gives the impression that no development will be promoted in Bridge of Allan and that the Causewayhead catchment will absorb whatever housing is allocated. Of course, in reality there is no land in Causewayhead, other than Airthrey Green available for housing. The SNP Group contends that the original developer proposal to build 800 houses is not proportionate. Further, the land originally allocated in the earlier proposals as 'green belt' would not prevent

coalescence. Therefore object to H056 in its entirety. Consider that the promoter will most likely be able to provide an engineered solution to the flood risk. Consider that there is a solution to the flood risk albeit an expensive one, thus the likelihood of development is possible and it may start earlier than 2024. Concerned therefore that there are no safeguards in the Plan.

Modifications sought by those submitting representations:

Blake Turner (01059/001); Fanny Schmidt (00995/001); Shaun M Moloney (00996/001); Lara Goessmann (00997/001); Jaqui Lenaghan (00991/001); Miles Welstead (01000/001); Orsolya Kerr (01001/001); Aidan Miller (01002/001); Meghan Cunningham (01004/001); Ashleigh Dodds (01005/001); Magnus Olafsson (01006/001); Jordan Tillier (01008/001); Lucy Drummond (01009/001); Anum Qaisar (01010/001); Tan Morgan (01012/001); Rhona Gordon (01014/001); Adam Preece (01015/0001); Andrew Mitchell (01017/001); Catriona Minekart (01020/001); Alexandra Eadie (01021/001); Janine McGowan (01023/001); Charlotte Telfer (01024/001); Rory McGown (01026/001); Lynsey Waddell (01027/001); Michael Kiernan (01029/001); Katy Lister (01032/001); Hayley Dickson (01033/001); Donald Nairn (01035/001); James Crone (01036/001); Conn O'Neill (01037/001); Donna Rodgers (01038/001); Liam Beattie (01041/001); W Attwood (SLDP_842/001); Lee Deane (01043/001); Sarah McIlwain-Bates (01044/001); David Dow (01045/001); Robert Gray (01048/001); Lara Flint (01055/001); Romuald Rouger (01049/001); Michael Christie (01050/001); Alvano Merino (01052/001); Rehana Shivji (01056/001); Shona K Tinkler (01058/001); Joao Piedade (01060/001); Theo Hardie (01061/001); Conner Dornan (01062/001); John Darley (01063/002); David Clark (01064/001); Darren Hatfield (01066/001); Michael Thompson (01067/001); Erik Von Berlekom (01069/001); Claire Gribben (01070/001); Kirsty McCall (01054/001); Michell Keenan (01071/001); Andrew Fowlie (01074/001); Craig Law (01075/001); Edward Jackson (01077/001); Romain Maradan (01078/001); Kada Alexander (01083/001); Alexis Kaine (01084/001); Kirsty Beveridge (01086/001); Geraint Short (01087/001); David Skillman (01110/001); Lauren Marriott (01089/001); Megan Lackie (01090/001); Finlay Sim (01092/001); Dougie Scott (01094/001); Antonio-John Abrante (01095/001); Lauren Kater (01097/001); Andrew Gilmore (01099/001); Will Stafford (01100/001); I Popouloupoulos (01101/001); Poppy Murray (01103/001); Coraline Lawson (01104/001); Tom Ritchie (01106/001); David Hunter (01109/001); Owen Auskerry (01131/001); Luke Fenton (01134/001); John Seggie (01136/001); Duncan Eastoe (01138/001); Eirik F. Wartianen (01139/001); Rajmund Bakonyi (01142/001); Jay Mitchell (01143/001); Rasat Sharma (01144/001); Alexei Dalton (01145/001); Stefan Muessig (01147/001); Emily G Buxton (01150/001); Simon Leigh (01151/001); Anthony McCluskey (01152/001); Hannah McCluskey (01154/001); Benjamin Nentan (01155/001); Andrea Bosso (01157/001); Alekzandra Lord (01159/001); David Barkson (01160/001); Oisin Scott (01161/001); Andrew Gault (01163/001); Theo Burke (01166/001); Ivelina Georgieua (00952/001); Viivi Tikanmeki (00953/001); Michael Allen (00954/001); Douglas Bruce (00955/001); Jimmy Russell (00956/001); Kajsa Karlstrom (00957/001); P Stephen (00958/001); Jean Davidson (00959/001); Julie Devonald (0960/001); A McPherson (00961/001); Andrew Campbell (00962/001); Catherine Lyons (00963/001); Eva Cunningham (00964/001); Michael Wilson (00965/001); Hilary Morton (00966/001); Billy Neilson (00967/001); David Costello (00968/001); Maureen Jones (00969/001); Scott Jarvie (00970/001); Janette Hastings (00971/001); Amy Butterfield (00972/001); Douglas Rooney (00973/001); Amy Easton (00974/001); Alistair Davidson (00975/001); Mike Williams (00970/001); Jacob Whittle (00977/001); Catherine Cunningham (00978/001); J Rushforth (00979/001); Catriona Sinclair (00980/001); Clare Dias (00981/001); Mary Shelton (00928/001); Anton Shelton (00981/002); Mae Diansangu (00984/001); Dr Andrew Knock (00985/001); Jane Muirhead

(00986/001); Robert Coleman (00987/001); Angus Mackenzie (00988/001); Neil Myles (00989/001); John Gibson (0099/001); Margaret Prentice (00317/001); Shannon Kerr (00991/001); Andrew Badger (00992/001); Danielle Kelly (00993/001); Brian P Turner (00389/001); Lesley Gardiner (01257/001); Ian M McLaren (01275/001); Patricia A McLaren (01276/001); Kenneth Ferguson (01278/001); Margaret Moss (01280/001); Christopher McManus (01283/001); Mr & Mrs Robert Turnbull (01282/001); Peter & Hilary Meech (SLDP_1311/001); Nicola Hamilton (01352/001); Mr & Mrs Falconer (SLDP_1373/001); William M Wood (01258/001); Hilary Webber (01261/001); Alison Little (01260/001); William Park (01269/001); Dr Robert Raiton (01266/001); Denise Cain (01246/001); David Conner (01263/001); R M F Moss (01274/001); Helen Cormack (01273/001); Jennifer Anderson (01272/001); Lachlan McKinnon (01107/001); Steven Hamilton (01098/001); Gordon Hardy (01081/001); Thomas Hardy (01079/001); Sandra Hardy (01073/001); Michael Rea (01223/001); W L McGregor (00174/001); Bob Fairgrieve (00315/001); C Lafferty (SLDP_932/001); Dr Kevin H Lynch (00994/001); John & Joan Hvass (00013/001); David Inglis (00116/001); Mr & Mrs K McCreath (01184/001); Mark Jason (01211/001); Linda Hamilton (SLDP_1218); Barbara Johnston (01225/001); John Johnston (01226/001); Sarah Shaw (012385/001); Carolyn Rowlinson (01253/001); Robert A Franks (00512/001); Mrs J Dow (01019/001); Kay Fairgrieve (00234/001); S Pate (01122/001); Mrs J Scobie (SLDP_1148/001); Alex J MacAskill (01178/001); Eleavona Yoloczek (01180/001); Scott Maitland (00257/001); William & Agnes Lyons (00229/001); Mr & Mrs G Archibald (00346/001); Doris Littlejohn (00451/001); Jane Smith (01254/001); Valerie Sinclair (01256/001); Fiona McLean (01281/001); J Keen (SLDP_1307/001); Philip Cavanagh (01262/001); Cllr Mark Ruskell (01218/002); Neils B Hvass (01076/001); Kathleen M Hamilton (01068/001); Muriel Macleod (SLDP_953/001); Liz Albert (SLDP_939/001); William & Sarah McLellan (00072/001); Anna Hvass (01243/001); Andrew McCormack (01247/001); William A K Purdie (01251/001); Morris Paton (01252/001); Robert McOwan (00475/001); Bryan Clark (00306/001); Jill Burt (00308/001); David Wilson (00178/001); University of Stirling Students' Union (00951/001); Bridge of Allan & Logie SNP (01047/001); Mrs E Turner (01130/001); R J Limmack & A C Limmack (01148/001); David & Linda Harrison (01149/001); Gordon & Alice Stewart (01153/001); Maxine Swinger (000974/001); Mr & Mrs J Johnstone (00208/001); Frances Fielding (00486/001); Margaret McDougall (00490/001); Joyce Hockley (SLDP_1117/001); J Carberry (01123/001); Kirstin McDougall (01175/001); John W Morgan (SLDP_1172/001); Joanne Blackburn (01250/001); Lorna Blackmore (01132/001); Callum Blackburn (00066/001); Kevin Swinger (SLDP_867/001); Ian Grieve (00105/001); Sandi Grieve (SLDP_952/001); Dr Jonathan Bowes (01311/001); Michael Hockley (01259/001); Mary Fraser (SLDP_1363/001); J Anderson (01271/001); James T Sinclair (01270/001); Joanne Gibb (01169/001); Stirling University Nature Society (01158/001); Ronald Dey (SLDP_1115/001); Michael Burt (SLDP_1109/001); Duncan McDougall (SLDP_1384/001); Central Scotland Circuit Meeting of the Methodist Church (01003/001) - No development on the Kerse/flood plain/Green Belt/Delete H056.

Bridge of Allan Community Council (SLDP_73/001) - An undertaking from Stirling Council that no development will be undertaken on Airthrey Kerse. If any development is ever permitted ensure a meaningful and constructive engagement takes place with the community in respect of the type and extent of any development.

Margaret & Norah Gardner (SLDP_957/001) - Prohibition of further development around the dairy area and drainage pipes prohibited in the vicinity of Anne Drive/Airthrey Avenue.

Melissa Jane Shaw (01248/001) - Would like to see additional consultation on flood risk and the land used as a water store flood defence and to increase biodiversity. Would like to see the project removed from the Plan and a full EIA undertaken on the project area to look at species and biodiversity.

Peter & Sandra Skerry (00143/001) - Wants to see a practical and sensible plan to remove the danger of flooding, reducing the number of housing units.

Anne F Pickles (01255/001) - Considers work needs to be done on road exits, drainage, fields should remain and drainage in relation to run off should be addressed.

Linda Galloway (01140/001) - Continued use of the land as a green wedge between settlement as a recreational facility

Jack Paton (00141/001) - Wishes to escalate the objection displayed locally through Facebook, twitter and national press, with a boycott of Grahams products, blockading and peaceful harassing of their trucks. Wants to see land designated as Green Belt in perpetuity, in Council ownership, made into a Graham Community Park.

Anna Hvass (01243/001) - Considers this should remain as open space for future generations

Duncan McDougall (SLDP_1384/001) - Seeking answers to the following questions; what happens to the water under the clay cap if the cap is broken for the installation of services etc; will the weight of roads and buildings on the clay force the cap to sink and displace water underneath; are the artesian forces variable with the height of the River Forth ie are the forces greater at high tide or if the river is in spate; the site slopes from NE to SW and the flood lines follow this slope, what happens if the slope is obstructed by roads/houses?

Eric Denison (01072/001) - Needs a scheme to deal with any surplus water.

Maxine Swingler (000974/001) - Require developers to maintain flood insurance if development goes ahead for neighbouring properties.

Murial Whitfield (01018/001) - Seeks assurance that measures have been taken to remove the risk of flooding and to also guarantee no future likelihood of problems with obtaining insurance.

Mary H Ruffell (01081/001) - Rejection of the plan to build houses on fields along Easter Cornton Road.

Mrs E B Holliday (01114/001) - Seeking moratorium on all and any development in Bridge of Allan.

R M F Moss (01274/001) - Specifically the deletion of paragraph 6.13 and the removal of H056 from the table on page 205 of Chapter 10 and from the map on page 218 of Chapter 10.

Joanne Blackburn (01250/001); Callum Blackburn (00066/001) - Wishes a community buy-out of this site to be considered.

Glen Montgomery (01344/001); Jennifer Bairner (01340/001); Laura John (01341/001); Dr Ian & Davina Thomson (01343/001) - Consider sites elsewhere should be sought.

Brian P Turner (00389/001) - Alternative schemes for increased social housing should be considered.

Marilyn Hawley (01277/001); Doris Littlejohn (00451/001) - Allow housing development in other parts of Bridge of Allan that are more appropriate.

J Carberry (01123/001) - Use brownfield sites and empty buildings for housing development instead.

Lorna Blackmore (01132/001) - Would like the area to be used for biodiversity and flood mitigation. Wish to see H056 removed from the Plan and if not, would like to request consideration to include a wetland area. Requests that an EIA be carried out on the area.

Ronald Dey (SLDP_1115/001) - Instead, think of Cornton, Culterhove and Riverside.

Stirling University Nature Society (01158/001); Joanne Gibb (01169/001) - Consider further consultation on flood risk issues is required. Would like to see the area used for flood mitigation and defence which would aid biodiversity. Wishes confirmation on whether an EIA has been undertaken to assess the impacts on the wide range of plant, insect, amphibian, birds and mammals that use the area. Wants removal of the project.

Graham's The Family Dairy (SLDP_327/008) - Identification of the site as an allocation within the new Local Development Plan as per the Figure shown on the supporting development framework document. This should involve the redefined Green Belt designation and identify the site as having capacity for around 800 units. Deletion of the Key Site Requirement that states 'any development here to be determined in a future LDP review'.

Mactaggart & Mickel (Homes) Ltd (SLDP_346/018) - Spatial Strategy considerations should include a reference to a major new housing proposal for North Stirling/Causewayhead and this should also be identified on the list of development frameworks for major new developments. 400 units should be allocated within Phase 1 and 400 in Phase 2.

On Stirling North Map 1, the North Stirling/Causewayhead (H056) should be highlighted, consistent with the other development proposals, with the site requirements checklist highlighting that the precise boundaries/Green Belt limits will be determined via the Masterplan process. Failing which, in the short term specifically as an early phase of development, their landholdings should be allocated for residential development on the Proposals Map.

Green Belt boundary around Airthrey Kerse should be altered to exclude their landholdings or as part of North Stirling/Causewayhead areas, extraction from the Green Belt, taking account of their representation requesting that the site is allocated for residential development over the plan period. It is considered that the precise and retained Green belt boundary, as altered in the North Stirling/Causewayhead area, will be determined by the Masterplan process once the final boundaries of the built limit are agreed with Stirling Council.

Network Rail (SLDP_151/002) - Note the Council recognises the concerns and reference is made to the closure of the crossing and a road bridge on the Bridge of Allan settlement map and to the need to safeguard land for a road diversion and road bridge within site assessment H056 at page 217. However, continue to object unless the following changes are made. H056 Airthrey Kerse to include the provision, or contribution to the provision of, a road bridge which enables the closure of the Cornton Level Crossings unless future traffic assessment proves no increase in adverse impact on the crossings and statements on the safeguarding of a route for the Kildean Link Road are clarified to recognise the need to

demonstrate no increase in adverse impact on the crossing.

Stirling Civic Trust (SLDP_183/002) - Insert statement in relation to stating the value of existing green space and the need to prevent coalescence.

Scottish National Party Group (00711/005) - Do not support building 800 houses, however should the Reporter find in favour of this site, seek safeguards as follows:

- In advance of any construction work, the Developer carries out a full and detailed hydrological analysis of the Airthrey Field catchment, to identify springs and other sources of water, generally accepted by local residents as a problem, although so far not recognised in the interim flood report. This report should also consider the consequences of flooding as a direct consequence of building Wallace High School and the loss of flood storage.
- The protection of surrounding properties from flooding is to be key to any flood scheme.
- The construction of housing along Easter Cornton Road should allow a "wide" area of open space to create an open linked green route to the proposed park.
- Do not support the wetlands principal of flood control and seek the restoration of the "Loch" as the means of storage.
- To prevent coalescence, a Park Trust has to be set up and an agreed defined area of land is handed over to the Trust to manage the Park and the protected against future development. Royal park status should be sought.
- Funding should be provided for future maintenance of the Park.
- The future maintenance has to be agreed and adequate safeguards in place in the event of failure.
- Removing Bridge of Allan from the proposals and promoting Causewayhead will likely impact on school capacity issues which should have been taken into account. No development can be considered until a full review of the education provision is known.

Summary of responses (including reasons) by planning authority:

In response to the representations objecting to the allocation of H056 Airthrey Kerse. For clarification, H056 has been identified for Period 2 and is not therefore being put forward as an allocation within the Proposed Plan. The Plan only allocates land for the first 10 years of the Plan i.e. up to 2024 and it will be for a future review of the Local Development Plan to determine whether any Period 2 sites are required. A future review of the Local Development Plan will set out the housing land requirements at that point in time and what sites should come forward to meet that requirement.

The Council generally agrees with the representations made in terms of flooding and the Council's response therefore reflects this in continuing not to allocate the site for development. It is not possible to respond to the other detailed concerns raised in the representations to H056 as until the site is being considered as an allocation within the Plan, these matters cannot be fully explored and responded to. Firstly, any allocation for housing in this area needs to be confirmed, and this will be dependent upon the concerns of the Scottish Environment Protection Agency and Stirling Council as the Flood Prevention Authority, being resolved. Only then can the matters of scale of development, the detailed boundary of the site, appropriate areas to retain as Green Belt, open space links, archaeological mitigation, infrastructure impact including schools, and developer contributions, etc., be determined. All of these issues will be considered at the future review of the Plan. The Key Site Requirements for H056 refer to a range of requirements (not exhaustive) which include requiring any development coming forward to be in compliance with a Development Framework and Masterplan to be produced for the site. These documents can only be produced once an allocation for the site is confirmed and the scale

of any development known and therefore the Council does not accept or agree with the developer's submitted Development Framework. The Key Site Requirements also refer to the need for a Flood Risk Assessment and development to avoid the functional flood plain – this is responded to below.

However contributor's requests to have all references to H056 removed from the Proposed Plan is not supported by the Council and the reasons for continuing to make reference to "H056" in the Plan is explained below.

In order to clarify the proposed status of H056, there is no definition of any site boundaries shown on Proposals Map in the Stirling Settlement Statement for this site. This is consistent with other proposals in the Plan solely identified for Period 2 (e.g. H021 Kippendavie, Dunblane and H103, Burnside, Kippen), where pink arrows are indicated showing the general location and direction of growth. This approach is also considered consistent with Scottish Planning Policy (Para.73) which states that "local development plans outwith city regions should provide an indication of the possible scale and location of housing land up to year 20" (beyond the predicted year of plan adoption). The pink arrows seek to indicate the possible scale and location.

Para.6.13 of the Plan dealing with the long term (Period 2) housing land requirement refers to the "potential for some development at Airthrey Kerse (as an extension to Causewayhead) is also signalled after 2024. However due to concerns over flood risk in the area, an appropriate developable area cannot be confirmed at this time, and therefore it will require to be determined in a future review of the Plan." To reflect this concern, the land between Causewayhead and Bridge of Allan remains designated as Green Belt in the Proposed Plan and development is not allocated in Period 1 of the Plan.

As the focus for any future growth (subject to a future Plan review) is indicated in Para.6.13 as Causewayhead and not Bridge of Allan, the pink arrows are shown relative to an extension to Causewayhead and not Bridge of Allan. All references to H056 and the Key Site Requirements for H056 are also therefore included within the Stirling Settlement Statement (where Causewayhead is located), and not the Bridge of Allan Settlement Statement. Although the site is not allocated, reference to "H056" remains in the Plan to allow representations to be made on this long term proposal and be recorded by the Council. This is consistent with the Period 2 site identified at Kippendavie (H021) and Burnside Kippen (H103).

References in the Plan to potential future growth at Causewayhead rather than Bridge of Allan, is made on the basis of the Causewayhead area (immediately to the north of Easter Cornton Road) being considered the least vulnerable area of the site in terms of flood risk. This is based on information submitted in the developer's Progress Report (Airthrey Green Flood Risk Assessment Progress Report, August 2012, WWT Consulting) (CD193) in August 2012. However any developable area will still require to be determined through the submission, assessment and agreement of a final flood risk assessment. It may transpire that no development is suitable or only a small scale development.

In Table 5, no allowance has been made for the numbers of housing coming from any development of H056 because this was not possible to determine at the time of preparing the Plan due to ongoing concerns over flood risk and therefore the lack of any agreeable suitable developable area. Despite the representations made to the Proposed Plan by Grahams The Family Dairy and Mactaggart and Mickel (Homes) Ltd, the Council continues to have concerns regarding flood risk in the Airthrey Kerse area (ref: Allan Water Flood Mapping - Stage 3, Halcrow, April 2009 – CD194).

Further information has been submitted to SEPA and the Council (CD196 and CD191) (Revised drainage concept, Airthrey Kerse, January 2013 – WWT Consulting and Addendum – Revised Drainage Concept - Airthrey Kerse outfall arrangement, 29th March 2013) on flood risk from the site promoters. From the flood risk information submitted to date, the Council is not satisfied that a suitable developable area can be determined. The latest response from SEPA is dated 16th April 2013 (CD197), and they continue to maintain their objection to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy, PAN 69 and sustainable flood risk management. The Council concurs with this view (CD199).

A number of transport issues have been raised in relation to proposed allocation H056 at Airthrey Kerse including importantly, concerns raised by Network Rail. The proposal will inevitably increase traffic levels, as would any similar development in any other location. However, due to the proposal being in a location where residents can access existing services by walking, cycling and public transport and the ability of any required infrastructure to address future traffic issues, the Council are of the view that the location enables any increase in traffic levels (including people accessing facilities in Bridge of Allan by car and hence increasing parking pressure) to be managed appropriately (in relation to air quality; road safety and congestion). Although it should be noted that while some transport investigations have been undertaken by the landowner, no formal Transport Assessment has been submitted to or assessed by the Council, including agreeing the number and location of site accesses.

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this land for development. This site was submitted as an expression of interest and considered through the Site Assessment process (CD45). Although it conforms to the Spatial Strategy, it suffers from several significant environmental shortcomings, namely flood risk. None of the supporting information included in the representation is considered to be of sufficient weight/merit to support a modification. In addition to this, the Plan allocates sufficient land for residential uses, as demonstrated by the Background Reports on the Housing Land Requirement (CD61) discussed more fully in Issue 4. The Council does not agree therefore that H056 should be specifically allocated and does not support any modification to the Plan.

For clarity, at the Main Issues Report (CD41) and Draft Proposed Plan stages, Graham's The Family Dairy (SLDP_327) previously expressed a desire to have a section of their land holdings, between the existing Dairy and Anne Drive, allocated for employment use. The proposed allocation was identified as B08 Airthrey Green, Henderson Street in the Draft Proposed Plan (CD44b). However, subsequently the site promoters have withdrawn their interest and the employment land allocation here is no longer allocated within the Plan. These fields are identified as being retained within the Green Belt and therefore subject to the relevant policy protection.

It should also be noted that the Green Belt area between Causewayhead and Bridge of Allan is subject to a Proposal of Application Notice (CD155) PAN - 2013-003 for a Public park, allotments, University of Stirling sports pitches, residential development (including affordable housing) of 600 units, commercial space, improvements to road and drainage infrastructure, new primary school at Airthrey Kerse (south) Causewayhead and extension to Bridge of Allan primary school. This has been submitted by Graham's The Family Dairy (SLDP_327).

Until such time as there is greater clarity over any areas at H056 being suitable for development, there is not considered to be any merit in reviewing the Green Belt boundaries

at this location. The Council's response to representations made specifically to the Green Belt, are dealt with under Issue 8.

David Wilson (00178/001) - The objection raised to the Open Space Strategy, approved by Council in 2012 and regarding the Open Space Audit and when it was consulted upon with whom, is not a matter for the Local Development Plan but for the Open Space Strategy.
Melissa J Shaw (01248/001) - An Environmental Impact Assessment is only required at the planning application stage of a development. A Strategic Environmental Assessment and a Habitats Regulations Appraisal has been undertaken on the Plan and there is not considered to be any significant adverse effects with regard to development allocated within the Plan.

Bridge of Allan Community Council (SLDP_73/001) - The Council's response to suggestions that there are other sites suitable for development instead of Airthrey Kerse (particularly west of Bridge of Allan railway), is dealt within in Issue 40.

Network Rail (SLDP_151/002) - Any proposed development may exacerbate safety risks at Cornton Road Level Crossing and at the Easter Cornton Road Pedestrian Crossing due to additional trips. However it is understood that addressing the current safety risks at these crossings are high on Network Rail's agenda. The current (and any future) safety risk at Cornton Road Level Crossing could be resolved by Network Rail amending the barrier arrangement from half barriers to full barriers. Whilst this could also address Network Rail's objection to any proposed development that could increase safety risk, it would effectively result in Cornton Road being closed for approximately 50% of every hour. This is likely to result in traffic being diverted to Causewayhead Road and exacerbating current and future problems on that road. Accordingly it is suggested that Stirling Council and Network Rail investigate the replacement of the level crossing with a bridge which could resolve the safety issues without exacerbating traffic issues in the vicinity.

Stirling Civic Trust (SLDP_183/002) - The importance of preventing coalescence and continued identification of a Green Belt and green space is recognised within the Plan's designation of the area as Green Belt. This is supported by Supplementary Guidance SG03 on Green Belts, which defines the role and function of the Green Belt and includes coalescence. The Council does not therefore agree that this needs to be specifically stated within the Key Site Requirements.

Scottish National Party Group (00711/005) - In response to comments that H056 is treated differently in terms of flooding compared with other sites in the Plan based on SEPA's response to these site. This is because the flooding issues identified in relation to the proposal put forward by Graham's Dairy are significant and affect the whole developable area of the site. This is not considered to be the case at South Stirling Gateway where more minor water courses are an issue or at Kildean, where the developable area has already been determined through the approved Development Framework for the site. SEPA's latest response (CD197) clearly highlights their continued objection to development at H056.

The suggested modifications are not supported as the site is not allocated within the Plan and therefore such detailed matters do not require to be considered at this time.

In relation to the 'Kildean' Link Road, some representations to H056 are made to the link road as part of objecting to any development within the carse area. In response to this, the Council advise that the Stirling Council City Transport Strategy: Transport for 2020 Stirling (2007) (CD72) included a proposal to complete the outer ring road between Kildean and Airthrey Road. The revision of this Strategy in the form of the Stirling Council Draft City

Transport Plan, 2013/14 – 2015/16 (CD73a) which is being put before the Council's Environment and Housing Committee in June 2013, includes the provision of a link road between Kildean and Cornton Road and a further proposal (if required) to link Cornton Road with Airthrey Road.

In both the City Transport Strategy and the City Transport Plan, the new roads from Kildean to Cornton Rd/Airthrey Rd are proposed to relieve traffic congestion around the Clock/Customs roundabout area. Stirling City contains a handful of pinch points through which a good proportion of traffic flows. Clock/Customs roundabout is one of these locations, and significant congestion at this location, affecting a much wider area of the City, is expected with or without development at Airthrey Kerse.

It should be noted that:

- traffic modelling indicates that in the long term both a modal shift and new infrastructure would be required
- the City Transport Plan has adopted a phased approach to ensure significant new infrastructure (such as a link road between Kildean and Cornton Rd) is only provided if and when necessary. This is done by focusing on encouraging a significant modal shift in the early phases of the City Transport Plan and monitoring traffic / development / congestion levels as well as modal shift to understand when new road links are required (if congestion problems are to be provided).

Hence, while Kildean to Cornton Rd and potentially Cornton Rd to Airthrey Rd links would help address the travel demands of a development at Airthrey Kerse (subject to its size), the links are likely to be required anyway to address the general level of traffic growth resulting from new development.

Reporter's conclusions:

1. The general area known as Airthrey Kerse comprises a central 'island' of green fields that is surrounded by urban development. Bridge of Allan wraps around its north side and the east boundary is defined by Henderson Street/Airthrey Road/A9 at Causewayhead. The south boundary is defined by Easter Cornton Road, with housing at Causewayhead and Cornton beyond. Cornton Vale prison on the opposite side of Cornton Road, forms the west boundary, although a main railway line embankment with 2 level crossings runs broadly parallel to Cornton Road inside the Kerse. Otherwise, only the long-established Graham's The Family Dairy, the recently built Wallace High School, and a telecommunications installation near Easter Cornton Road intrude into this undeveloped area.

2. Parts of Airthrey Kerse are the subject of Issues 40, 41 and 44 to this examination. These conclusions address the collective representations that dispute whether land within the Kerse should be released for development. Many wish to see the green belt designation in the current development plan maintained and whole area, including the Graham's dairy, protected for reasons that include:

- loss of amenity;
- loss of an important and attractive green wedge of open space;
- lack of infrastructure to support development;
- flooding and drainage implications;
- environmental and biodiversity implications; and
- traffic and transport implications.

3. Other representations would prefer to see parts taken out of the green belt and released for development. In particular:

- Several promote housing development as a replacement for Cornton Vale Prison under Issue 44, because that site is believed to be becoming vacant and surplus to requirements.
- Graham's The Family Dairy, together with the University, propose a masterplan that shows around half of Airthrey Kerse laid out with sports pitches, adventure play space, a new primary school, allotments and pasture. The remainder would then be developed in phases up to an indicative 800 homes. The developed area would be roughly equivalent to site SS27 Causewayhead, which is referred to in Issue 40.
- Mactaggart and Mickel (Homes) Ltd promote an immediate start on 2 phases of 400 homes, on SS27.
- Persimmon Homes (East) Scotland promote site SS26 Westerlea, which is beside the west edge of Airthrey Kerse, near the Cornton Road and railway level crossing. SS26 is proposed for an immediate development of 50 homes and it is referred to in Issue 40.
- Mansell Homes Ltd promote the southernmost portion of site SS41 at Wester Cornton under Issue 44, for an immediate development of some 80 homes.

4. In considering these opposing views, it should be noted firstly from the examination evidence and my site inspections, that Airthrey Kerse functions as an important part of the green belt. Although the area is low-lying, it is highly visible from the surroundings. In particular, the Kerse makes up the foreground of views from the perimeter roads and railway, and it can be seen clearly from the south facing slopes of the Ochil Hills, which are designated in the proposed local development plan (LDP) as a valued Local Landscape Area. Many houses along attractive streets in the Bridge of Allan conservation area occupy the lower parts of these slopes and orientate such that they also enjoy southerly views across Airthrey Kerse. Further, the Kerse is visible from the M9 motorway, albeit at a greater distance to the west, and it is highly visible in views to and from Stirling Castle, as well as from the Wallace Monument and its surroundings on Abbey Craig. In each of these views, Airthrey Kerse forms a significant 'green' wedge that separates, contributes to the setting of, and thereby helps to define and contain the various surrounding urban areas. The Kerse edges are also mostly robust, if not always attractively or uniformly delineated. It follows from the above, that releases of land from the Kerse for development would diminish its character and landscape contribution, and thereby also its value as green belt.

Site H056

5. Scottish Planning Policy (SPP) would accept the release of green belt land for development in planned, strategic circumstances. SPP does not intend that green belt designations should prevent development or protect natural heritage (paragraphs 159 and 160). Instead, their essential function relates to the value of landscape quality and character for the setting and identity of urban areas. Given that, planned and controlled growth is preferable to piecemeal and ad hoc development around urban edges. It is for this reason that the LDP intends that Graham's dairy would remain in the green belt, where possible future development proposals would be considered against LDP Policies 1.3 and 1.4. Policy 1.3 contains a general presumption against development that would have a negative impact on the green network and Policy 1.4 only supports agricultural development, including for diversification. Against that context, the LDP offers no explicit encouragement to development at the dairy. Equally, because any such development proposal would be considered on its individual merits against these essentially restrictive policies, there is no need for the LDP to have a policy that specifically excludes development at the dairy.

6. The LDP maintains most of the current green belt, although there are proposals for a road link across Airthrey Kerse and a replacement rail bridge. The public safety and traffic justifications for these crossings are discussed in detail and accepted under Issue 40 to this examination. Text in the housing land section of the LDP also refers to the potential for housing at Airthrey Kerse, albeit on an uncertain developable area because of concerns about flood risk (page 23). The LDP intends to finalise this in a future review and, in the meantime, the housing land supply figures in Table 5 (page 24) do not include any contribution from Airthrey Kerse. Despite that, the proposals maps for Stirling North and for Bridge of Allan show an indicative H056, in the same broad location as SS27 above. Site H056 also appears on the schedule of housing sites in the LDP (Appendix B, page 98), as well as on the settlement specific table of “Existing and Future Land Supply” (page 205). In each case, H056 is for an unspecified number of homes to be built in the second 10 year period of the plan, i.e. from 2024 to 2034. The specified Key Site Requirements include a development framework and masterplan, the above mentioned link road/rail bridge, and a statement that “Any development here to be determined in a future LDP review, which recognises the flood risk areas, sensitivity of settlement edge and risk of coalescence”.

7. SPP requires that LDPs should provide an indication of the possible scale and location of housing land beyond the initial 10 year plan period, and up to year 20 (paragraph 73). Arguably, site H056 would satisfy the initial forward looking part of that SPP requirement, but it fails the remainder because the LDP gives no indication of development scale either in terms of house numbers or site area. Instead, the planning authority states that:

- H056 is no more than a undefined candidate site for consideration in a future review;
- the LDP references do not amount to an allocation; and
- until that future review, the whole Kerse area, including H056, should continue to be regarded as green belt.

8. Next, SPP states that in planning for longer term growth where that would encroach into green belts, LDPs should provide clarity and certainty on where development will and will not be acceptable. SPP also states that new boundaries should be robust and clearly identifiable on the ground, along features such as roads and railways (paragraphs 159 and 162). The LDP gives no information about where the new green belt edge might ultimately be drawn around H056, or whether that new edge might be appropriate and sufficiently robust and defensible for the longer term. Further, as stated above, the Kerse is already bounded on 2 sides by roads, by a road and railway on the third, and by a mixed but well-established urban edge on the fourth. On that basis, the existing boundaries are very clear and robust, and in complete accord with the examples in SPP.

9. If there is scope for development in the vicinity of site H056, the planning authority ought to have specified and justified the scale and extent of that far more clearly to satisfy SPP. Alternatively, if as the planning authority suggests, considerable doubt remains about whether any development could take place on H056, the way in which H056 is referenced in the LDP raises unhelpful and potentially false expectations. The high level of response for and against H056 ably demonstrates that the LDP has been widely misunderstood, and that it has encouraged assumptions about the availability of land in the Kerse for development. H056 appears on the schedule of housing sites and on the relevant land supply table, where it looks like an allocation. These tables cover other specific proposals and allocations with no clear, simple differentiation to show immediately that H056 is not in the same category.

Other suggested sites

10. Turning then to consider the various suggested development sites, the submitted Graham's masterplan for the whole Kerse shows how well the public value and green belt

function of the area could be enhanced if parts were made more generally accessible for active and passive recreational enjoyment. However, the implication of the masterplan is that these benefits could only be realised from some housing development.

11. The general issue about any potential need for more housing land is examined under Issue 4 in this report. The conclusion there is that some additional housing land should be identified to ensure that the requirements in SPP about the provision of a generous housing land supply and the need to maintain at all times a 5-year effective supply are fully satisfied. The allocation of additional land would be required primarily to ensure that sufficient flexibility exists within the effective land supply to cater for any unforeseen circumstances that may lead to slippages occurring in the delivery of houses from the LDP allocated housing sites. However, that situation does not justify the release of additional housing sites at all costs, especially where such sites fail to accord with the plan's development strategy or fail to satisfy its more detailed siting requirements. These other site circumstances also have a significant role to play in considering any allocation.

12. Suggested site SS25 covers the Cornton Vale prison campus. Because of its position beside the River Forth, the area is highly likely to be affected by a considerable flood risk. However, of greater current significance is the fact that the prison continues to function, with no evidence to support the claims that it is scheduled for closure. It follows from that, there is also no timescale for closure that might coincide with either Period in the LDP housing land supply calculations. Clearly if closure were to happen, SS25 would become a brownfield opportunity for consideration as part of a future LDP review. At that stage, it may have some development potential, albeit with constraints.

13. Suggested sites SS26 and SS27 together would remove almost half of the Airthrey Kerse green belt between the railway and the A9. In turn, that would squeeze the remaining space to an extent that would harm the value and function of the green belt to an overwhelming, and therefore unacceptable, degree. The boundaries of both suggested sites are also currently ill-defined, with no screening or containment. The LDP site assessments (CD45) identify fragmented boundaries as a negative feature that could be improved through development. In addition, the H056 Key Site Requirements and the representations mention masterplanning with structure planting suggestions that would eventually create a new green belt edge and help new development to integrate, by screening and softening its impact. Against that, new planting would take some considerable time to establish and have a noticeable and beneficial effect. In the meantime, new development would stand exposed and visually intrusive along a weak new urban edge. Importantly though, neither suggested site, nor indeed the Graham's masterplan for the whole Kerse, takes account of the LDP specified link road/railway bridge. This new infrastructure may encroach into the suggested sites and the relevant representations do not confirm that development would not prejudice its delivery.

14. Looking at these two suggested sites separately, the configuration of the surrounding topography and buildings means that all of site SS26 is highly and widely visible. That said, it is much smaller and has a more regular and logical shape than SS27. But the evidence shows that flooding and the need to provide appropriate and sustainable drainage would push buildings away from the existing built up area to the farthest corner of SS26. As a result, development would create an intervening gap and an awkward and irregular new urban boundary.

15. Site SS27 is more visually intrusive overall at least because of its considerable size. SS27 is also extremely visible at the A9 roadside, and it encroaches significantly into the existing pinch point for the green belt near the railway and opposite Cornton Vale. For these

reasons, the entire SS27 site would cause greater harm to the value and function of the remaining green belt than SS26. However, development on the south section of SS27, which coincides with the LDP indications for site H056, would relate well to existing housing and be less widely visible than other parts of the Kerse. A limited housing land release there could also help to facilitate and absorb the necessary new link road and rail crossings. As a result, the south section has potential to accommodate some development albeit on a smaller site than SS27. Development options might also be restricted by the new link road.

16. Site SS41 is also affected by the road bridge/link road proposal. That site comprises fields north west and south east of Wester Cornton Farm, so that it covers the whole strip of land between the railway crossings on Cornton Road and East Cornton Road. The other site boundaries comprise the railway embankment and these roads. The representation suggests that the larger southerly portion of SS41, between the farm and Easter Cornton Road, could be developed for housing. The remainder would be turned into a community woodland with public paths. The road bridge annotation on the LDP proposals map is beside Wester Cornton Farm, where it coincides with the suggested development area. The representation includes an example site layout that makes no mention of or obvious provision for the bridge or the associated link road infrastructure. These maps and plans must inevitably be regarded as indicative at the moment, but the compelling safety case for a new crossing is confirmed under Issue 40 of this examination. Until preferred routes and option choices are more certain, it would be wrong for the LDP to encourage development on any part of SS41 because that would limit the possibilities to an unacceptable extent. It is for these same reasons that the examination report recommends the deletion of housing site H007 under Issue 40.

17. Because of its position between these busy roads and the railway, site SS41 is also highly visible from the surroundings, and arguably more so than the other suggested sites over the Kerse. In this location, development of even part of the site would be extremely intrusive. It would also effectively close off the green space in views from these heavily frequented places and remove the strong sense of separation between Cornton and Bridge of Allan. As a result, development would also remove a significant aspect of the function and value of the existing green belt.

Flooding

18. SPP states that development with a significant probability of being affected by flooding or that would increase the probability of flooding elsewhere, should not be permitted (paragraph 197). Decision makers should take a precautionary approach when flood risk is an issue and all such risks should be taken into consideration, including rising ground water and surface water (paragraph 202). Functional flood plains will generally have a greater than 0.5% probability of flooding in any year and they are important in the wider flood management system because they store and convey flood water. Built development should only occur on a functional flood plain in circumstances that include where it will not affect its functional ability and where it will not increase the risk of flooding elsewhere. Development should not take place on land that could otherwise contribute to managing flood risk (paragraph 203).

19. The examination evidence confirms that large parts of Airthrey Kerse are at significant risk from flooding. The first main cause relates to rivers and burns (fluvial) and Forglen Burn crosses Airthrey Kerse broadly from east to west. This burn acts as a tributary to the Allan Water and the confluence between them is located a short distance west, across Cornton Road. In turn, Allan Water flows into the River Forth, and that confluence is some 600 to 800 metres roughly south west of Airthrey Kerse, beyond Cornton Vale. Causewayhead

Burn drains generally south across the area, around the Wallace High School campus boundary and Easter Cornton Road, again towards the River Forth. The studies for Graham's dairy and site SS26 agree that the south part of the Kerse is not directly affected by fluvial flooding from these watercourses. The Scottish Environment Protection Agency's (SEPA's) mapped response to a further information request for this examination shows that virtually the entire north part of the Kerse is at 0.5% (or 1 in 200 year) risk from fluvial flooding from the Forglan Burn. The planning authority's 2009 Allan Water mapping study (CD194) shows a tendency for the Forglan Burn to spill south across the Kerse in each mapped event from 1 in 2 years to 1 in 100 years. Taken together, this information suggests that more of the Kerse will be affected by fluvial flooding than some predict, and that will probably occur more frequently, albeit still only across a comparatively confined northerly area.

20. The second cause is rainfall (pluvial), which includes the amount of rain that might fall directly onto the area in any one event, plus surface water run-off onto the Kerse from higher ground in the surroundings. The Kerse tends to act as a natural flood plain that holds back, channels and then conveys water gradually away to the rivers. Because this drainage flows mostly southwards over the Kerse, the railway, Cornton Road and the prison form a barrier that traps water and slows the rate at which it can discharge. As a result, flood water can be pushed towards and affect existing housing at Causewayhead. The studies for site SS26 and Graham's dairy agree that the whole Kerse area is heavily affected by pluvial flooding, including farther south and towards Cornton Road, i.e. across H056 and SS27. The Graham's dairy studies show the pluvial flood risk to the Kerse as equivalent to a 0.5% chance of flooding each year, but because the assessment has only been carried out to the infrequent 1 in 200 year event, it omits quicker return periods that will also cause significant flooding. The representation for SS41 does not assess the implications of pluvial flooding for that suggested site, but given its southerly location between the railway and the River Forth, it is reasonable to suppose that it must also be affected.

21. SEPA expects that pluvial and fluvial events would coincide and combine, whereby parts of the Kerse will regularly hold significant amounts of ponded water and flooding will occur in locations around it. The planning authority regards the pluvial and fluvial flood risk as medium to high, whereby SPP might not regard it as suitable for development, albeit that the SPP framework only refers to risk from fluvial flooding (paragraph 204). The SPP framework undoubtedly regards the northerly fluvial flood zone as generally not suitable for development.

22. The last cause of flooding stems from ground water and soil morphology in the Kerse, which reduces the speed and ability of water from each of the above to disperse, adding to surface level ponding. In turn that also affects the probability that ground beneath existing built development and around the Kerse might become water logged. While this could cause flooding in the surroundings, SEPA regards it as low risk.

23. Despite all this evidence, there is no indication on the LDP proposals map for Bridge of Allan or Stirling North that Airthrey Kerse is at risk from flooding. These proposals maps also conflict with other information in the LDP, especially:

- Figure 9 in the LDP (page 53), which shows a 1 in 200 year flood risk over central and north western parts of the Kerse broadly along the Forglan Burn corridor;
- the LDP text (page 23); and
- the Key Site Requirements for site H056 that specify a flood risk assessment.

LDP Figure 9 also shows a smaller flood zone for the Forglan Burn than the SEPA flood risk map.

24. Each individual potential development site may be capable of avoiding fluvial flood areas, but a major concern for SEPA is the loss or reduction of the pluvial function of the Kerse because of the squeeze on attenuation space and doubts about the ability to engineer a resolution. SEPA's representations address H056, and by implication SS27, because they refer to the masterplan and supporting information from Graham's dairy about all causes of flooding over the wider Kerse (CD191, CD192 and CD196). The masterplan would increase attenuation by forming wetland areas on the undeveloped parts of the Kerse and the studies predict that would mitigate the impact of development and reduce the existing flood risk for neighbours. SEPA has been unable to confirm this prediction because of a lack of fully detailed flood assessments. SEPA is also concerned that the Graham's dairy mitigation scheme depends on the storage of a significant body of water immediately upstream of the railway embankment. That storage could jeopardise the integrity of the embankment and there is no evidence that Network Rail has endorsed the solution. Drainage through the railway embankment and beneath Cornton Road and the prison is currently culverted. The discharge rate from the Kerse is limited by the capacity of that culvert and, unless it can be shown that flood water can be controlled and disposed of without backing up and worsening flood risk elsewhere, SEPA states that development should not be encouraged. All possible routes and capabilities for that water discharge have not been fully investigated to determine conclusively that there would be no increase in risk, especially for existing properties in the surroundings.

25. It is not clear to what extent SEPA has considered development on sites SS26 and SS41 as separate parcels. But it seems reasonable to assume that because SS26 is comparatively small, and the developable area within it is even smaller again, its isolated impact on the complex and interactive drainage regime of the whole Kerse would be less significant. The evidence also shows that a sustainable drainage solution would probably enable development on a western portion of SS26. Site SS41 is positioned between the railway embankment and Cornton Vale, so that it is near the existing culvert and the suggested attenuation pond. As a result, the site must be implicated in the drainage regime and would be at considerable risk of flooding as a result of any potential 'burst' through the embankment. Further, when H056 or SS27 are combined with site SS26, the flood impact and consequent risk becomes even more concerning because the space left to achieve drainage for the whole Kerse would be so very much reduced. SEPA is looking for a comprehensive treatment plan for the whole Kerse and the evidence for SS26 and SS41 has not been coordinated or shown to be consistent with the Graham's dairy masterplan. For example, the masterplan shows SS26 as core wetland and a site for a sustainable drainage system to serve the wider Kerse including site SS27.

26. Otherwise, the planning authority states that parts of the Kerse may have been contaminated by a former foundry, plus brick and tile works and gas works. The westerly part of SS26 was also used for clay extraction, which may have been infilled, including with waste material. While the results from test bores and pits raise no particular concern, disturbing the ground for development could release contaminants into the drainage regime. SEPA has confirmed that it was unaware of this possible ground contamination, so the implications of that are not factored in to its consideration of flood risk or mitigation. The information for site SS26 also does not mention the possibility of ground contaminants and how these might affect flooding.

27. Lastly, the planning authority states that it has discussed the principal of a link road/rail bridge with Graham's The Family Dairy and the possibility that the road could affect site SS27. The Graham's reply to a further information request states that surface water management from a road has been taken into account in the modelling done in November 2012 and January 2013. However, the road is not obvious from the relevant documents

(CD192 and CD196). There is also no link road or bridge depicted on Figures 1 to 3 inclusive, which were enclosed with the information request reply. SEPA states that it has not been consulted on the LDP proposed link road and has not included that in its consideration of flood risk.

28. Under all of the above uncertain circumstances, SEPA's concerns for the long-term management of flood water on and off site would justify application of the precautionary approach to development from SPP. However, SEPA and the planning authority now seem prepared to set these considerable issues aside for site H056, subject to the possibility that development might ultimately be prevented by the lack of an adequate resolution. The planning authority considers that a combination of the Key Site Requirements in the LDP, which are described above, and other LDP policies are enough to address SEPA's concerns. In particular, the planning authority points to Primary Policy 5, which states that:

- development on a functional flood plain should be avoided; and
- flood risk and drainage assessments will be required as appropriate to justify development proposals and developments worsening flood risk will not be permitted.

In addition, Policy 3.2, supported by supplementary guidance SG18 (CD181) and SG34, specifies that drainage should be sustainable, as that is defined. If all of these requirements cannot be properly satisfied, then planning permission could still be refused for development on site H056.

Overall conclusions

29. Drawing all of the above together, the Kerse performs an important green belt function that enhances the setting of the surroundings. It is a significant part of iconic views from the wider surroundings, especially from important monuments and landscapes, such as Stirling Castle and the Ochil Hills. That green belt function should generally be preserved and protected from unnecessary and unsuitable development, but SPP allows for the possibility of planned and necessary green belt land releases.

30. The Graham's dairy masterplan shows that the community value of the Kerse could be enhanced substantially. However, by implication, that would depend upon the release of some of the green belt for housing development. Site SS25 at the prison is currently premature at best and, for the reasons set out above, the disbenefits of releasing suggested sites SS26, SS27 and SS41 either together or individually, would be unacceptable. In the main, the reasons for that relate to:

- the probability of harm to the amenity, function and integrity of the remaining green belt;
- failure to address the implications of the necessary new road link and rail crossing; and
- considerable remaining uncertainty over flood risk.

31. LDP site H056 has scope to absorb some limited development linked to the necessary new road link and rail crossing, but the way in which the LDP accounts for this opportunity does not accord fully with SPP.

32. The LDP does not make the scale and severity of the flood risk issue that affects the Kerse sufficiently clear. Most of the Kerse is affected by some kind of flooding to some degree. The area also influences flood conditions and risk elsewhere. The north portion is

effectively sterilised by fluvial flooding from the Forglen Burn and the undeveloped Kerse holds flood water back from this and other sources, before letting it drain away at a slower and more controlled rate. As a result, the area protects the ability of the water courses to convey water and, in this way, it also reduces the risk of overspill flooding in the surroundings, parts of which are already developed. It follows that unless an adequate compensatory regime can be designed, development would reduce this storage ability in the Kerse, making it more likely to increase the flood risk. The examination evidence does not establish that the impact of development on flooding in the southern portion is capable of satisfactory resolution, and at a cost that could be borne by the development potential of H056 in terms of landscape capacity. As a result, H056 is too uncertain and a precautionary principle is currently justified. SEPA and the planning authority seem prepared to accept all the LDP uncertainty, but reserve the prospect of a subsequent refusal of permission. While that basic position will always prevail, the LDP ought to make the position clearer than it does.

33. Therefore, as all matters currently stand, the LDP does not justify the release of site H056 in accordance with SPP and it should be removed from the proposed plan and remain in the green belt. That said, the planning authority is right to consider the development potential of H056, especially if that might support and absorb the necessary new road and rail crossings. Consequently, some form of H056 should be reconsidered for possible later inclusion into a future plan, once the infrastructure and flooding issues have progressed and resolutions are found. SPP is not a total and permanent embargo on development in the green belt, but at this stage, H056 embodies too much uncertainty on pivotal matters to justify the LDP's position.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting all reference to site H056.
2. Correcting and matching Figure 9 and the proposals maps for Stirling North and Bridge of Allan, to properly reflect the flood risk shown on the Scottish Environment Protection Agency's 1 in 200 year event flood map.

Issue 42	Dunblane	
Development plan reference:	Chapter 10: Dunblane Settlement Statement (Pages 148 – 155) H020 – Bogside H021 – Kippendavie B28 - Barbush R08 - Barbush	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
<div> <div> Mr & Mrs Alistair Walsh (01241) Allan Water Developments Ltd (SLDP_342) Ann Gambles (01350) Bill Duke (00617) Prof Chris J Spray (SLDP_1169) Christopher J Toop (SLDP_1142) Cllr Mark Ruskell (01218) Colin Frame (01332) Colin O'Sullivan (01196) Cycle Stirling (01039) David Prescott (SLDP_1029) Diane Davies (SLDP_961) Donald & Caroline Davidson (SLDP_1055) Dr Bridget McCalister (00690) Dunblane Community Council (SLDP_85) Fiona Hall (00718) Fiona Richards (00641) Frederick & Camber Trott (00717) Friends of the Ochils (SLDP_141) Geoffrey A Osborn (SLDP_1302) Gladman Developments Ltd (SLDP_350) Gloag Investments (01342) Gloag Investments/Macdonald Estates (SLDP_1370) Graham Whitaker (01348) Hester Duke (01199) Holme Hill Community Buyout (SLDP_1104) Jamie Wishart (00824) John Lambert (00715) John Stassin (SLDP_1067) Julie Williams (00623) June Hegarty (00692) Keir & Cawdor Estates Ltd (SLDP_707) King Farms (SLDP_1310) King Group (01320) </div> <div> Kippendavie Development Company (SLDP_723) Kippendavie Group Trust (SLDP_70) Kippendavie Group Trust (SLDP_1314) Lady Stakis Executry (00710) Libby Hughes (00716) Tim Hughes (SLDP_1261) Lorraine Darwen (00714) Louise & Colin Maxwell (00694) M Veronica Hansmann (SLDP_1014) Mactaggart & Mickel Homes Ltd (SLDP_669) Magnus Peterson (01345) Margaret & Mark Huggett (01200) Martin Davies (SLDP_1090) Andrew Fleming & Sons (SLDP_1284) Mr & Mrs M J Boast (01198) Mr & Mrs Dreghorn (01120) Mr & Mrs John Pennie (00695) Mr & Mrs M Yapanis (01113) Thomas Hall (01116) William & Dawn Howe (01085) Carl Bow (01183) Neil Aitken (01232) Mr & Mrs P Dimarline (00720) P R M Euan (01182) Peter McCalister (00691) Kippendavie Owners' Association (00620) Reed (01115) Rory Williams (00613) Rosemary & Richard Bland (01165) Scottish Water (SLDP_126) Scottish Wildlife Trust (SLDP_1186) Steve Bassett (01224) Steve Richards (00629) Susan Richardson (01207) Wardlaw Gardens Ltd (00639) Wendy McNeill (00693) </div> </div>		
Provision of the development plan to which the issue relates:	The Dunblane Settlement Statement is the section of the Plan that sets out the approach to development in the town of Dunblane. All of the sites and designations considered under this Issue are contained within the Dunblane Settlement Statement.	

Planning authority's summary of the representation(s):Dunblane Settlement Statement

Dunblane Community Council (SLDP_85/007) - The Town Centre could be further expanded along the west side if the B8033 to include the Police Station. There are two High Street sites that need upgrading 86 - 88 and 79 – 81. Laighills should be designated as a Local Nature Reserve or similar to promote the development and management of its open space.

David Prescott (SLDP_1029/003) - The town centre boundary excludes some key areas including; the green and car park by the town centre; the properties around the Cathedral including the car park at The Haining and Churches House as well as the Leighton House properties. These need to be part of a coordinated approach to the town centre, particularly as Churches House is changing function.

Scottish Water (SLDP_126/011) - A capacity figure for Dunblane Waste Water Treatment Works is quoted, and we request that this capacity figure be removed, due to the capacities of works being changeable, and please note that at present Dunblane Waste Water Treatment Works has limited capacity.

Friends of the Ochils (SLDP_141/008) Object to reference being made in the Plan to the North Stirling Woodland/Forest Park - such as at page 150 (5th paragraph) - unless or until such time as there has been proper public consultation on the concept, boundaries and proposals for the North Stirling Forest/Woodland Park, and due process has resulted in an explicit statement of what the concept entails, approved by the Council. We would strongly welcome an appropriate consultation process, to take place in early 2013.

Kippendavie Development Company (SLDP_723/004); Kippendavie Group Trust (SLDP_1314/004) - Considers the Settlement Statement provides little or no vision for the town.

Wardlaw Gardens (00639/001) - Wardlaw Gardens has a small site for general needs housing at Barbush. There are two planning permissions which are not recognised for general needs housing in the Plan on table on page 151 within the Dunblane Settlement Statement.

King Farm (SLDP_1310/001) - Request that planning consent for a hotel and golf course (CD128, CD129 & CD130) is identified within the settlement plan at Park of Keir. This reflects the investment made in advancing a leisure and recreation based development and will provide the policy framework within which to take forward detailed planning applications and onwards implementation.

Graham Whitaker (01348/001) - The Conservation Area Appraisal makes references to what can be done to improve buildings in the Conservation Area. There are also things the Council should consider, when economic conditions allow, and these relate in particular to street furniture such as lamp standards which are almost wholly out of character with the area.

Donald & Caroline Davidson (SLDP_1055/001) - Under no circumstances should there be any further development in the upper part of Glen Road given that the road is not fit for purpose. On much of it, lorries cannot pass each other and this causes damage. There is also a major problem with drainage here following the infill of the old mill reservoir at Pisgah.

No further development should be allowed at the old mill site until drainage has been resolved.

Holme Hill

Rosemary & Richard Bland (01165/001); Susan Richardson (01207/001); Tim Hughes (SLDP_1261/001); G A Osborn (SLDP_1302/001); Cllr Mark Ruskell (01218/005); David Prescott (SLDP_1029/003); Chris J Spray (SLDP_1169/001); Graham Whitaker (01348/001); Libby Hughes (00716/001); Holme Hill Community Buyout (SLDP_1104/001); Martin Davies (SLDP_1090/002); Diane Davies (SLDP_961/001); Jamie Wishart (00824/001); Magnus Peterson (01345/001) - The supporting documents for the Plan recognise the importance of Holme Hill for the amenity of Dunblane and contain many statements to that effect. However, the Plan does not carry them through to their natural conclusion, which would be to designate the hill as Public Open Space, preserved from future building, to be managed as a public amenity.

Steve Bassett (01224/001); Dr Bridget McCalister (00690/001); Peter McCalister (00691/001); M V Hansmann (SLDP_1014/001); Scottish Wildlife Trust Stirling Member's Centre (SLDP_1186/003); Ann Gambles (01350/001) - Pleased that Holme Hill has been retained as open space.

Chris Toop (SLDP_1142/002) - Supports the Council's stated will in respect of the designation of the whole of Holme Hill retained as a green space and woodland corridor. Welcome inclusion of Holme Hill in the North Stirling Woodland Park.

Holme Hill - Representations to Allocated Site

H020 - Bogside

Cycle Stirling (01039/008) - Requests additions to the key site requirements.

David Prescott (SLDP_1029/005) - Object to the non-compliance of this allocation with Policy 1.3 Green Networks and Open Space and in particular parts (b) and (c). Concerned about the lack of details in the key site requirements.

John Stassin (SLDP_1067/001); Rory Williams (00613/001); G A Osborn (SLDP_1302/002); Julie Williams (00623/001); Lorraine Darwen (00714/001); Chris J Spray (SLDP_1169/002); Libby Hughes (00716/002); June Hegarty (00692/002); Martin Davies (SLDP_1090/001); Diane Davies (SLDP_961/002); Magnus Peterson (01345/002) - Objects to H020 citing one or more of the following reasons:

- Bogside is not divisible from Holme Hill and no development should be allowed on its perimeter, especially at Bogside as this provides a passage for wildlife and is the only part of the hill which remains open.
- Development could be the thin end of the wedge. Being Council owned land should not give an automatic right to designate it particularly when the Conservation Area Statement says that no further development should be allowed on Perth Road.
- The hill is a site of valuable historical and recreational significance.
- 46 units of affordable housing are currently being built elsewhere in Dunblane.
- This area was gifted to the people of Dunblane and was designated as a park and the bequest was modified to allow a few houses to be built.
- The hill has already been over developed.
- There is nothing to suggest that the Key Site requirements will be adhered to.

- Considers that the development could be contrary to Supplementary Guidance SG07 which notes in several areas, the importance of Dunblane's green spaces and pressure on them, specifically mentioning Holme Hill.

Dunblane Community Council (SLDP_85/004) - Support the inclusion of this site for affordable housing development. Given the setting of this site in relation to Holme Hill it is very important that any development is designed to be sympathetic to its environment.

Chris Toop (SLDP_1142/001) - Would support the principle of small development here subject to certain criteria being met.

Holme Hill – Representations to Non-Allocated Sites

SS35- Braeport

Allan Water Developments Limited (SLDP_342/002) - The Plan is, with one exception, devoid of proposals for additional housing sites in Dunblane despite acknowledging that demand is high, leading to high house prices in the area and demand for affordable housing being unmet. Only 10 units are new over the next ten years, all the rest already have planning permission (148 units) resulting in a rate of 1 new house per month until 2024. This approach is inadequate and does not follow Government guidance for a generous supply. The site at Braeport is effective and can supply 19 houses in the Plan period.

SS36 - Smithy Loan

Wardlaw Gardens (00639/002) The Plan is, with one exception, devoid of proposals for additional housing sites in Dunblane despite acknowledging that demand is high, leading to high house prices in the area and demand for affordable housing being unmet. Only 10 units are new over the next ten years, all the rest already have planning permission (148 units) resulting in a rate of 1 new house per month until 2024. This approach is inadequate and does not follow Government guidance for a generous supply. The site at Perth Road/Smithy Loan is effective and can supply 7 houses in the Plan period. A planning application is before the Council for this site.

Sites are being promoted for housing development at Braeport and Perth Road/Smithy Loan through the same agent along with office development at Holme Hill. If both housing sites are allocated as requested, the owner of Holme Hill will gift the remaining area to the local community and no longer pursue the office development.

SS37 - Holme Hill

Allan Water Developments Limited (SLDP_342/005) The site at Holme Hill previously had consent for an office development. Stirling Council have a legal obligation to maintain Holme Hill and have been unable to comply. However, the same agreement made it possible for a future development. The LDP should reflect the legal agreement and highlight the position that an office building may be developed. Reps relate to Braeport and Perth Road/Smithy Loan and office development at Holme Hill. If both housing sites are allocated as requested, the owner of Holme Hill will gift the remaining area to the local community.

Dunblane - Representations to Identified SiteH021 – Kippendavie

Colin Frame (01332/001); Neil Aitken (01232/001); Alistair Walsh (01241/001); Hester Duke (01199/001); P R M Euan (01182/001); Carl Bow (01183/001); Colin O'Sullivan (01196/001); Reed (01115/001); Thomas Hall (01116/001); Mr & Mrs Dreghorn (01120/001); Mr & Mrs Yapanis (01113/001); Frederick & Camber Trott (00717/001); Fiona Hall (00718/001); P Dimarline (00720/001); Louise & Colin Maxwell (00694/001); Mr & Mrs Pennie (00695/001); Wendy McNeill (00693/001); Kippendavie Owners' Association (00620/001); Steve Richards (00629/001); Fiona Richards (00641/001); John Lambert (00715/001); William & Dawn Howe (01085/ 001); Bill Duke (00617/001); Margaret & Mark Huggett (01200/001); Mr & Mrs Boast (01198/001) - Objects to H021 citing one or more of the following reasons:

- Site is an anomaly in the proposed welcome extension of the Green Belt. It is clear that the Green Belt would have a western boundary which is almost a straight line from the Victoria School to the old road running west from Dykedale farm with the exception of this area. No good reason to deviate from what should surely be a straight boundary and sensible re-alignment.
- There have been problems with flooding from water running off this field towards the burn on its western edge. The addition of more building in this area would make the flooding problem worse.
- SEPA has already commented about the sewerage capacity which has overflowed many times.
- The proposed site lies within the boundary of the Sherriffmuir Battlefield. Consider an archaeological survey should be carried out prior to any development.
- Should development proceed, expect that the existing kick-pitch and a landscaped buffer strip between any proposed development and the existing housing in Kellie Wynd be retained. This should be included to provide separation and a wildlife corridor for local flora and fauna.
- Kippendavie Road is already a busy road and this development will further add to the pressure and congestion. A substantial community of elderly persons reside to the north of Kippendavie Road. In regards to Kellie Wynd, this development will cause severe traffic pressure on a residential road by tripling the number of dwellings accessed.
- The previous Main Issues Report stated that "Dunblane is unsuitable for large scale residential development". Concerned that either this position has been abandoned or a development of 100 houses is not considered "large scale". In addition, this site was not previously identified at Main Issues stage for development - why has it been particularly identified now?
- Considers the Council has reneged on its assurance that there would be no further significant development in Dunblane, that Green Belt and countryside boundaries would be retained and tightened up, developments in the foreseeable future would be small infill pockets only.
- Capacity concerns ranging from schooling to health care and waste water treatment.
- The surrounding area is used as foraging habitat by a bat colony and a variety of bird species a hunting ground for red kites.
- The site is remote from the town centre, affordable homes here would have a detrimental impact on the area and reduce the value of existing homes, crime may rise if the town maintains characterless urban sprawl, the rural outlook will be spoilt and there are stones of archaeological significance on the site.
- Considers that it is not on a bus route, the road is never gritted or ploughed and the Council cannot empty bins.

Dunblane Community Council (SLDP_85/005) - Concerned about the scale of this development in the longer term. It is not a suitable location for significant affordable housing given its remoteness from the town centre. A more suitable size would be max. 75 units which could then allow part of the site to be designated Green Belt. There are access issues along Kellie Wynd that will need to be addressed. Consideration should be given to having one small retail unit which could house a community shop. Developing this area for housing would weaken the habitat network links of the town with the woodland areas to the east of the town whereas these links should be enhanced.

Scottish Environment Protection Agency (SLDP_175/046) - Support the inclusion in the Key Site Requirement for a Flood Risk Assessment to be undertaken, development on the functional flood plain to be avoided and the identification that water resilient materials and measures may be required.

Cycle Stirling (01039/009) - Requests additions to the key site requirements.

Scottish Wildlife Trust Stirling Member's Centre (SLDP_1186/002) - This is clearly development outwith the current boundaries and would create development pressure along the whole of the eastern edge of Dunblane. It would compromise the proposed addition to the green belt. Development would impair the habitat connectivity between Kippendavie Wood - which has already been fragmented by housing - and the countryside to the east. Loss of habitat particularly for farmland birds. Loss of good agricultural land.

B28 – Barbush

Cycle Stirling (01039/016) - Requests additions to the key site requirements.

Gladman Developments Ltd (SLDP_350/003) - The proposed employment area shown for B28 should read 1 ha.

R08 - Barbush

Kippendavie Group Trust (SLDP_1314/005); Kippendavie Development Company (SLDP_723/005) - Furthest away point possible from the town centre which adds nothing in the way of car parking, leisure or commercial facilities or improves the town centre in any way.

Kippendavie Group Trust (SLDP_70/013) - Remove allocation on the basis that it runs counter to Stirling Councils retail capacity study and that there are sequentially preferable alternatives to this out of town retail proposal and assess future retail through the proposed town centre strategy.

Dunblane Community Council (SLDP_850/003) - Ask that results of the MSP survey are taken into account as these express the concerns of the residents on the impact of increased traffic and the potential effects on the existing High Street. The majority of residents are in favour of a supermarket at this site, 61% of 775 respondents.

Gladman Developments Ltd (SLDP_3500/002) Gladman supports the allocation at Barbush Dunblane under R08 for a convenience superstore. Supports the allocation at Barbush for convenience superstore of 3900 sq m but consider that some details are missing.

David Prescott (SLDP_1029/002) - Support the proposal.

Dunblane - Representations to Non-Allocated SitesSS28 - Firs of Kinbuck

Lady Stakis Executry (00710/004) - Consider site at Firs of Kinbuck should be allocated for a roadside service station. State that Transport Scotland would be satisfied with no safety implications for the adjoining road network if it is Design Manual for Roads and Bridges compliant. State site is a highly accessible site for roadside services (petrol filling station, associated convenience shop and other facilities subject to demand and further site assessment).

SS29 - Keir Roundabout

Keir & Cawdor Estates Ltd (SLDP_707/002) - Primary purpose of the objection is to reject the Green Belt around Dunblane and promote a leisure/tourist facility for mobile tourism on land adjacent to the strategically important Keir Roundabout at Dunblane. This would involve a mobile site of 50-75 pitches. Dunblane is recognised by Stirling Council as a Tier 2 settlement within the settlement hierarchy with excellent road and rail links (Page 148 of the SLDP, Paragraph 2). To date, there is no justification to suggest that Dunblane has infrastructure constraints. The purpose of the Green Belt around Dunblane requires to be tested against the key criteria for appropriate and sustainable Green Belt boundaries. A case is made that there should be NO Green Belt designations around Dunblane as: there is no threat of coalescence, the town has existing permanent long term defensible boundaries and it has abundant access to the countryside and green spaces. This site is screened by ground contours, has good access and is close to tourist routes.

SS30 - Abattoir

Dunblane Community Council (SLDP_85/008) - Consideration should be given to the re-use of the existing abattoir site if the detailed town plan justifies a change of use.

SS31 – Whitecross

Messrs Andrew Fleming & Sons (SLDP_1284/001) - Land fronting Perth Road adjacent to Whitecross Avenue. Site has limited importance in the wider green corridor and that its allocation as such prevents its future development potential for housing. Supports the identification of the Scouring Burn as part of the green corridor recognise that it plays a role in the overall Green Network for Stirling but the area adjoining Whitecross Avenue does not hold the same importance as its immediate environs. The site is free from constraints that would impact on delivery. Its part of a wider established residential area and there is a large demand in the area for housing.

SS32 - Kippenross

King Group (01320/001) - Object to the non allocation of a 3.75 hectare site on Perth Road to the south of Dunblane. Site is centrally located within the existing built up area, immediately opposite the town centre and forms part of the Green Belt and the Kippenross House Historic Gardens and Designed Landscape. Housing here would reflect the sites relationship with the built development to the north, east and west. The commercial woodland on site has recently been felled and the site is well located, accessible and effective, viable and appropriate infill. There are no constraints to development and this would round off this part of Dunblane. It has direct links to the settlement and would be a natural and logical extension to Dunblane. Considers the site has low ecological value and

the landscape setting has changed since the MIR stage. Considers the Green Belt boundary has been drawn too tightly and cannot currently accommodate growth. A Landscape and Visual Impact Assessment has been undertaken to support the site.

SS33 - Anchorscross, Hillside and Stirling Road

Gloag Investments (01342/001) - Recommend that area 1 Hillside, 4 Anchorscross and 2 Stirling Road are removed from the Green Belt and allocated for residential development. Consider that the LDP is short of around 2,431 homes and that Dunblane as a Tier 2 settlement has the potential to accommodate a variety of type and scale of new development. Consider there is no significant infrastructure constraint in Dunblane and that the Green Belt can be modified. Considers the Vision is confused in recognising the high house price and pressured market and then constraining new development which could address this. Considers the Green Belt precludes significant growth which is contrary to SPP. Consider the landscape at this area can widely accommodate additional development which is largely concealed in views whilst providing a natural extension to the town respecting skylines and slopes. Ground conditions are satisfactory for development with no remediation, access can be obtained and used to improve access into the M and S, there is utility infrastructure available, local schools are capable of accommodating the developments children or can be extended depending on the scale of the school. A Development Strategy for the area would involve creating an appropriate transition between rural and urban environments, retaining valuable landscape features, maximising pedestrian cycle links and including a no build zone to take account of topography, landscape context and countryside recreation.

SS34 – Hillside

Gloag Investments (01112/006) - Considers that a Tier 2 settlement within the core area for the delivery of new development and infrastructure, Dunblane has a strategic role to play within the implementation of the LDP Vision. The reliance upon strategic development sites within the southern housing market area, a sub 5 year land supply and a limited number of short term sites within the northern housing area runs the risk of diluting the Vision of supporting sustainable growth. Landscape capacity has been assessed and the site is enclosed and contained by well established woodland and landform which provide a robust westerly edge to the town setting. The current Green Belt does not provide a robust or defensible boundary. Visual containment of the site will not be affected by commercial forestry at Wandwrag and the site can maintain and create effective links to the existing network for informal recreation. Development would not affect Dunblane's identity as a valley settlement or neighbouring landscapes further it would not challenge the function, character, quality or effectiveness of the Green Belt and the proposed adjustment of the Green Belt boundary would result in a more robust Green Belt boundary. No details have been provided by the Council on their updated Site Assessment to counter this view. Consider that the site is capable of being serviced by main infrastructure and there are no access constraints. The vision with its focus on directing growth and investment into a city corridor in which the delivery of new development will be integrated with the built environment, is at odds with the approach to Green Belt which seeks to extend the designation around the primary settlements within the city corridor and does not adjust inner boundaries to accommodate sustainable, planned growth.

Mactaggart & Mickel (SLDP_669/001) - Non identification of land in Dunblane will result in long term stagnation of the settlement and lack of investment in supporting community facilities. This will worsen the affordable housing shortage and not add to the balance of

tenure mix in the town. It will lead to increased commuting to workplaces. New housing will be reliant on coming forward as upper floor development in the town centre and are brownfield sites but it is based on windfall. This is not a suitable strategy for a town where additional residential growth would make a positive contribution to housing need as 110 units until 2034 is not a generous supply. Considers the Green Belt is an environmental noose and that the blanket of Green Belt to the south is inappropriate, not meeting the objectives as set out in SPP. There is an unreasonable emphasis on environmental protection in the Plan but in order to achieve local services, proportionate to its size and population, a significant degree of enabling development is required for cross funding and new housing release would achieve this. Considers simply replacing AGLV with LLA and not reviewing the merits of these is wrong as the area is severely severed from its origins by the M9. Dunblane has an ageing population that needs rebalanced. Seeking development at Hillside which is a sustainable, accessible location which would have no adverse impact on landscaping and setting and would round off the town with an additional 200 houses on the northern section of ridge lines which separate the landholdings. Access via new town entrance feature roundabout with planting and access roads connecting further into the town would create permeability and higher density would help provide additional affordable housing. Drainage and sewage capacity can be addressed and education catchments can be reorganised to ensure there is school capacity.

SS39 - Stirling Road

Gloag Investments/Macdonald Estates (SLDP_1370/001) - An area at Stirling Road should be removed from Green Belt and allocated for retail and community uses. The Plan recognises that Dunblane is within the core area and is a Tier 2 settlement which has the potential to accommodate a variety of types and scales of new development. However, it goes on that this is limited by infrastructure constraints and the encircling Green Belt. Consider there are no infrastructure constraints and that the Green Belt can be modified to allow controlled development in line with Green Belt objectives. This site has development on three sides, is used for agriculture and could round off the settlement as well as providing a Tourist Orientation Centre. There are no adverse ground conditions. It can be accommodated within the landscape and is a natural extension to the town centre, could be developed for a supermarket despite being sloped, can be used to improve access at M&S. Considers that consent at Barbush may be revoked through legal challenge and that Sainsburys are no longer interested. This site is sequentially preferable and should be allocated if the designation at Barbush is reassessed.

SS38 - Kippendavie Extension Area

Kippendavie Group Trust (SLDP_70/014) - Dunblane is identified as forming part of the Stirling core by virtue of its location and accessibility and is categorised as Tier 2 yet despite this the spatial strategy seeks to constrain the managed growth of Dunblane through the combination of new allocations for 12 years and the proposed extension of the Green Belt in an eastwards direction in order to prevent new growth. Dunblane is the areas second largest settlement with a young working profile population but outwith educational facilities, very few amenities to serve the population. The result is that Dunblane is a commuter settlement and the continued planning policy restricts development in Dunblane reinforces these trends at the expense of investment in infrastructure and amenities that could enhance the quality of life in the town. On the motorway network and main line rail, Dunblane is a sustainable location and has one of the few functioning housing market areas that can accommodate residential, commercial and amenity development. Managed growth to the east is suggested on the basis that this area is well related to infrastructure and amenities, has landscape capacity and is currently the only non- Green Belt designated area and has potential to

improve access to amenities for the existing community. Provides documents on landscape, transportation, education, infrastructure and heritage to support the development opportunity. Can create 300 mixed tenure houses, a garden centre and farm shop, the Sherriffmuir Trail, a PAR 3 golf course with focus on youth golf and a series of footpath links.

The vision with its focus on directing growth and investment into a city corridor in which the delivery of new development will be integrated with the built environment, is at odds with the approach to Green Belt which seeks to extend the designation around the primary settlements within the city corridor and does not adjust inner boundaries to accommodate sustainable, planned growth.

Modifications sought by those submitting representations:

Settlement Statement

Dunblane Community Council (SLDP_85/007) - Consider additional details should be included in the settlement statement.

David Prescott (SLDP_1029/003) - Revise the town centre boundary to include the green and car park by the river and all the properties facing onto the Cathedral, including The Haining car park and the link through Sinclair Street to form a cohesive town centre.

Scottish Water (SLDP_126/011) - The capacity figure for Dunblane Waste Water Treatment Works should be removed.

Friends of The Ochils (SLDP_141/008) - Remove references to the North Stirling Woodland/Forest Park until there has been a proper public consultation on the concept, boundaries and proposals, and due process has resulted in an explicit statement of what the concept entails, approved by the Council.

Kippendavie Group Trust (SLDP_70/014) - Amend existing Settlement Boundary to take in recent consents granted north of Pisgah on Glen Road under 11/00227 and 11/ 00209.

King Farm (SLDP_1310/001) - Identification of this consent within the proposals map should be supplemented by reference to the site and consent accompanying development table with key site requirements including hotel, 18 hole golf course and associated leisure and recreational activities that are compatible with the primary policy objectives of Green Belts as contained within the Scottish Planning Policy.

Wardlaw Gardens (00639/001) - The table on page 151 should be updated to include reference to the Planning permission granted in 2012 for the housing sites at Barbush, 19 units.

Donald & Caroline Davidson (SLDP_1055/002) - A new medium sized supermarket sited opposite Beech Road would integrate with and compliment the existing facilities along the High Street.

Holme Hill

Rosemary & Richard Bland (01165/001); Susan Richardson (01207/001); Tim Hughes (SLDP_1261/001); Dunblane Community Council (SLDP_85/007); G A Osborn (SLDP_1302/001); Cllr Mark Ruskell (01218/005); David Prescott (SLDP_1029/003); Chris J

Spray (SLDP_1169/001); Libby Hughes (00716/001); Holme Hill Community Buyout (SLDP_1104/001); Martin Davies (SLDP_1090/002); Diane Davies (SLDP_961/001); Jamie Wishart (00824/001); Magnus Peterson (01345/001) - The formal designation of Holme Hill as a Public Open Space in line with Policy 1 (d) pg 31, preserved from future building, and management as a public amenity. This would recognise the key role that the hill plays in the Conservation Area and the importance of such a striking green space (and its wildlife) at the centre of a historic town. It would also recognise the fact that the area must be taken as a whole, with its own integrity which would be destroyed by piecemeal development. The hill deserves to be protected in perpetuity. The owners should not be allowed to let the open space deteriorate.

Chris Toop (SLDP_1142/002) - Would be open to a community council partnership to maintain the Holme Hill.

Holme Hill - Representations to Allocated Site

H020 - Bogside

Cycle Stirling (01039/008) - Add to key site requirements, "Protect and widen path connecting Ramoyle with Bogside to Perth Road. Add crossing point to Ledcameroch Gardens which is connected to Ochiltree via off road paths. Improve width of east pavement here. Improve link path opposite behind Randolphill carpark."

David Prescott (SLDP_1029/005) - If the whole of Holme Hill is retained as open public green space then objection can be withdrawn. H020 needs to be clarified with the removal of the first bullet from Key Site Requirements. Replace with "No more than 6 low rise units". Retain the requirements to respect the setting of Holme Hill and the feature tree. Modify the final bullet to add "maintain connectivity for public and wildlife with other adjacent green spaces as per the wider green network".

John Stassin (SLDP_106/001); Rory Williams (00613/001); G A Osborn (SLDP_1302/002); Julie Williams (00623/001); Lorraine Darwen (00714/001); June Hegarty (00692/002) - This should remain as green space with no building
Dunblane Community Council (SLDP_85/004) - Mature trees should be retained, housing development envelope should not front Perth Road or be contiguous with the Holme Hill boundary wall. Architectural style should be consistent with that around Holme Hill and no encroachment on the skyline.

G A Osborn (SLDP_1302/002) - The whole of Holme Hill, including Bogside should be designated as Public Open Space and a site for affordable housing found closer to the town centre where there may be employment and better transport links.

Chris J Spray (SLDP_1169/002); Libby Hughes (00716/002) - The number, size, layout, height and exact location of any units need to be clearly stated. They must reflect the open space and green environment of the area. They must follow both the detail and intent of the Donaldson bequest to the people of Dunblane and they must be restricted to the flat area of Bogside and not make an incursion in the sloping area to the north or west. There should be no more than 6 affordable homes, they must be single storey, respect the setting of Holme Hill, Dawn Redwood must be retained with no frontage onto Perth Road.

Martin Davies (SLDP_1090/001); Diane Davies (SLDP_961/002); Magnus Peterson (01345/002) - Were the whole of Holme Hill to be retained as Open Public Green Space

then objection to Bogside development would be removed subject to the following:- no more than 6 single storey affordable homes; respect the setting of Holme Hill and the feature tree; front Bogside; away from Perth Road to maintain connectivity to other green spaces for wildlife and people in line with Policy 1.3 (b).

Chris Toop (SLDP_1142/001) - Ensure that this small development is sympathetically undertaken to the backdrop of Holme Hill, is one storey facing Bogside and will be situated as far up Bogside as space allows thus retaining the spectacular frontage of Holme Hill, is restricted to 6 dwellings or fewer and protects the large trees around the area.

Holme Hill - Representations to Non-Allocated Sites

SS35 - Braeport

Allan Water Developments Limited (SLDP_342/002) - Allan Water's development proposal at Braeport should be allocated as an effective housing site, as a small site for general needs housing. Wardlaw Gardens development proposed at Perth Road should be allocated as an effective housing site. If Braeport and Smithy Loan are allocated for residential development, the owner and developer of Holme Hill office development will gift the remainder of Holme Hill to the Community and not continue to pursue office development.

SS36 - Smithy Loan

Wardlaw Gardens (00639/002) - Allocate the site at Smithy Loan/Perth Road for housing development. Sites are being promoted for housing development at Braeport and Perth Road/Smithy Loan through the same agent along with office development at Holme Hill. If both housing sites are allocated as requested, the owner of Holme Hill will gift the remaining area to the local community and no longer pursue the office development.

SS37 - Holme Hill

Allan Water Developments Limited (SLDP_342/005) - The area at Holme Hill should be allocated for Class 4 office development. If Braeport and Smithy Loan are allocated for residential development, the owner and developer of Holme Hill office development will gift the remainder of Holme Hill to the Community and not continue to pursue office development.

Dunblane - Representations to Identified Site

H021 – Kippendavie

Colin Frame (01332/001); Neil Aitken (01232/001); Alistair Walsh (01241/001); Hester Duke (01199/001); P R M Euan (01182/001); Carl Bow (01183/001); Colin O'Sullivan (01196/001); Reed (01115/001); Thomas Hall (01116/001); Mr & Mrs Dreghorn (01120/001); Mr & Mrs Yapanis (01113/001); Frederick & Camber Trott (00717/001); Fiona Hall (00718/001); P Dimarline (00720/001); Louise & Colin Maxwell (00694/001); Mr & Mrs Pennie (00695/001); Wendy McNeill (00693/001); Mr & Mrs Boast (01198/001); Kippendavie Owners Association (00620/001); Steve Richards (00629/001); Fiona Richards (00641/001); John Lambert (00715/001); Margaret & Mark Huggett (01200/001) - Remove H021 from the Plan.

William & Dawn Howe (01085/001) - Remove this site and consider other brownfield sites outwith Dunblane that would benefit from development.

Bill Duke (00617/001) - Remove the proposed development from the Plan, establish a straight western boundary for the Green Belt and restrict future housing within the development plan to small scale infill as was previously promised.

Dunblane Community Council (SLDP_85/005) - The area of H021 should be reduced to remove the field to the south and the indicative housing number similarly reduced to 75.

Cycle Stirling (01039/ 009) – Add to key site requirements, "Protect and extend path from Kellie Wynd to track between Leighton Avenue and Dykdale Farm and link over burn to Robertson Road."

Scottish Wildlife Trust Stirling Member's Centre (SLDP_1186/002) - If their objection is over-ruled wants to see:

- A full environmental survey done at appropriate time(s).
- Retention of as many of the trees and hedges as possible to provide wildlife corridors.
- Retention of the area along the Ryland Burn - this is old ash/hazel woodland remnant
- New substantial buffer hedge (native trees) along the west side of the site.

B28 – Barbush

Cycle Stirling (01039/016) - Add to key site requirements, "Ensure safe cycle access and upgrade core path to Ashfield from Perth Road and link through Barbush underpass as cycle routes."

Gladman Developments Ltd (SLDP_350/003) - The proposed employment area shown for B28 should read 1 ha.

R08 - Barbush

Gloag Investments/Macdonald Estates (SLDP_1370/002) - The proposed allocation for a supermarket at Barbush should be deleted and the land allocated for business use.

Kippendavie Group Trust (SLDP_70/013) - Remove allocation.

Dunblane Community Council (SLDP_850/003) - It is important that any supermarket development on this site should have conditions imposed to prohibit the presence of any cafe or other food outlet, a pharmacy and the sales of goods such as TVs to protect the existing businesses in the High Street.

Gladman Developments Ltd (SLDP_350/001) - Amend the key site requirements to include reference to full planning permission secured on 23.10.12 by Stirling Council for Class 1 foodstore (12/00289/FUL).

Dunblane - Representations to Non-Allocated Sites

SS28 - Firs of Kinbuck

Lady Stakis Executry (00710/004) - Site at Firs of Kinbuck should be allocated for a roadside service station.

SS29 - Keir Roundabout

Keir & Cawdor Estates Ltd (SLDP_707/002) - The Green Belt land around Dunblane should

be amended to properly reflect the character and size of Dunblane. The land should be denoted as by Countryside Policy designation. The site submitted should be identified as 'opportunity for Leisure and Tourist facility'.

SS30 – Abattoir

Dunblane Community Council (SLDP_85/008) - Consideration should be given to the re-use of the existing abattoir site if the detailed town plan justifies a change of use.

SS31 - Whitecross

Messrs Andrew Fleming & Sons (SLDP_1284/001) - Promotion of a site adjacent to Whitecross Avenue, through the removal of the Green Corridor designation and allocation either as white land within the wider settlement boundary of Dunblane or a small scale residential development opportunity site in the emerging Plan.

SS32 - Kippenross

King Group (01320/001) - Request the site is removed from the Green Belt and allocated as a new housing site in the Plan with capacity for development of 20 units in the first phase.

SS33 - Anchorscross, Hillside and Stirling Road

Gloag Investments (01342/001) - The site at Hillside, Dunblane is removed from the Green Belt and allocated for residential development in the Plan as is the site at Stirling Road and at Anchorscross.

SS34 - Hillside

Gloag Investments (01112/006) - Adjust the southern settlement boundary to reflect topography and landform characteristics, allocate an area for residential development based on the site size of two acres and a capacity of 20 units in the Hillside area.

Mactaggart & Mickel (SLDP_669/001) - Address land requirements in full and this ensure Dunblane has a choice and range of housing land allocations through a long term development strategy. Increase affordable housing coming through in the area, review the inappropriate Green Belt restrictions and allocate land at Hillside for residential development.

SS39 - Stirling Road

Gloag Investments/Macdonald Estates (SLDP_1370/001) - Request that the Plan is modified to allocate the site on Stirling Road within the Dunblane settlement boundary and allocate it for mixed use development including Class 1 retail.

SS38 - Kippendavie Extension Area

Kippendavie Group Trust (SLDP_70/014) - Extend the proposed allocation H021 to include land east and north for mixed use residential, commercial, leisure and tourist uses and the detail presented to be used as an Appendix to the site. Remove the proposed eastern expansion of the Green belt on the basis that a designation runs counter to the policy objectives for Green Belt as advanced in Scottish Planning Policy.

Summary of responses (including reasons) by planning authority:Settlement Statement

Dunblane Community Council (SLDP_85/007); David Prescott (SLDP_1029/003) - the Council considers that the Dunblane Network Centre boundary does not require to be amended. The Network Centres are 'spatially defined centres...each with a specified role and function that will be used as the basis for decision making on sites that are proposed for retail or commercial leisure development within the centres' (Plan's Glossary of Terms); their boundaries are designations within which the principles of Policies 2.6 The Network of Centres and Policy 2.7 Retail and Commercial Leisure Development apply. These Policies are primarily concerned with controlling the location of retail and commercial leisure development, as well as preventing the loss of uses within Network Centres that contribute to their vitality and viability. Therefore, it is considered that the suggested areas would not necessarily benefit from inclusion within the designation or indeed that the designation would benefit from being widened to include these areas. In addition the Council considers that the Police Station site is poorly related to, and does not read as being a part of, the Town Centre.

The Plan's Action Programme (CD48), under Action S10, states that a vision and strategy for Dunblane town centre and its immediate environs is to be prepared, following the adoption of the Plan, with the aim of identifying improvements that will assist the economic and tourism potential of the town centre and maximise its assets. This should address the concerns raised in the representation from David Prescott with regard to the need for a cohesive and holistic approach to the development/improvement of the town centre. The Council does not therefore agree that the Plan should not be modified in respect to the representations made to the Dunblane Town Centre boundary.

Dunblane Community Council (SLDP_85/007) - Buildings in need of upgrading are not within the remit of the Planning Authority and the Local Development Plan has no powers to implement rehabilitation plans. The Council does not therefore agree to modify the Plan in response to this representation.

Dunblane Community Council (SLDP_85/007) - Laighills is identified as part of the Green Network and was part of the Open Space Audit sites. A Local Nature Reserve is something that would be designated by the Council and would be directed by the Land Services function of the Council through a complex and expensive legal process rather than through the Plan. It is noted that there was discussion about the possibility of this situation as part of the consultation on the Open Space Strategy and there was no large scale support for such a proposal. If in the future, there was to be a wider degree of support, it is something that would be pursued through the review of the Open Space Strategy, not the Local Development Plan. The Council does not therefore agree to modify the Plan in response to this representation.

Scottish Water (SLDP_126/011) - The Council agrees retain the phrase 'Capacity at the Waste Water Treatment Works is limited', removing the reference to '(100)'. This is considered to be a non-notifiable modification.

Friends of the Ochils (SLDP_141/008) - The North Stirling Forest Park concept has been raised as part of consulting upon the Council's Open Space Strategy (CD56, CD060). It has been identified in Policy Objective 1 of the approved Strategy as an important project to progress in establishing a Green Network in and around Stirling. This is not an endorsement

on the details of the project, as these will eventually emerge as a result of further work. As a land use plan, it is appropriate that the Local Development Plan acknowledges other strategies and concepts that impact on land use and, where appropriate, offer support. The Council does not therefore agree to modify the Plan.

Wardlaw Gardens (00639/001) - The two planning permissions referred to by the contributor (CD137 & CD139) are not recognised in the Settlement Statement for Dunblane because their permission post-dates the publication of the Plan. The Action Programme will be updated and published within 3 months of the Adopted Plan and this will take cognisance of sites that have come forward in the interim period including those highlighted by the objector.

King Farm (SLDP_1310/001) - The existing outline planning permission for a hotel and golf course at Park of Keir was first approved over 10 years with the original application being allowed at appeal (CD128 and CD129) with a subsequent application to renew (CD130). However, the application appears not to have moved forward and there have been no further submissions on the site in relation to this application. Further, it is not possible to show every existing planning permission across the Local Development Plan area as it is too wide and diverse. This planning permission falls between the Map presented for Bridge of Allan and that for Dunblane. For these reasons, it is considered that there is no need to change the Plan to include reference or mapped details in relation to this proposal.

Graham Whitaker (01348/001) - The matter of Conservation Area street furniture and works undertaken by the Council is a detailed matter, unlikely to require planning permission, and therefore not an issue for the Local Development Plan.

Kippendavie Group Trust (SLDP_70/014) - The two planning permissions referred to by the contributor (CD131 & CD132) are not recognised in the Settlement Statement for Dunblane because their permission post-dates the publication of the Plan. The Action Programme will be updated and published within 3 months of the Adopted Plan and this will take cognisance of sites that have come forward in the interim period. It is not considered appropriate to amend the Countryside Policy Boundary to include these recent permissions as both were granted under policy H10A Housing in the Countryside (CD84). Their design, scale, density, materials etc were therefore selected on the basis of their countryside location. Therefore the Council does not agree to modify the Plan in response to this representation.

Donald & Caroline Davidson (SLDP_1055/001) - No development is proposed in the Plan at Glen Road.

Holme Hill

Rosemary & Richard Bland (01165/001); Susan Richardson (01207/001); Tim Hughes (SLDP_1261/001); Dunblane Community Council (SLDP_85/007); G A Osborn (SLDP_1302/001); Cllr Mark Ruskell (01218/005); David Prescott (SLDP_1029/003); Chris J Spray (SLDP_1169/001); Libby Hughes (00716/001); Holme Hill Community Buyout (SLDP_1104/001); Martin Davies (SLDP_1090/002); Diane Davies (SLDP_961/001); Jamie Wishart (00824/001); Magnus Peterson (01345/001) - Holme Hill is recognised as a Green Corridor and is part of the Open Space Audit sites. It is within the Conservation Area and is noted within the Dunblane Conservation Area Appraisal (CD163) several times for the contribution that it makes to the area. Protection of open space is given through the framework of policies which in this instance this would include Policy 1.3 Green Network and Open Space and those under Primary Policy 7 Historic Environment as well as the more general ones governing development.

A planning application on the area of Holme Hill has recently been refused 12/00544/PPP (CD138). It is considered that adequate policy protection exists to ensure Holme Hill remains an open space for community use. There is no remit for the Council to ensure landowners maintain open space within private control. Further, it is also not within the remit of the Local Development Plan to determine who or what organisation maintains and manages open space. The Council does not therefore agree to modify the Plan in response to these representations.

Holme Hill - Representation to Allocated Site

H020 – Bogside

Cycle Stirling (01039/008) - Policy 3.1, supported by Supplementary Guidance SG14, requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites – expect in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so whether the cost of providing the cycle links that are suggested are reasonable in the context of the development proposals that will be brought forward for that site. Therefore the Council does not agree to modify the Plan.

David Prescott (SLDP_10290/005) - The mechanism for protecting Holme Hill as open space is provided through the policy frame work in the Plan. The Key Site Requirements set out the principle that the site at Bogside will be small scale and at this stage, it is premature to state just how many dwellings this will incorporate until topographical surveys etc are completed. The Key Site Requirements provide an overview of the main constraints/issues affecting potential development of the site. Other detailed matters will be dealt with at the planning application stage.

In relation to Policy 1.3 Green Networks and Open Space, H020 is not identified as being within the Green Corridor or as open space (although it is recognised that it does form part of the context for Holme Hill). The proposed development will not reduce connectivity or accessibility to the hill. The maintenance of the Green Corridor for public and wildlife will be ensured by the continuation of a green frontage to Perth Road between the area identified as Bogside and the existing Lodge House property. As its development is for affordable housing on the periphery of open space, there will be no need for the development to contribute to local open space deficiencies and as such it is considered that the proposal is not contrary to parts (b) and (c) of Policy 1.3 Green Network and Open Space. The Council do not therefore agree to modify the Plan.

John Stassin (SLDP_1067/001); Rory Williams (00613/001); G A Osborn (SLDP_1302/002); Julie Williams (00623/001); Lorraine Darwen (00714/001); June Hegarty (00692/002) - Dunblane was identified as an urban consolidation opportunity at the Main Issues Report Stage, with all three growth options including circa 25 housing units in the town. Figure 7 of the Main Issues Report (CD41) highlights that Dunblane would have 'limited infill to provide affordable housing, local retail and business space requirements, whilst protecting the setting of the settlement'. There is limited scope for centrally located affordable housing development and H020 is one of the few opportunities available. Site Assessments of H020 have provided a consistent view of this (CD45) (site ref: DUNB02, DUNB05 and DUNB06, DUNB17). The Assessment highlights the loss of this small area of open space to gain a number of small, centrally located, affordable housing units. The site is flat and with

sensitive design can create an appropriate infill development for affordable housing. The Council does not consider that the site should be deleted and does not therefore agree to modify the Plan.

Dunblane Community Council (SLDP_85/004) – The Council are pursuing a Tree Preservation Order on a wide area of Holme Hill that excludes the trees in area of H020, Bogside. However, the trees within the boundary of the proposed site H020 Bogside remain within the Conservation Area and will retain the protection afforded by this designation. The Key Site Requirements however do confirm that the development of H020 should not front Perth Road and should respect the setting of the hill. The matter of skyline and architectural style will be guided through the development management process with a planning application. The Council does not therefore agree to modify the Plan in response to this representation.

G A Osborn (SLDP_1302/002) - Holme Hill is protected as open space through the policy framework in the Plan. There are limited opportunities closer to the town centre or transport links/employment where a small number of affordable houses can be located. A number of other sites were assessed as part of the selection process through the Site Assessment process (CD45) (site ref: DUNB02, DUNB05 and DUNB06, DUNB17). There was found to be limited scope for development elsewhere. Holme Hill is an important feature in the landscape of Dunblane however, developing H020 on a relatively flat site at a corner location, would not impede a corridor to access the site from Perth Road. The Key Site Requirements ensure that the main concerns will be addressed. The Council does not therefore agree to modify the Plan in response to this representation.

Chris J Spray (SLDP_1169/002); Libby Hughes (00716/002) Martin Davies (SLDP_1090/001); Diane Davies (SLDP_961/002); Magnus Peterson (01345/002); Chris Toop (SLDP_1142/001) - Without topographical studies and other initial assessments, it would be inappropriate to pre-judge how many units the small site could accommodate and how these may be orientated on the site. The Council are pursuing a Tree Preservation Order on a wide area of Holme Hill that excludes the trees in area of H020, Bogside. However, the trees within the boundary of the proposed site H020 Bogside remain within the Conservation Area and will retain the protection afforded by this designation. The Key Site Requirements highlight that any development should respect the setting of Holme Hill and should not front Perth Road. Connectivity will be maintained to the hill as the site is not sharing a boundary with the existing Lodge House and so development is consistent with Policy 1.3 Green Network and Open Space (b). It is neither appropriate nor necessary to add additional Key Site Requirements at this time. The Council does not therefore agree to modify the Plan.

Holme Hill - Representations to Non Allocated Sites

SS35 - Braeport , SS36 – Perth Road/Smithy Loan, SS37 - Holme Hill

Allan Water Developments Limited (SLDP_342/002), Wardlaw Gardens (00639/002) - There is a complex legal history regarding Holme Hill. Representations refer to the fact that Stirling Council currently has a legal obligation to deliver and maintain public open space at Holme Hill and are currently unable to comply with this obligation. Further, they state that the agreement secured and defined areas whereby rights of public access through and over areas of the site could be enjoyed, whilst being maintained by the Council. They also suggest that the same legal agreement set apart and defined an area of ground marked as being suitable for future development (CD228). However, a recent legal opinion on the Section 50 Agreement from 1987 disagrees with this (CD224).

The area has recent planning history – ref: 12/00544/PPP (CD138) refused, Ref: 11/00788/FUL (CD134) withdrawn.

Allan Water Developments Limited (SLDP_342/002); Wardlaw Gardens (00639/002) - are promoting two separate areas for residential use; SS35 Braeport and SS36 Smithy Loan/Perth Road. Along with this, they are suggesting that the third site being pursued for office development SS37 Holme Hill (subject to the recent refused planning application) would be 'gifted' to the people of Dunblane, should the other two sites (SS35 Braeport and SS36 Smithy Loan/Perth Road) be allocated for residential use.

While the offer of 'gifting' open space is an attractive offer for the community, and the Council are in agreement that access and protection of open space are to be encouraged in the right locations, the inference is that this would only come about by enabling development elsewhere through the Plan. However, prior to considering the merits of association benefits from the proposal, it must first be proven that the development is reasonable, justifiable and acceptable in its own right. Thereafter, the additional benefits to be derived would be subject to the tests outlined in Circular 3/2012 (CD17).

These sites were considered at part of the Plan's Site Assessment process (site ref: DUNB02, DUNB05, DUNB06 and DUNB17). The Council acknowledges that the most recent of the Site Assessments (CD45), do not accurately reflect the precise details of the proposals put forward and in error, references 4 separate residential areas which are different from the 2 residential areas and 1 employment area put forward by the Objector including this area. However the Council stands by the comments made on the Site Assessment, as these deal with the general area of Holme Hill and it is considered that the site has not been prejudiced as a result.

The sites do not conform with the Spatial Strategy and also offer several significant environmental shortcomings. In particular:

- The Plan allocates sufficient land for residential use as demonstrated by the Background Report on Housing Land Requirement (CD61) and discussed more fully in Issue 4.
- Holme Hill is considered to be an important 'green heart' to Dunblane forming part of the Green Network connecting areas to the east around the Dunblane Hydro and Knockmafuddy to link with areas in the west towards the Scouring Burn. Further, it is a well used open space, valued by the community and cherished as the historical origins of the settlement. The name Dunblane derives from the Celtic dun (a fort) and the Celtic missionary Blane (c 565-640) who is believed to have founded a monastery on the site of an earlier fort located on Holme Hill around 602.
- Dunblane Conservation Area Appraisal (CD163) highlights the importance of Holme Hill as part of the Conservation Area particularly as an area of open space. Specifically it states that 'Holme Hill has a direct impact on the setting of the town and conservation area. Its trees form a natural backdrop, framing town views and grounding the medieval streetscape. This harmonious interaction between natural landscape and built environment provides a backdrop which balances the massiveness of the cathedral' (page 45). Further, in table 7, it highlights that Holme Hill is a key public green space and woodland. This document recommends that Tree Preservation Orders are reviewed on Holme Hill to ensure that there is appropriate protection for areas that contribute to the character of the Conservation Area as a whole.
- Holme Hill and its associated trees, is considered to provide a green backdrop to the town and can be viewed from many parts of the settlement, sitting as it does in central area of the valley within which Dunblane is situated. In many instances, it provides a green backdrop against which the existing buildings are set and softens their impact.

SS35 - Braeport

Allan Water Developments Ltd (SLDP_342/002) - This representation seeks the allocation of land east of the Braeport Centre in Dunblane for residential purposes (19 dwellings). The Council has carefully considered the reasons put forward in support of the modification but remains of the view that there is insufficient justification to allocate this land for development.

A recent planning application (CD134) 11/00788/FUL raised archaeological concerns and the application was subsequently withdrawn. The archaeology response (CD225) to the planning application also highlighted concerns over the setting of Dunblane Cathedral, a Scheduled Ancient Monument and A Listed Building.

It is the Council's understanding that the developers do not at this time control an access into the site they are promoting. The access that was suggested at the application stage above was confirmed not to meet the minimum requirement and was substandard for a residential development at this location (CD227).

The Council does not therefore agree to modify the Plan in response to this representation.

SS36 - Perth Road/Smithy Loan

Wardlaw Gardens (00639/002) - This representation seeks the allocation of land north west of Smithy Loan/Perth Road in Dunblane for residential purposes (7 dwellings). The Council has carefully considered the reasons put forward in support of the modification but remains of the view that there is insufficient justification to allocate this land for development.

A small site has been allocated for affordable housing at the end of Perth Road (H020) in an area where previously there was a small office building. The Key Site Requirements ensure that the site will be orientated towards Bogside to the north and not Perth Road to the west. However, this representation is seeking to take access from Perth Road and continue the ribbon development along the edge of Holme Hill. This would result in the loss of wider access to the hill from Perth Road and loss of the green corridor coming out from the hill and allowing access towards the Dunblane Hydro and Knockmafuddy, resulting in the complete encircling of the hill. This is not an appropriate development on such a crucial link in the green corridor. Further, this would involve split level homes and gardens and a high retaining wall. This is considered to be inappropriate for the Conservation Area. Archaeology may also be a consideration in the development of the site.

Dunblane Conservation Area Appraisal (CD163) highlights in table 6 that one of the Key Listed buildings in the Conservation Area is the Holme Hill Lodge (c.1826; fig 20C). This includes the pillars and gateposts. However, this representation is seeking to remove the Lodge House and replace it with new dwellings. This is considered to be unacceptable.

The Council does not therefore agree to modify the Plan in response to this representation.

SS37 - Holme Hill

Allan Water Developments Limited (SLDP_342/005) - This representation seeks the allocation of land at Holme Hill in Dunblane for office development. The Council has carefully considered the reasons put forward in support of the modification but remains of the view that there is insufficient justification to allocate this land for development. In particular:

- The developer is of the view that the site will be largely hidden from most key views into

the site due to the nature of the buildings surrounding the site and topography of the area and that any views of the new buildings would be softened by the woodland. The Council has concerns that there will be views of the site from within the Conservation Area and that the siting of development in this location will erode the effectiveness and quality of the green space and tree backdrop on this part of Holme Hill. Further, the Council is of the opinion that being hidden is not sufficient justification to consider the site suitable for development.

- The proposed office development of 0.53 hectares would go some way towards meeting the shortfall of employment land recognised as part of the Employment Land Background Paper (CD51). However the gain of 0.53 hectares is not considered sufficient to outweigh the loss of an important area of open space and Green Corridor.
- The Council archaeologist made comment on the planning application proposed on this site (CD138) 12/00544/PPP (CD226) and highlighted that there would be archaeological implications with development.

The Council does not therefore agree to modify the Plan in response to this representation.

Dunblane - Representations to Identified Site

H021 - Kippendavie

Colin Frame (01332/001); Neil Aitken (01232/001); Alistair Walsh (01241/001); Hester Duke (01199/001); P R M Euan (01182/001); Carl Bow (01183/001); Colin O'Sullivan (01196/001); Reed (01115/001); Thomas Hall (01116/001); Mr & Mrs Dreghorn (01120/001); Mr & Mrs Yapanis (01113/001); Frederick & Camber Trott (00717/001); Fiona Hall (00718/001); P Dimarline (00720/001); Louise & Colin Maxwell (00694/001); Mr & Mrs Pennie (00695/001); Wendy McNeill (00693/001); Mr & Mrs Boast (01198/001); Kippendavie Owners Association (00620/001); Steve Richards (00629/001); Fiona Richards (00641/001); John Lambert (00715/001); Margaret & Mark Huggett (01200/001); Bill Duke (00617/001); Dunblane Community Council (SLDP_85/005); Scottish Wildlife Trust Stirling Member's Centre (SLDP_1186/002); William & Dawn Howe (01085/001) -

For clarification, H021 has been identified for Period 2 and is not therefore being put forward as an allocation within the Proposed Plan. The Plan only allocates land for the first 10 years of the Plan i.e. up to 2024 and it will be for a future review of the Local Development Plan to determine whether any Period 2 sites are required.

It is not possible to respond to all the detailed concerns raised in the representations to H021 until such time as the site is being considered as an allocation within the Plan when these matters will be fully explored and responded to. The Key Site Requirements for H021 refer to a range of requirements which is not exhaustive and can be revisited as part of reviewing the Plan.

Issue 8 Green Belt, deals with strategic Green Belt issues and details of the boundaries etc are covered in Supplementary Guidance SG03 Green Belts (CD160) and also the Green Belt Review Background Report (CD55) which outlines the justification for the proposed Green Belt extension/boundaries etc.

The contributors' requests to have all references to H021 removed from the Proposed Plan are not therefore supported by the Council.

Cycle Stirling (01039/009) - Policy 3.1, supported by Supplementary Guidance SG14, requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites –

expect in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so whether the cost of providing the cycle links that are suggested are reasonable in the context of the development proposals that will be brought forward for that site. The Council does not therefore agree to modify the Plan in response to this representation.

B28 - Barbush

Cycle Stirling (01039/016) - Policy 3.1, supported by Supplementary Guidance SG14, requires development to be safely and realistically accessible by a choice of modes. We have not identified all the transport and access site requirements for all the sites – expect in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so whether the cost of providing the cycle links that are suggested are reasonable in the context of the development proposals that will be brought forward for that site. The Council does not therefore agree to modify the Plan in response to this representation.

Gladman Developments Ltd (SLDP_350/003) - A planning approval on this site, 12/00289/FUL (CD136), granted since the Plan was published, has allowed additional details to be determined. The Council agree to amend the area allocated to B28 as 1 hectare to reflect this. This will result in the loss of only 0.08 hectares from the employment land supply which is considered to be a non-notifiable modification.

R08 - Barbush

Gloag Investments/Macdonald Estates (SLDP_1370/002); Kippendavie Group Trust (SLDP_70/013); Kippendavie Development Company (SLDP_723/005); Dunblane Community Council (SLDP_850/003); Donald & Caroline Davidson (SLDP_10550/002) - The proposed allocation for a supermarket at Barbush now has a planning approval, 12/00289/FUL (CD136). However, there still remains 1 hectare of land available at this location for employment use. The Council does not therefore agree to modify the Plan in response to these representations.

Gladman Developments Ltd (SLDP_350 /001) - As this planning permission was granted after the date of the published Plan, the details of the application could not be included. The Council agrees to amend the Key Site Requirements to highlight that site now has detailed planning permission for a retail supermarket. This is considered to be a non-notifiable modification.

Dunblane - Representations to Non-Allocated Sites

The Vision and Spatial Strategy outlines the reasons for limiting development in Dunblane despite it being a Tier 2 settlement. This is discussed fully in Issue 2. The Plan allocates sufficient land for residential use as demonstrated by the Background Report on Housing Land Requirements (CD61) and discussed more fully In Issue 4. Therefore only limited development is directed towards Dunblane recognising that the housing land requirement is being met elsewhere and that Dunblane has a number of constraints, as outlined in the

Dunblane Settlement Statement in the Plan.

Dunblane has experienced significant residential growth in the last 20-30 years and the settlement has expanded to the east, north and west. The expansive form of Dunblane means that travel distances across and into the facilities at the centre of Dunblane, have increased, as has congestion and the use of private cars. The town is constrained by sensitive landscape and Green Belt designations and therefore further suitable development is difficult to identify without further adding to its expansive form and impacting on the landscape setting of the settlement.

Further development in Dunblane is particularly constrained by school capacity. The Education Provision Background Report (CD75, para 2.7) confirms that existing Primary Provision in Dunblane is limited, but sufficient for existing planned development identified in the 2011 Housing Land Audit. Further growth beyond this would require additional primary school provision as options to extend existing schools (physically) are limited. This subsequently would require additional works at Dunblane High School. As ever, there will be a financial solution to this situation but the practicalities of determining suitable school catchment areas in Dunblane, given the expansive nature of the settlement, presents further problems. However, additional development cannot be seen to be a solution to a problem of its own creation and education provision remains one of the key issues in affecting the wider development of residential development in Dunblane.

The Settlement Statement for Dunblane also highlights that the Waste Water Treatment capacity in Dunblane is limited and although this is not given as a constraint on development, it affects when a site can be delivered. Other infrastructure constraints would also have to be addressed in the wider settlement such as health care facilities.

All of the above issues are of relevance in responding to the suggested housing sites put forward in the following representations.

SS28 - Firs of Kinbuck

Lady Stakis Executry (00710/004) - Road side facilities are not the type of activity that is 'allocated' through the Plan but are more likely to be determined against the existing policy framework. As the Plan has no specific policies in relation to roadside services, this decision would defer to Scottish Planning Policy (CD1) which states in paragraph 181 that 'Planning authorities should support the provision of a range of roadside facilities'. The strategic context for a new roadside facility would also be recognised through the Transport Strategies prepared by Stirling Council and there is no mention of a need for such a facility within either the City Transport Strategy or the Local Transport Strategy. Therefore, the main issue is the view of Transport Scotland and their consideration of the implications for such a facility on the A9 trunk road. The Council does not therefore agree to modify the Plan in response to this representation.

SS29 Keir Roundabout

Keir & Cawdor Estates Ltd (SLDP_707/002) - This representation seeks the allocation of land north east of the Keir Roundabout, south of Dunblane for tourism and leisure purposes. The Council has carefully considered the reasons put forward in support of the modification but remains of the view that there is insufficient justification to allocate this land for development. Notwithstanding supporting information submitted with the representation, there remains significant environmental and infrastructure concerns in particular:

- Leisure/tourist facilities are not the type of activity that is 'allocated' through the Plan but is more likely to be determined against the existing policy framework of the Plan. In this instance Policy 15.1, Tourism development including facilities and accommodation in conjunction with other general policies, would be used to assess any application coming forward.
- This location is part of the Green Belt, the reasons for which are discussed more fully in Issue 8 and the Green Belt Review Background Paper (CD55). The Green Belt here is noted as being of importance in that it "lends appreciation to the views of the cathedral and the historic settlement form. Although visual and physical separation exists between Dunblane and Bridge of Allan, the existing Green Belt plays an important role in containing the south western built edge of Dunblane". The landscape here is considered important to the setting and identity of Dunblane and also provides recreational opportunities including the network of local paths, and is an important Green Corridor. Development in this location would extend the urban form of the settlement contributing to urban sprawl in the countryside.
- The Keir Local Landscape Area (Supplementary Planning Guidance SG27 Protecting Special Landscapes) (CD187) and the woodlands associated with the designed landscapes of Keir and Kippenross further contribute to this important landscape and historic setting. The Local Landscape Area is considered to be an important buffer of countryside between Bridge of Allan and Dunblane. It also plays some role in the setting and approach to both settlements. In reviewing sensitivity to change in the Keir Local Landscape Area, SG27 highlights the "cumulative effects of other development eroding the character and quality of the LLA" and "suburbanising valued countryside". The development potential at Park of Keir (CD128, CD129 & CD130) increases the sensitivity of the remaining undeveloped land in the Local Landscape Area. The type of development put forward in this representation would therefore have cumulative impacts when considered with the Park of Keir proposed hotel and golf course.
- The Historic Designed Landscape of Keir also covers part of this site. The impact of this has already been damaged by the separation of this sector from the wider estate by the M9. Notwithstanding this, the landscape features and importance of the area in the understanding of the wider context is still evident. The area is included on the Inventory of Historic Designed Landscapes (CD220) as it is considered to be "an outstanding rare example of an intact designed landscape exhibiting different styles of garden and landscape design....and provided an important setting for the important setting for the category A listed Keir House". Despite being at some distance to the house, the extent of the design has been proven to extend to the Allan Water and includes the area proposed for the tourism/leisure use.

In light of the above the Council does not agree to modify the Plan in response to this representation.

SS30 - Abattoir

Dunblane Community Council (SLDP_85/008) - The abattoir is a brownfield site within the settlement boundary of Dunblane. Therefore, if any application comes forward on this site, it will be determined against the Plan policies accordingly. The site has been assessed in the Site Assessments process (CD45), site ref: NEW14. This highlights that although in reasonable proximity to the town centre, its characteristics make it physically detached. There are significant access issues which will require to be addressed if the site was to change use. Existing level differences make it a highly sensitive site that would require careful design consideration. It is adjacent to a 1:200 flood risk area and in close proximity to the sewage works and railway line. The Council does not therefore agree to allocate the site at this stage.

SS31 - Whitecross

Messrs Andrew Fleming & Sons (SLDP_1284/001) - This representation seeks the allocation of land north of Whitecross Avenue in Dunblane for residential purposes. The Council has carefully considered the reasons put forward in support of the modification but remains of the view that there is insufficient justification to allocate this land for development.

The site was assessed through the Site Assessment process (CD45) site ref: NEW41, which highlights several significant environmental shortcomings in particular:

- The site is within the Green Corridor and offers a habitat connecting the area around the Queen Victoria School to the west with the green spaces of the cemetery to the east.
- There are likely to be issues with access for traffic due to the on street parking situation at Whitecross Avenue and the difficulties with gaining access directly from Perth Road. The site is also at some distance from the town centre.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

SS32 - Kippenross

King Group (01320/001) - This site is subject to a planning application, 11/00541/PPP (CD133). It is also subject to a felling licence application (CD223) and subsequent approval CB02029 (cpt 2) which states that although felling of the commercial woodland has been permitted, and undertaken, this also requires restocking of the site with mixed broadleaves and mixed conifers prior to the 30 June 2014.

The representation seeks the allocation of land at Kippenross for residential purposes. The Council has carefully considered the reasons put forward in support of the proposed modification, but remains of the view there continues to be insufficient justification to allocate this land for development.

This site was considered at the Expressions of Interest stage for retail development (Site ref. DUNB11) and at all the subsequent stages of the Plan Main Issues Report, Draft Proposed Plan and Proposed Plan (CD42, CD46, CD45) albeit that until now this Assessment was in relation to a proposed retail development. The development does not conform with the Spatial Strategy and also suffers from several significant shortcomings. In particular:

- The Plan allocates sufficient land for residential use, as demonstrated by the Background Report on Housing Land Requirement (CD61) and discussed more fully in Issue 4.
- The site is within the Green Belt. This is discussed fully in Issue 8 as well as the Green Belt Review Background Paper (CD55) and Supplementary Guidance SG03 Green Belts (CD160) which explains why the area is designated as such. It makes an important contribution to the setting of the town, in creating a defensible edge to the settlement.
- The site is an important part of the Green Corridor, stretching into the heart of the town adjacent to the Allan Water. The loss of the trees may have reduced the ecological status, but there are still mature deciduous trees on site and planting as per the conditions of the Felling Licence will re-establish a wider ecological basis. Notwithstanding this, the area is still part of the Green Network.
- The site is part of the Historic and Designed Landscape of Kippenross. The access road that passes through the site was the key procession drive into the house and although the gatehouse has been relocated, its importance at the entrance to this drive has not diminished. The lodge house and gate piers are listed as they form part of the curtilage of

Kippenross House and development would have a significant adverse impact on their setting.

- Historic Scotland's response to the planning applications on this site (11/00541/PPP, CD133) confirm their concern regarding the impact of development on the Historic and Designed Landscape and historical context of the area (Letters dated 7th September 2011 and 27th September 2011(CD221 and CD222).
- The mature broadleaf trees form part of the Green Belt and Green Network along the Allan Water and are a landscape feature of interest to the setting of Dunblane, particularly when viewed from Perth Road and the Darn Walk, and have biodiversity value. Although the loss of biodiversity value on the site could be compensated through replanting elsewhere, this proposed development would have a significant adverse impact on the historic environment of Dunblane and the landscape setting of the town.
- Development on this site would jump the Perth Road and the Allan Water, both currently defensible boundaries, and create a precedent for further development within the Historic Garden and Designed Landscape. Supplementary Guidance SG28, Landscape Character Assessment, highlights that south east Dunblane is part of the Particular Sensitivities, of the Landscape Character Area L12, identified as the West Ochils Hill Fringe. It highlights (page 86) that these sensitivities include "Safeguarding the setting of historic mansion houses and associated designed landscapes". In terms of managing planting it goes on to state that "As older commercial plantations reach harvesting, ensure restructuring/restocking improves biodiversity, landscape 'fit' and, where appropriate, access." This reaffirms the position taken in the felling licence that it is important that trees are replanted in this area.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

SS33 - Anchorscross(44.6 hectares), Hillside (18.8 hectares) and Stirling Road

Gloag Investments (01342/001) – This representation seeks the allocation of land at Anchorscross, Hillside and Stirling Road for residential purposes. The Council has carefully considered the various reasons put forward in support of the proposed modification, but remains of the view there continues to be insufficient justification to allocate this land for development.

These sites have been assessed as part of the Site Assessment process (CD45) site ref: DUNB03 and DUNB15. These sites do not conform with the Spatial Strategy and also suffer from several environmental and infrastructure significant shortcomings. In particular:

- The Plan allocates sufficient land for residential use, as demonstrated by the Background Report on Housing Land Requirement (CD61) and discussed more fully in Issue 4.
- The settlement statement for Dunblane highlights that there is limited capacity in the wastewater treatment works for the area. The developer is seeking an allocation for residential development at three separate locations in the south west/west of the town. Discussions will be required with Scottish Water over this issue and upgrading required. It is considered inappropriate to refer to the sites as effective as this issue is still to be addressed.
- Development on these areas would undermine the principles of the Green Belt as outlined in the Supplementary Guidance SG03 Green Belt (CD160, para 3.7) which highlights that "The Green Belt surrounding Dunblane is also important in maintaining the nucleated and secluded character of the settlement." The discussion on Green Belt can also be found in Issue 8 Green Belts and the Green Belt Review Background Report (CD55) specifically under paragraph 5.31 and 5.32. Development here would threaten the

role and function of the Green Belt between Bridge of Allan and Dunblane, affecting their setting and reducing the degree of separation between the settlements. All three areas sit outside the Keir Local Landscape Area (LLA4) as identified in Supplementary Guidance SG27 Protecting Special Landscapes (CD187). Hillside is taken to be contiguous with the boundary.

- The setting of the town has been impacted by modern development and tree planting, however while housing represents a permanent impact of setting, woodland can represent a potentially temporary impact that can be felled within a generation. Felling of trees in the area has the potential to open up views and change the landscape context. Similarly the planting of woodland to assist in screening has the potential to block longer views to the town's key features.

Hillside - It is considered that development on the steep east-facing slope at the entrance to Dunblane would be detrimental to the setting and approach to Dunblane. The northern area (between Montgomery Crescent and Argyle Way) includes part of the temporary Roman camp although there has been subsequent tree planting. Further, a series of linear features which may be Roman cross the site. Any development here would require further investigation prior to work commencing.

Anchorscross - This site is situated adjacent to the A9 and has undulating topography. Noise from the motorway is a consideration as is the low-lying wetland area to the west of the site. The Green Belt Review Background Report (CD55) states that "To the west of Dunblane, the existing Green Belt plays an important role in containing development here which currently extends to the crest of a ridge. Recent development at Anchorscross has intruded into the corner of this area but the slopes leading to the ridge remain open. Although the Green Belt boundary is poorly formed by garden boundaries, any further development here would increase the prominence of this settlement edge and significantly increase visibility from the A9 and the landscape to the west, contrary to the settlement pattern and containment provided by the valley landform. This boundary would benefit from woodland planting to reinforce the Green Belt boundary."

Stirling Road - This site sits in a prime position at the entrance to Dunblane with development on three sides. Despite the proximity of development to the site, the addition of further linear ribbon development would not be considered an improvement to this situation. Although there is no formal entrance to the town, the Green Belt boundaries here are poor in landscape terms and could be enhanced and reinforced through additional planting. However, this is not sufficient justification to allow development and loss of Green Belt which protects the setting of the town.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

SS34 - Hillside (Douglas Place)

Gloag Investments (01112/006) - The representation seeks the allocation of a small 2 acre parcel of land for residential development at land south east of Douglas Place, Hillside. The Council has carefully considered the reasons put forward in support of the proposed modification, but remains of the view there continues to be insufficient justification to allocate this land for development.

This site has been assessed as part of the Site Assessment process (CD45) site ref: DUNB15, albeit that the area was assessed as part of a much wider proposal being promoted. It does not conform with the Spatial Strategy and also suffers from several

significant shortcomings, in particular:

- The Plan allocates sufficient land for residential use, as demonstrated by the Background Report on Housing Land Requirement and discussed more fully in Issue 4.
- This site sits within the Green Belt, a full discussion on which is provided within Issue 8, the Green Belt Review Background Report (CD55) and Supplementary Guidance SG03 Green Belts. The site is generally well screened however being screened or hidden is not sufficient justification to allow development. The Green Belt Background Report (CD55) highlights that “the existing Green Belt plays an important role in containing the south western built edge of Dunblane” paragraph 5.32. It is considered that allowing development in this small section would create a precedent for the piecemeal erosion of the Green Belt and undermine its overall objectives in this area.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

SS34 - Hillside (Stirling Road)

Mactaggart & Mickel (SLDP_669/001) - The representation seeks the allocation of land at Hillside, Stirling Road for residential purposes. The Council has carefully considered the reasons put forward in support of the proposed modification, but remains of the view there continues to be insufficient justification to allocate this land for development.

This site has been assessed as part of the Site Assessment process (CD45) site ref: DUNB03 and DUNB15, although it is recognised that the area proposed here is wider than the areas previously assessed. The site does not conform with the Spatial Strategy and suffers from several significant shortcomings, in particular:

- The Plan allocates sufficient land for residential use, as demonstrated by the Background Report on Housing Land Requirement and discussed more fully in Issue 4.
- The Settlement Statement for Dunblane highlights that the Waste Water Treatment capacity in Dunblane is limited and although this is not given as a constraint on development, it affects when a site can be delivered. Other infrastructure constraints would also have to be addressed in the wider settlement such as health care facilities.
- The Keir Local Landscape Area crosses the southern section of the site. It is recognised that it is severed from the main body of the Parklands and Policies of Keir by the A9. Supplementary Guidance SG27 Protecting Special Landscapes (CD187) highlights under ‘Special qualities’ that “Keir estate designed landscape establishes core high quality landscape character”. It highlights that there is an “Excellent network of paths east of the M9/A9” and that “The landscape forms an important buffer of countryside between Bridge of Allan and Dunblane and plays some role in the setting of and approach to both settlements.” The cumulative effects of other development eroding the character and quality of the Local Landscape Area, is a concern.
- The landscape in this location is considered important to the setting and identity of Dunblane and also provides recreational opportunities including the network of local paths, and is an important Green Corridor. Development in this location would extend the urban form of the settlement contributing to urban sprawl in the countryside.
- The site is also in part, covered by the Historic and Designed Landscape of Keir. Although the integrity has been damaged by its separation by the M9, the landscape features and importance of the area in the understanding of the wider context is still evident. The area was included on the Inventory as it was considered to be “an outstanding rare example of an intact designed landscape exhibiting different styles of garden and landscape design....and provided an important setting for the category A

listed Keir House” (Historic Scotland, Inventory of Historic Gardens and Designed Landscapes, Keir House, summary, CD220).

- Commercial development is suggested for land to the north of the site. There is no further scope for retail development within Dunblane. In particular, the Plan allocates sufficient land for retail use as demonstrated by the Dunblane Convenience Retail Requirements Study, Roderick MacLean Associates, 2011 (CD70) and discussed in Issue 6 Retail, through the identification of a retail site at Barbush (R08). This site now has planning permission (12/00289/FUL, CD136).
- There is also a suggestion that the land north of the Keir Roundabout but south of the Wanderwrag Wood/Hungryhill could be used for a tourism related activity but no details are provided for this.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

SS39 - Stirling Road

Gloag Investments/Macdonald Estates (SLDP_1370/001) - This representation seeks the allocation of land at Stirling Road in Dunblane for retail purposes. The Council has carefully considered the reasons put forward in support of the modification but remains of the view that there is insufficient justification to allocate this land for development.

The site was considered in the Site Assessment process (CD45) site ref: DUNB15. It does not conform with the spatial strategy and also offers several significant shortcomings. In particular:

- The Plan allocates sufficient land for retail use as demonstrated by the response under Issue 6, Retail.
- The suggestion is that the Plan allocation for retail development at Barbush (R08) with associated planning permission, 12/00289/FUL (CD136) will be revoked due to a legal challenge. The Council understands that the legal challenge to Barbush was dropped in 2013.
- The site is within the Green Belt, the importance of which is explained in the Green Belt Review Background Report (CD55) and Supplementary Guidance SG03 Green Belts (CD160) as well as greater detail in Issue 8 Green Belts. Development here would represent a major incursion into the Green Belt.
- The site is considered to be very visible in the main approach to the town from the south. The site is steeply sloping which would affect the design and layout of any development and further add to its visibility. This area also provides an important green space on entry to the town.
- The Council considers that a supermarket at this location is not a suitable entrance feature to a historic cathedral city such as Dunblane.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

Donald & Caroline Davidson (SLDP_1055/002) - This representation seeks the allocation of land across from the end of Beech Road for retail purposes. The Council has carefully considered the various reasons put forward in support of the proposed modification, but remains of the view there continues to be insufficient justification to allocate this land for development.

The two possible options for retail development around this location were considered in the Site Assessment process (CD45) (Site ref: DUNB04 and DUNB11). The site proposed does not conform with the Spatial Strategy and also suffers from several significant environmental and access shortcomings.

The Plan allocates sufficient land for retail use as demonstrated by the Dunblane Convenience Retail Requirements Study, Roderick MacLean Associates, 2011 (CD70) and discussed in Issue 6 Retail, through the identification of a retail site at Barbush (R08). This allocation now has planning permission (12/00289/FUL, CD136). The area suggested raises issues of Green Belt, Historic and Designed Landscape, aspects of a Listed Building, setting of the town, breach of a defensible settlement boundary and the Green Network. A full discussion is given on these issues in relation to residential development of SS32 Kippenross. The Council does not therefore agree to modify the Plan in response to this representation.

Representation to Identified Site

SS38 - Kippendavie Extension Area

Kippendavie Group Trust (SLDP_70/014) - are seeking to have a much larger area (SS38) allocated for mixed use development, including 400 houses. A Proposal of Application Notice has been submitted for this site and the wider area for residential development with associated community facilities, infrastructure and open space (CD142).

The Council has carefully considered the reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this land for development. This site was considered in the Site Assessment process (CD45), as part of Site Ref: DUNB08, along with other sites suggested in the area including DUNB07, DUNB18 and DUNB12. None of the supporting information included in the representation is considered to be of sufficient weight/merit to support a modification. It does not conform with the spatial strategy and also offers several significant shortcomings. In particular:

- The Plan allocates sufficient land for residential uses, as demonstrated by the Background Report on the Housing Land Requirement (CD61) discussed more fully in Issue 4.
- Issue 8 Green Belts, addresses some of the concerns raised as does the Green Belt Review Background Paper (CD55). The Green Belt to the east of Dunblane is important to maintain the historic settlement form within the valley landscape. This is reinforced by the significance of the Battle of Sheriffmuir in this area and the proposal for the North Stirling Woodland Park as part of the Green Network. Development of this scale would represent a major incursion into the Green Belt. The suggested extended site is elevated in parts making development conspicuous in the landscape and out of character with the settlement. The landscape here is considered important to the setting and identity of Dunblane and also provides recreational opportunities. The proposed North Stirling Woodland Park will ensure enhanced management of woodlands, increased access and recreation and habitat connectivity. Green Belt designation helps to protect and maintain both these core roles.
- The site is within area defined by Historic Scotland in their Inventory of Historic Battlefields as being part of the Battle of Sheriffmuir. The area bounded by Ryland Lodge to the north, Dykedale Wood to the south, the historic core of Dunblane to the west and the higher ground of Sheriffmuir to the east is a key component of the area of the battlefield. The Green Belt designation helps to protect those features considered to be key components to the understanding of the battlefield. The proposed outer boundaries

for the Green Belt, follows mainly woodland to the north and east, and Kippendavie Glen and Wharry Burn to the south. The inner boundary has been carefully considered to allow for some potential development to be considered (as part of a future Plan review) however, the proposed boundary avoids extending the potential development into the higher, more visible ground, east of Dunblane.

- Planning permission (08/00752/OUT) was granted for an 18 hole golf course at Kippendavie (now expired). This is included within the representation in the northern Phase 2 area, although the representation includes now a garden centre and offices.
- Development of any scale around the C Listed Rylands Lodge would affect its setting.
- The site is considered to be at some distance from the town centre. Development here at the scale suggested would exacerbate the expansive form of Dunblane. Due to the poor connectivity of the site with the centre of the Dunblane, the development is likely to increase car usage.
- The developer has recognised that development would require investment in the existing foul water treatment system. This is an immediate constraint on the development.
- Information submitted regarding the Sheriffmuir Trail is supported and encouraged. However the inference is that these opportunities will only become feasible in part by “finance related to enabling development emerging through the Local Development Plan”. Prior to considering the merits of association benefits from the proposal, it must firstly be proven that the development is reasonable, justifiable and acceptable in its own right. Thereafter, the additional benefits to be derived would be subject to the tests outlined in Circular 3/2012 (CD17). At this stage it is too early to determine infrastructure costs associated with delivery of a development this size and as such, if additional benefits would in fact be economically viable after all the various issues had been addressed.

In light of the above, the Council does not agree to modify the Plan in response to this representation.

Reporter’s conclusions:

General

1. The planning authority states that it has changed the capacity figure of 100 for the Dunblane Waste Water Treatment Works in the Dunblane settlement statement as a non-notifiable pre-examination modification to the proposed local development plan (LDP). On that basis, the concerns appear to have been resolved and no further response is required.

2. Laighills Park was considered for designation as a local nature reserve during the LDP process, but that possibility did not have significant public support. No further evidence of support for the designation has been presented to this examination to justify amending the LDP. That said, there is scope to reassess the matter in future reviews of the LDP and via the separate but parallel process of the Stirling Council open space strategy.

3. The North Stirling Woodland Park is not a specific LDP proposal and it is not shown in the LDP Spatial Strategy or on the Dunblane settlement proposals map. The park is mentioned in the Dunblane settlement statement text, but only in the most general terms. The text links to the Stirling Council Open Space Strategy, where the park seems to originate (CD56). Potential component parts of the park are then examined in greater detail in the open space audit for Dunblane (CD58), which in turn, links to a concept statement and consultation document (CD60). While it is appropriate for the LDP to cross-refer with the open space strategy and to support the principle of the park, the LDP should not pre-empt or prejudice that separate process. Further, the above confirms that public consultation and a clear statement of what the park might mean and entail is to be expected in due course.

Town centre

4. Dunblane town centre is categorised as Tier 3 in the Network of Centres hierarchy in proposed Supplementary Guidance SG09: Network of Centres (Map 5, CD176). The guidance and the LDP text confirm that the town centre boundary has been drawn tightly to reflect its local shopping role, as well as its other non-retail functions, and its potential to attract more visitors. The representations would prefer a bigger town centre, potentially incorporating the police station on St Blane's Road.

5. The planning authority's various retail capacity studies (CD68, 69 and 70) and my site visits confirm that Dunblane town centre is not performing well. Trading levels are low, many shops are empty and investment in the fabric of the buildings looks at best partial, all despite the town's sizeable population and the amount of potential retail expenditure capacity that should produce. In part, these conditions result from expenditure being lost to Stirling. The potential to break that habit and to attract spending back to Dunblane town centre is limited, and hampered further by accessibility and parking congestion issues in the town centre. Simply making the town centre bigger would not address these issues or help make the town centre more attractive and vibrant.

6. The defined town centre boundary reflects the historic and commercial function and heart of the town, which tends to be inward facing and focused broadly along High Street, between the cathedral and Perth Road. The centre also reflects the variable ground levels that drop significantly from Beech Road, down to the river valley floor. The police station sits at a much higher level and faces out across Perth Road, so it does not follow the same pattern or read as a natural part of the town centre. Equally, the riverside area south and east of the Perth Road is also distinctly separate from the naturally distinctive town centre.

7. There are several premises in the town centre, including on the High Street, that are much in need of refurbishment. That work would improve the appearance and attractiveness of the town centre significantly, especially as a tourist destination. The LDP recognises the general need for this and confirms that the planning authority will develop a strategy for Dunblane, where these necessary refurbishments will be identified (page 149 paragraphs 1 and 4). The LDP cannot force rehabilitation proposals for individual properties, and Scottish Planning Policy (SPP) confirms that the proper place to identify and detail specific public realm improvements is in such a town centre strategy (paragraph 60).

Barbush

8. A substantial site at Barbush was allocated for a mixture of housing, recreation and business in the adopted local plan. Part of the area later became a Strategic Employment Opportunity site in Alteration 1A to the adopted local plan. The area was then reviewed as NEW40 (CD45) at an earlier stage of the LDP process, and planning permission now exists for a total of 19 homes across 2 sites within it. These permissions were granted on 29 March and 26 November 2012 respectively and implementation has begun (references 11/00784/FUL and 12/00611/FUL, CD137 and CD139). The planning authority states that the permissions were too late to be recognised in the table of allocations for Dunblane. To rectify this, the authority would take them into account in the subsequent action programme for the LDP. The omission is clearly an accident of timing that the authority is now willing to address. However, Circular 6/2013: Development Planning states that the LDP action programme is to set out how the authority proposes to implement the plan (paragraph 130). In other words, the action programme is not intended to update and alter the plan's provisions.

9. The Spatial Strategy text identifies a new convenience “superstore” at R08, which is then carried forward into the Dunblane “Existing and Future Land Supply” table. The planning authority’s retail expenditure capacity study predicts that Dunblane can only support less than 800 square metres net of additional floorspace (CD69 and CD70), which is not enough to bring a qualitative convenience retail benefit for the town. Because of that, the LDP allocation has been increased to 3900 square metres gross, which equates to a smaller superstore type development that the planning authority believes would achieve qualitative benefit. The lack of scope for infill and redevelopment generally in the town centre, but more especially for a development of that size, has then effectively forced retail development out and onto the brownfield former quarry site at Barbush R08. The Key Site Requirements for R08 then record that at June 2011, the site already had planning permission for a supermarket. The planning authority also granted a subsequent full planning permission on 23 October 2012, for a foodstore and petrol filling station (reference 12/00289/FUL, CD136). The Key Site Requirements for the R08 allocation do not mention this later permission and the planning authority states that it has rectified that as a non-notifiable pre-examination modification of the LDP. However, because the permission for R08 does not restrict the sale of non-food goods from the premises it would be inappropriate and contradictory for the LDP now to impose that kind of restriction.

10. Planning permission exists for a retail development at R08 and that will remain so, irrespective of any LDP allocation. The application was granted recently and it must be assumed that it will be implemented. The representations argue otherwise, but no firm, quantifiable evidence has been supplied to support that belief or to show any basis for an assumption that the permission could be revoked. The planning authority’s retail capacity studies leave no doubt that if R08 proceeds, as must therefore be supposed, there is no spare expenditure capacity in the Dunblane catchment. Based on this, it would not be appropriate for the LDP to allocate more retail sites.

11. The planning authority also states that it has amended the site area for the employment/retail allocation B28 in the Dunblane “Existing and Future Land Supply” table as another non-notifiable pre-examination modification. That change would accord with the planning permission that was granted after the LDP was prepared (reference 12/0289/FUL, CD136). While the knock-on effect of that change would be a reduction of the overall business land supply for the whole LDP area, the loss of 0.08 hectares cannot be regarded as significant in that overall context and the concerns would appear to have been resolved. No further response is therefore required.

12. The Key Site Requirements for B28 and for housing site H020 do not mention cycle provision. However, the Transport and Access Background Report (CD71) to the LDP highlights the need to encourage less use of motor vehicles and more use of sustainable transport options, including cycling. The LDP Vision supports this, especially with the change recommended for Issue 2, which is to incorporate specific reference to cycling for developments in the smaller towns and villages. The objectives of the relevant representation are further covered by LDP Policy 3.1, especially by part (b), which aims to reduce travel demands and to encourage safe and realistic choice of access, including by cycling. The policy is supported by the planning authority’s proposed supplementary guidance SG14: Ensuring a Choice of Access for New Developments, which includes detailed requirements for cycle provision, up to and including new routes (CD178). For example, specific minimum requirements are set out in SG14 in Table 1, and Appendix A also addresses specific cycle matters. Lastly, cycling is covered for some developments by Policy 3.3, including explicitly under part (d)(i). Again, this policy is augmented by proposed Supplementary Guidance SG16: Developer Contributions (CD180), which expects the provision of necessary infrastructure to support new development, including for cycling.

Taken together, all of this achieves the objective of the representation, without the need for duplication in the LDP Key Site Requirements table for Dunblane.

Holme Hill

13. The LDP allocates site H020 at the bottom of Holme Hill, for a development of 10 affordable homes. The representations argue that the site is not divisible from the rest of the hill and it should be safeguarded from development and designated as open space and green corridor to match the surroundings.

14. H020 is one of few infill housing development options that the LDP identifies in the Dunblane settlement boundary. The site contains areas of hardstanding, it is to some extent brownfield because it has been occupied by buildings that are now removed, and it is self-contained and divisible from the rest of the hill by virtue of a substantial stone wall and fences. The site contains attractive mature trees that are protected at least because they are in the conservation area, so that some reduction of amenity and biodiversity would result from felling them to make way for development. However, enough green space would remain to maintain a link across Perth Road in terms of the Green Corridor that is subject of LDP Policy 1.3. Further, that site is on a main road and it is the closest allocation to the town centre, whereby it is a suitable option for affordable housing. The settlement specific LDP text for Dunblane confirms that the town is a highly pressured area where house prices are high, so people on low incomes tend to be excluded. Because of this, there is a critical need for affordable housing. While the exact details of how the H020 development might be delivered properly fall to be considered at application stage, the Key Site Requirements for the site address many of the concerns expressed about the form of development. For example, as many mature trees as possible should be protected, development should not face Perth Road, it should be accessed via the existing entrance onto Bogside, and the housing should be designed to suit the conservation area. It is reasonable to assume that the planning authority will not disregard these requirements and the LDP should not be modified.

15. The remainder of Holme Hill is designated on the Dunblane proposals map as a Green Corridor and an Open Space Audit site. From there, Policy 3.1 applies a general presumption against loss to development, other than in very particular and exceptional circumstances. Other representations seek to have that designation lifted, to allocate additional ground at Holme Hill for development. The suggested sites are SS35 and SS36, which together could add a total of 26 homes to the housing land supply. SS35 forms a westerly portion of the hill area. SS36 faces Perth Road and would fill the gap between H020 and the existing housing. SS37 is also proposed for office development and it is positioned to the west of the existing housing along Perth Road. In combination, these sites would amount to around half of the Holme Hill area that is meant to be safeguarded as described above. The representation offers that if the housing sites were to be released, then SS37 would be abandoned and the remainder of Holme Hill would be gifted to the community.

16. The evidence to the examination shows that the area has a complex planning history, which includes a section 50 agreement about maintenance of the hill area that was made in 1987 in the context of planning permission for a house. The terms of this agreement seem to be the subject of an on-going dispute between the owner and the planning authority.

17. More recently, a planning application was submitted and then withdrawn for 19 homes on SS35 (reference 11/00788/FUL, CD134). After that, planning permission was refused in February 2013 for an office development on a site that broadly matches SS37. That

permission was refused largely for harm to the character and amenity of the conservation area and for natural heritage, all in the context of a range of adopted local plan policies (reference 12/00544/PPP, CD138).

18. All these suggested sites were considered as part of the LDP site assessment process but were ruled out for reasons that include:

- loss of this green heart that is important to the character and amenity of Dunblane and that may have considerable historic and cultural significance;
- the value of the remaining green space would be considerably diminished;
- ground levels around the hill are steep, so that development would be especially intrusive for townscape and in important views around the cathedral that should be preserved;
- steep ground levels also reduce the ability to design development to suit the traditional character of the conservation area and the nearby listed buildings; and
- SS36 would establish a ribbon of development along Perth Road, which the Key Site Requirements for H020 set out deliberately to avoid.

19. Holme Hill is a central, very attractive and important townscape feature of Dunblane, and of the conservation area in particular, especially in terms of:

- its relationship with the cathedral surroundings;
- the edge that it gives Ramoyle, which is clearly an old and historic part of the town;
- the fact that it separates and distinguishes Ramoyle from the later 'spa town' character of development along Perth Road;
- the green character of the open space that the hill provides, along with the wide views from it, across and beyond large parts of the town; and
- the gate entrance, gatehouse, and high stone wall that characterise Perth Road opposite the Hydro hotel grounds and complex.

The hill sides are also very steep, which means that access, parking and development would be difficult and more intrusive to engineer.

20. As a result, the Holme Hill sites would contribute to the supply of housing and employment land in Dunblane. However, all of the above shows the harm that would result from the loss of this valuable townscape asset that adds much to the high quality amenity, cultural and environmental character of the town. These negative effects more than outweigh the likely benefits and the sites should not be allocated.

Other suggested sites

21. The representations also request the allocation of housing site SS31 at Whitecross, which is beside the Scouring Burn and almost opposite the entrance to Victoria School. The site was considered for inclusion by the planning authority as NEW41, but was rejected because of its value to the green corridor around the school and the cemetery, for potential access issues onto B8033 Perth Road, and for distance from the town centre.

22. The site is on the edge of Dunblane in a transitional area where the local character is gradually less urban and more green and rural. The Scouring Burn marks that transition. The burn is also an important wildlife and green corridor. However, the site is inside the LDP defined settlement boundary, beside and opposite an established urban area. The burn would remain as a well-defined and easily defensible urban edge, to strengthen the

transition from urban to green and make it easier to maintain. Development could also be designed to integrate as an extension to Whitecross Avenue, in keeping with existing housing and, currently, the unkempt appearance of the site detracts from the local townscape and residential amenity of the vicinity.

23. SS31 is also far less peripheral than the housing site at Barbush, it has easy access to public transport along Perth Road, and it is convenient for the superstore that is planned for R08. Further, the burn corridor has a clearly defined edge by virtue of ground levels and trees, and there is no obvious general shortage of green space at this location. Other development such as the new housing at Lawder Place and Bellenden Grove has already been allowed to encroach to a far greater extent that would result from the development of SS31 and enough open space would remain along the burn to maintain its integrity and green value.

24. Vehicular access is an undoubted issue on this bend in the Perth Road and, because of this, the existing houses all take access from side roads, such as Whitecross Avenue. In part, this probably dates back to before the main A9 trunk road was diverted around the Dunblane by-pass, but visibility around the bend is still a valid road safety concern. That said, the planning authority's site assessment sheet (CD45) provides no quantifiable evidence to show that an access solution could not be achieved. Instead, the Summary Transport Comments only state "Difficult to overcome existing issues unless applicant provides off-road parking for existing residents".

25. Based on this assessment, site SS31 should be allocated in the plan for some limited housing development although the Key Site Requirements should identify the need to address the vehicular access difficulties, as well as for sustainable drainage.

26. A former abattoir site at SS30 is also suggested for development of an unspecified nature. This brownfield site was considered for inclusion into the LDP as site NEW14, but it was rejected because the assessment process revealed significant and complex issues that would need to be addressed before development could proceed. For example, my site visit revealed that vehicular access is very problematic, being available only off Stirling Road, which is partly one-way, and through a narrow tunnel beneath the high, B8033 dual carriageway overbridge. Options for altering this arrangement are constrained because the site is bounded by the main railway line and the Allan Water. The location on the river bank is also inside the 1 in 200 year flood risk area, which suggests a high potential risk. Given that, SPP confirms that built development may not be appropriate (paragraphs 196 to 211). Accordingly, the site cannot be regarded as a realistic and effective development option and it should not be allocated. That is not to say that the planning authority would necessarily resist some form of suitable development, if that could overcome the above issues and accord with other relevant LDP policies.

27. The representations request various allocations on sites outside the LDP defined settlement boundary, which wrap around its east, south and west edges, as follows:

- SS38 to the east, which incorporates LDP site H021 and is suggested for an extensive mixed development comprising housing, a golf course and some retail, such as a garden centre or farm shop;
- SS39 to the south is proposed for a supermarket;
- SS29 to the south is proposed for a leisure/tourist facility of some 50 to 75 mobile caravans;
- SS32, part of SS33 and SS34, all to the south, are proposed for housing; and
- the remainder of SS33 to the west, and is also proposed for housing.

28. Taken together, these sites represent significant pressure for the expansion of Dunblane. To the south, the suggested sites would fill the whole triangle of the existing green belt that is defined by the A9, Stirling Road, and the existing southerly settlement edge. To the west, the sites would bring the urban edge to the A9 carriageway, and to the east, they would spread the town up west facing hillsides and into the countryside. In this direction, development would be highly exposed in views across the town and H021 in particular, would have an imprecise and unsustainable urban boundary. In contrast, site SS34 could be developed as a self-contained and discreet extension to the town in a space that was clearly envisaged as a potential extension to the recent Douglas Place/Lindsay Brae estate.

29. Setting aside considerations that relate to the individual development types proposed, the settlement specific text for Dunblane explains that the town is highly constrained by:

- cultural heritage features of particular and in some cases national importance including Sheriffmuir battlefield, designed landscapes and listed buildings;
- environmental and landscape considerations such as the quality of the surrounding countryside, flooding, plus the need to protect the setting of Dunblane and maintain a separation with Bridge of Allan; and
- infrastructural capacity issues and town centre congestion.

30. While these constraints apply to the individual sites in various combinations and to varying degrees of significance, they are important collectively and they justify the LDP approach to Dunblane, which is to focus on consolidation and infill development, as opposed to major growth. The plan prefers to stimulate that growth elsewhere. Reversing that approach in favour of Dunblane risks jeopardising delivery of the fundamental LDP strategy. For all these reasons, it is appropriate for the planning authority to have opposed the totality of the proposed additional sites in the short-term.

31. For the longer term, Dunblane is a Tier 2 settlement in the Spatial Strategy hierarchy, so that it will very probably require to grow. From the geography around the town, the above sites combine to represent the only potential areas that might accommodate that future growth. Because it is extremely unlikely that they could all be supported, the planning authority must make choices in developing a strategic approach for subsequent reviews of the LDP, which would facilitate, plan and control growth. Part of that process will entail weighing up the benefits that development in each direction might offer. For example:

- improved facilities for the town as a whole;
- recreational and tourist enhancements;
- vehicular access improvements, especially along a major entrance to the town from the south; and
- masterplanning and structure planning to help contain and define a sustainable new urban edge.

In the meantime, a proper, fully transparent, co-ordinated, comparative and wide ranging evaluation is required. Further, bearing in mind the above comments about visual intrusion and the lack of defensible boundaries, it would be wrong to fetter the planning authority with a binding recommendation in favour of any of these competing sites. This conclusion applies equally to future housing site H021.

32. The LDP proposes no development for Upper Glen Road. Instead, land opposite, as well as broadly from “Pisgah” onwards, is to be in the green belt. However, detailed

planning permission was granted in November 2011 for a total of 9 homes across 2 sites around the former reservoir that is located opposite “Pisgah” (references 11/00227/FUL and 11/00209/FUL, CD131 and CD132). My site visit confirmed that 5 of these houses are now virtually complete and work has begun on the remaining 4. The sites also face and arguably mirror an enclave of 7 large new detached villas opposite, around “Pisgah”. A further information request has revealed that 3 more plots here also have some form of planning permission. Taken together, this amounts to a total of 19 new homes over the combined sites. Given that, the representees’ nervousness about the possibility of more development in the area is understandable.

33. The planning authority does not want to amend the new green belt boundary or to reflect these permissions by allocating the reservoir sites for housing in the LDP, but would take the altered position into account again via the subsequent action programme for the LDP. As stated above, the LDP action programme is not meant to be used as a vehicle to update and change any of the plan’s provisions.

34. The reservoir sites add to the number of houses to be built in Dunblane and the above shows that the planning authority has been prepared to accept new housing development in the vicinity. The outstanding permissions could also be implemented irrespective of any LDP allocation or any reference in the subsequent action programme, and it must be assumed that they will be. At least part of the sites was also to some extent brownfield because of the former reservoir and associated buildings that occupied them. In addition, the plots opposite the former reservoir are in the defined urban area. Given all of that, it makes sense to include the remaining sites into the built up area of Dunblane and the settlement boundary should be redrawn to incorporate them. The new green belt arising would then be robust and could be defended more effectively against further development along Upper Glen Road.

35. Permission has also been granted in outline for an hotel and golf course at Park of Keir, on a site that is located east and south of the A9 roundabout, between Dunblane and Bridge of Allan (reference 02/00032/OUT, CD128 and CD129). The permission is dated 5 October 2005 and it is subject to:

- condition 1(c) that reserved matters must be submitted for approval in 3 years, i.e. by 5 October 2008; and
- condition 1(d) that development must start either in 5 years from the outline planning permission, which was 5 October 2010, or 2 years from the date of the last reserved matters approval.

This examination has no evidence of any reserved matters having been applied for or that development has begun on site. The planning authority received an application to renew the outline permission on 30 September 2008 (reference 08/00726/OUT, CD130), which was registered, but seems never to have been determined. As a result, the outline planning permission may now have expired unimplemented, whereby the site would no longer have planning permission. Despite that, the site is not in the defined settlement boundaries of either Dunblane or Bridge of Allan, so it would not be appropriate to allocate it on either settlement specific proposals map.

36. The representations also propose site SS28 by the A9 trunk road for services, including a petrol filling station and convenience shop. The representee believes that Transport Scotland would support such a proposal, but no firm, quantifiable evidence has been supplied to confirm that. In addition, SPP states that new junctions onto trunk roads are not normally acceptable, and direct access onto any strategic road should be avoided

(paragraph 175). Bearing in mind that services already exist with an established access a short distance to the north of SS28, and that the submitted transport strategies do not identify a need for more, it seems unlikely that another similar development so close by could be justified. Because of that, the LDP is not allocating roadside services and has no specific policy to support them. Under all of the above circumstances, the requested allocation would not be appropriate.

Reporter's recommendations:

The local development plan should be modified by:

1. Allocating suggested site SS31 for some limited housing development, with Key Site Requirements that would include identifying the need to address the vehicular access difficulties and for sustainable drainage.
2. Deleting site H021 and amending the proposed green belt boundary to include and cover the site.
3. Altering the settlement boundary to incorporate the remaining permitted house plots on the former reservoir site on Upper Glen Road, bringing them into the built up area of Dunblane.

Issue 43	Kildean, Stirling	
Development plan reference:	B06 – Kildean, Stirling Settlement Statement (Page 188- 225)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Forth Valley College (SLDP_367) BDW Trading Ltd/Elphinstone Land Ltd (01172) Scottish National Party Group (00711)		Stuart Davidson (01312) Bryan & Patricia Jackson (00701) Stirling Development Agency Ltd (SLDP_108) Cycle Stirling (01039)
Provision of the development plan to which the issue relates:	B06 Kildean is an employment allocation within the Plan.	
Planning authority's summary of the representation(s):		
<p><u>B06 - Kildean</u></p> <p>Forth Valley College (SLDP_367/001), BDW Trading Ltd/Elphinstone Land Ltd (01172/001), Scottish National Party Group (00711/003) - Object to the site being allocated for primarily Class 4 Business Use. All consider that the site should be allocated for a mix of uses, including residential.</p> <p>BDW Trading Ltd/Elphinstone Land Ltd (01172/002); Scottish National Party Group (00711/003) - Argue that the Council have on several occasions demonstrated and articulated support for residential use on the site, most recently through the Kildean Development Framework Guidance (2010) and the Draft Proposed Plan (October 2011), and that the decision to delete residential use, and allocate the site for business use only is without justification or sufficient explanation.</p> <p>BDW Trading Ltd/Elphinstone Land Ltd (01172/001) - consider that allocating the site for a mix of uses, including residential, would be consistent with the aspirations contained within the Plan Vision, and contend that the site is currently effective for up to 240 units. Makes reference to the application for Planning Permission in Principle for a mix of uses submitted in December 2012 Ref: S/12/00794/PPP (CD151), and which followed Proposal of Application Notice Ref: PAN-2012-006 (CD152).</p> <p>Forth Valley College (SLDP_367/001) - consider that residential use, in close proximity to the campus, would better relate to the College than Class 4 Business.</p> <p>Whilst the Scottish National Party Group (00711/003) consider that the inclusion of residential use on the site will be advantageous to the regeneration of Raploch, and Developer Contributions will assist in the provision of funding for education facilities and affordable housing.</p> <p>Stuart Davidson (01312/001) - concerned regarding the potential impact that retail and higher value residential uses on the site will have on existing shops and local community.</p>		

<p>Bryan & Patricia Jackson (00701/001) - object to the allocation of the site for any development, due to the potential impacts that development could have on local flooding in the area, the impact on wildlife around the river, and the impact it could have on their tourism business and property values.</p> <p><u>B06 – Kildean: Key Site Requirements</u></p> <p>Forth Valley College (SLDP_367/001), Stirling Development Agency Ltd (SLDP_108/004), Cycle Stirling (01039/013) - all consider that the Key Site Requirements need amended.</p>
<p>Modifications sought by those submitting representations:</p>
<p><u>B06 – Kildean</u></p> <p>Forth Valley College (SLDP_367/001) - amendment to the site allocation to allow a mix of uses, particularly residential within close proximity of the College.</p> <p>BDW Trading Ltd/Elphinstone Land Ltd (01172/001 & 01172/002) - reinstate as a residential and business mixed use site, identified as an effective site for 240 units, deliverable within the first period of the Plan up to 2019, amend to show 12 hectares of employment land up to 2024, and delete 6 hectares from the post 2024 period. Make subsequent amendments to Tables 2 and 3, Appendix B, Chapter 10, and the Stirling Settlement Map to reflect this.</p> <p>Scottish National Party Group (00711/003) - allocate site for a mix of uses, including residential.</p> <p><u>B06 – Kildean: Key Site Requirements</u></p> <p>Forth Valley College (SLDP_367/001) - the text should recognise that the College may wish to expand in the future, and if so, that this would take place northwards. There should be a requirement that any development within close proximity of the College Campus shall be masterplanned and designed in a way that would not compromise the qualities of the College environment. Delete reference to the college being under construction.</p> <p>Stirling Development Agency (SLDP_108/004) - Replace the first two requirements with: "On the remaining land beyond that occupied by Forth Valley College Class 4 Business uses will predominate with some Class 4 (light industry) and the following additional uses: Class 1 (Shops), Class 2 (Financial, professional and other services), Class 3 (Food and Drink), Class 7 (Hotels and hostels), Class 9 (Houses), Class 11 (Assembly & Leisure) as well as sui generis uses such as public house and hot food takeaway."</p> <p>"Development Framework: Development should generally accord with Kildean Development Framework."</p> <p>Cycle Stirling (01039/013) - add additional requirement "Upgrade to pipe bridge and core path to provide cycle link from Drip Road to Carse Road".</p>
<p>Summary of responses (including reasons) by planning authority:</p>
<p><u>B06 - Kildean</u></p> <p>The substantive matter in dispute regarding the site surrounds whether or not the site should</p>

include residential within the overall mix of uses supported on the site, as argued by Forth Valley College (SLDP_367/001), BDW Trading Ltd/Elphinstone Land Ltd (01172/001 & 01172/002), Scottish National Party Group (00711/003). In support of this argument BDW Trading/Elphinstone Land Ltd (01172/001 & 01172/002) have questioned both the effectiveness of the Housing Land Supply and the Business Land requirements upon which the allocation for the level of business land within the site has been made. These are addressed and responded to by the Council in detail within Issues 4 and Issue 5 respectively. Suffice to say it is confirmed that the Council consider firstly that the Plan, and the sites identified, provide for an effective housing land supply without the need to alter the uses allocated on this site. Secondly, the business land requirement identified for the Plan period is necessary. On this basis, the allocation of the site, which is in close proximity to the established Castle Business Park, local community, newly established further education college, and accessible to both local and national transport links for business use is considered both appropriate and robust. The Council does not therefore agree to modify the Plan in response to these representations.

Furthermore the assertion by BDW Trading/Elphinstone Land Ltd (01172/001) that only through the provision of residential use on the site can the mixed community aspirations of the Plan be met, is not accepted. In considering such aspirations, and the appropriate allocation for the site, the Council did not consider the site in isolation, but rather considered the role the site has to play and the benefits it can bring to the wider local community. It is considered that the level of nearby housing allocations (H053, H061, H062, H063, H064, H065, H066, H067, H068), together with the allocation of this site for Class 4 Business and other ancillary uses, strike an appropriate balance and together will reflect and deliver the Plan aspirations relative to mixed communities.

For this reason, the argument put forward by the Scottish National Party Group (00711/003) that the regeneration of Raploch is best served by an allocation which allows residential use, is also not accepted. Equally, their contention that such a use could help deliver funding for affordable housing and education facilities within Raploch is challenged. The approach to affordable housing as outlined in Policy 2.2: Planning for Mixed Communities and Affordable Housing, is likely to require delivery of affordable units within the site itself as opposed to a commuted sum towards regeneration projects in Raploch. Additionally, the Council could only legitimately require any developer to address issues with education facilities which were a direct consequence of their proposals. The Council does not therefore agree to modify the Plan in response to this representation.

The assertion by Forth Valley College (SLDP_367/001) that residential use is a better neighbour to the college than Class 4 business is not accepted. The range of uses anticipated on the site (as outlined within paragraph 7.11 of Proposed Supplementary Guidance SG08: Kildean Development Framework (CD173) is considered to be compatible with the further education facilities already on site, and could offer potential employment and partnership working opportunities. The Council does not therefore agree to modify the Plan in response to this representation.

The concerns outlined by Stuart Davidson (01312/001) regarding residential and retail use are noted. However the site allocation makes clear that any use other than Class 4 business has to be ancillary. This is reiterated within paragraph 7.11 the Proposed Kildean Development Framework (CD173) and it is made clear that whilst an element of retail may be considered, it will be considered in relation to its impact on existing local facilities. (It should also be noted that the previous use of the site included an element of retail and a Certificate of Lawful use for retail exists for the site Ref: S/09/00460/LAW (CD88)). Any proposals will have to meet with the provisions of the Plan, specifically Policy 2.7: Retail and

Commercial Development, which is considered to offer sufficient policy protection and consideration of the impacts on Raploch local centre by any retail proposal. Consequently, given that there is no residential allocation proposed for the site, the Council does not agree to modify the Plan in response to this representation.

The inference within the representations of Bryan & Patricia Jackson (00701/1/001) that the site should remain undeveloped is not accepted. The site, subject to compliance with the Key Site Requirements, is considered to offer a sensitive and sustainable expansion opportunity within the Core Area. The financial impact of development on nearby businesses and residences is not a planning matter. The Key Site Requirements draw attention to more significant, but potentially resolvable, environmental issues. In addition to these a range of other detailed matters will require to be addressed at the planning application stage. Neighbouring owners/ occupiers and other local residents and interest groups will have an opportunity to comment on these detailed matters, and account must be taken of their representations prior to the final determination of the application. The Council does not therefore agree to modify the Plan in response to this representation.

The fact that the Council has previously demonstrated and articulated support for an element of residential use on the site, as highlighted by BDW Trading Ltd/Elphinstone Land Ltd (01172/002) and the Scottish National Party Group (00711/003) is not in itself disputed. It is also accepted that a change away from this stance is unfortunate from the perspective of BDW Trading Ltd/Elphinstone Land Ltd in particular. However the Council consider that it is important to note that any support for residential use has been expressed in guidance (Site Development Guidelines (CD37) and more recently the Kildean Development Framework 2010 (CD157)), which sat below, and worked within the Development Plan framework in place, and the Stirling Council Local Alteration 1A (CD36), which allocates the site as a Strategic Employment Site.

With no extant residential planning permissions relative to the site, the Council contend that in the preparation and publication of the Proposed Plan it is at liberty to re-evaluate sites and their allocations afresh against the emerging objectives, Spatial Strategy and other land allocations of the Proposed Plan. The argument that previous guidelines and the position within a Draft Proposed Plan (not a legal stage in the Development Plan process) should dictate the allocation of the site in the Proposed Plan is not accepted. The Council does not therefore agree to modify the Plan in response to these representations.

B06 – Kildean: Key Site Requirements

The Council considers that the current wording of the allocation and all associated guidance does not preclude an extension to the College and will ensure the quality of future development proposals relative to the college. Consequently a proposal for a college extension could come forward, subject to an agreement with the adjoining land owner over any additional land requirement, and adequate provisions being made for the landscaping belt indicated on page 13 of the Kildean Development Framework (CD173). Therefore the modifications suggested in this regard by Forth Valley College (SLDP_367/001) are not accepted. In the interests of clarity the sentence regarding the college under construction can be deleted. This is considered to be a non-notifiable modification.

The modifications sought by Stirling Development Agency (SLDP_108/004) are not accepted. It is considered that the current wording within Key Site Requirements, together with the text within paragraph 7.11 of the Proposed Kildean Development Framework (CD173) offer sufficient clarity regarding potential uses, and retain sufficient control for the Council to deliver on the main Plan objective for the site – to deliver predominately Class 4

Business use. The Council does not therefore agree to modify the Plan in response to this representation.

In response to the modifications proposed by Cycle Stirling (01039/013) the Council considers that Policy 3.1, supported by Supplementary Guidance SG14, requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites - expect in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so, whether the cost of providing the cycle links that are suggested reasonable in the context of the development proposals that will be brought forward for that site. The Council does not therefore agree to modify the Plan in response to this representation.

Reporter's conclusions:

B06 - Kildean

1. As set out in more detail in the conclusions and recommendations for Issue 5, I am satisfied that the reporter's appeal decision dated 8 January 2014 (reference PPA-390-2026) addresses most of the substantive matters raised in representations about the appropriateness of mixed use development, including housing, on this part of Kildean Loop. The key development elements of that planning permission are:

- 7.7 hectares of housing land (including affordable homes) over 3 phases
- commercial uses (including retail uses to meet demand generated by the development (1.2 hectares)
- employment / business uses (1.2 hectares)

2. . On this basis, I consider that the allocation of 6.0 hectares for employment / business uses shown for Period 2, i.e. 2024/34 for B06 Kildean should be deleted from the proposed local development plan. In addition, the terms of the B06 Key Site Requirements should be modified to reflect the approved uses set out in the reporter's decision. Consequential modifications will also be required to the plan's housing land supply position to reflect the addition of up to 7.7 hectares to the effective land supply in plan Period 1.

3. The representation from Stirling Development Agency (SDA) seeks changes to the B06 Key Site Requirements to introduce specific reference to a range of acceptable uses for the site. As stated above, the reporter's appeal decision addresses the matter of the appropriateness of mixed use development because the planning permission also allows hotel/leisure, restaurant, open space and supporting infrastructure. The decision even incorporates an element of retail, albeit only to serve local needs.

4. Proposed Supplementary Guidance SG08: Kildean Development Framework (paragraphs 4.1 and 7.11) (CD173) also states that an element of mixed use may be promoted on the site. Hotel and/or other appropriate ancillary uses would be considered provided they do not singularly or collectively undermine the overall principle of developing a strategic employment site. The Key Site Requirements seek compliance with the Development framework.

5. Local development plan Policy 2.8: Sites Suitable for a Mix of Uses would allow a mix of uses where it can be demonstrated that it would enable development of the primary use on a site. Additionally, Policy 2.4 safeguards allocated sites such as B06 for employment development and part (b) details circumstances where uses other than those specified for the proposals maps allocations will be supported. These options include where the site is no longer needed to maintain a land supply, and where complementary or mixed uses may be involved. Part (d) then confirms that the allocations that make up the overall supply will be monitored through the annual Employment Land Audit, to determine if an effective land supply is being maintained. In other words, it confirms an annual audit process that would quickly reveal any mismatch around the take-up rate of the allocations.

6. Together, and when read as a whole, I find that the appeal decision notice, SG08 and Policies 2.4 and 2.8 provide sufficient flexibility to develop a range of uses at Kildean. Against this background, the case for specific uses should be made at the appropriate time through the development management process. In all these circumstances, there is no justification for modifying the provisions of B06 Key Site Requirements as proposed by SDA other than as already recommended under Issue 5.

7. There are several matters raised in representations that were not before the reporter as part of his assessment of the Kildean planning appeal. Forth Valley College (FVC) argues that the Key Site Requirements should acknowledge the possibility of a future northwards extension to the college. However, I consider that it would be inappropriate to incorporate a specific site requirement for a college extension at present. The affected land is not controlled by FVC nor is there any current commitment by the college to develop an extension. I accept the position of the planning authority that this is a matter that should be pursued separately by FVC and the Kildean landowners, and that the terms of the Key Site Requirements would not preclude such a use subject to adjustments to the site landscaping framework.

8. The representation from Bryan and Patricia Jackson raises the issue of flood risk. The appeal decision notice incorporates a condition (10) regarding flood protection. So far as the wider Kildean site B06 is concerned, the Key Site Requirements provide for a Flood Risk Assessment to identify the areas at risk from flooding and appropriate mitigation measures. Together, I am satisfied that these provisions represent sufficient protection and adequately address the flood risk matters raised in the representation.

9. Bryan and Patricia Jackson also note that this part of the River Forth has a variety of wildlife and natural habitats and that the plan proposals would lead to their loss. The river bounds much of the B06 site and is designated as a Special Area of Conservation (SAC). SG08 highlights that the developable area will be restricted to land that is not subject to an unacceptable flood risk, and where development would not have an unacceptable impact on the SAC. The Key Site Requirements for B06 require compliance with this Development Framework. On this basis, I am satisfied that the local development plan includes suitable protection for river and river-margin habitats and no modifications are required.

10. I accept the planning authority's position in response to Cycle Scotland's representation that not all transport and access requirements have been identified for every site. Transport and Access Background Report (CD71) highlights the need to encourage less use of motor vehicles and more use of sustainable transport options, including cycling and this is supported by the plan Vision.

11. The objectives of the representation are further covered by Policy 3.1: Addressing Travel Demands of New Development, especially part (b), which aims to reduce travel

demands and to encourage safe and realistic choice of access, including by cycling. The policy is supported by SG14: Ensuring a choice of access for new developments (CD178), which includes detailed advice on the planning authority's cycle requirements, including the provision of new routes. Specific minimum requirements are set out in Table 1 (pages 6 and 7). Appendix A to SG14 also addresses cycle access matters (pages 9 to 11). Cycling is again covered for some developments by Policy 3.3: Developer Contributions, including explicitly under part (d) (i). This policy is supported by SG16 (CD180), which expects the provision of on and off-site access routes that could include cycle paths and associated infrastructure, if it were to be justified.

12. I consider that any improvements sought for pipe bridge and the core path to provide a cycle link from Drip Road to Carse Road should be considered at the development management stage and assessed against all of the above policy guidance. On this basis, there is no need to modify the plan's Key Site Requirements for B06.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting all reference to the allocation of 6.0 hectares at site B06 Kildean for employment/business uses in Period 2, i.e. 2024/34.
2. Inserting an allocation for mixed land uses into Period 1 on the Stirling table of "Existing and Future Land Supply". The mix of uses, which will include housing, and the associated Key Site Requirements, will all fully accord with the terms of the reporter's appeal decision notice dated 8 January 2014 (reference PPA-390-2026).

Issue 44	Housing Sites in Stirling	
Development plan reference:	Chapter 10: Stirling Settlement Statement (page 188 - 225) H026 – 19 Cornton Road, Stirling H027 – 56 Abbey Road, Stirling H028 – Riverbank Works, Stirling H038 – South West of Milton Mill, Stirling H046 – 11 Station Road, Stirling H048 – Garages, Burghmuir Road, Stirling H049 – Ministry of Defence Site, Stirling H052 – Stirling Royal Infirmary Site, Stirling H058 – Newpark, Stirling H060 – Cornton, Stirling H062 – Area 3 Laurencecroft, Raploch H128 – Stirling Ice Rink H129 – Tesco Site, Wallace Street	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Andrew Jamieson (00702) Ashleigh Bird (01173) Robert Fairgrieve (00315) CALA Homes (West) Ltd (SLDP_230) Callum Blackburn (00066) Cllr Mark Ruskell (01218) Cycle Stirling (01039) Darren Smith (00697) David J Muirhead (01297) Derek King (01228) Frances Fielding (00486) Ian M McLaren (01275) Jill Burt (00308) John Brisbane & Son (SLDP_1139) Karen Wilson (01326) Kay Fairgrieve (00234)		Keith G Jacques (01168) Lynne McLaren (01230) Mansell Homes Ltd (00682) Ministry of Defence (SLDP_653) Frank Pearson (01229) Heather Cooper (00113) NHS Forth Valley (SLDP_137) Ogilvie Homes Ltd (SLDP_321) Peter Bennie (00705) Scott Simpson (00708) Scottish Environment Protection Agency (SLDP_175) Story Homes (SLDP_1178) Taylor Wimpey UK Ltd (SLDP_263) Torbrex Community Council (SLDP_105) Wallace Land Investment & Management (SLDP_48)
Provision of the development plan to which the issue relates:	The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in the City. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Representations to allocated sites</u>		
<u>H026 – 19 Cornton Road, Stirling</u>		
The Scottish Environment Protection Agency (SLDP_175/049) states that the Indicative River and Coastal Flood Map (Scotland) (CD251) shows the site at risk of flooding from the predicted 1 in 200 year flood event. This is further supported by the more accurate Halcrow report (CD205), which shows the whole site at risk of flooding. During the estimated 1 in 200 year flood event, parts of the development site will be inundated to a depth of 2 metres. This		

is based on the topographic survey submitted in earlier planning applications. The Key Site Requirements in the Plan state that there should be no development within the functional floodplain – this would make the site undevelopable. The site had planning permission at June 2011 (CD120). However the legislative and policy context, both at the local and national scale, has changed since the permission was granted. Therefore recommends that the site is removed from the Plan as to retain it as an allocation implies that the principle of development at this location is acceptable in the current policy and legislative context.

H027 – 56 Abbey Road, Stirling

The Scottish Environment Protection Agency (SLDP_175/050) - states that the Indicative River and Coastal Flood Map (Scotland) (CD251) shows that all of the site is at risk of flooding from the estimated 1 in 200 year flood event. This is further supported by the Halcrow report (CD205). Historic information and photographs show that the site has been subject to flooding and a flood risk assessment undertaken in support of the redevelopment of this site (CD201) states that the ground floor of the existing buildings was flooded in January 1993, this flood is around a 1 in 25 year flood event. The site was also flooded on the 14th December 2006 and has an estimated return period of 1 in 40 years (photographs submitted in support of this – CD200A, CD200B & CD200C). SEPA's response (CD207) to the planning application (CD111) supports this. The site had planning permission at June 2011. However the legislative and policy context, both at the local and national scale, has changed since the permission was granted. Therefore recommends that the site is removed from the Plan as to retain it as an allocation implies that the principle of development at this location is acceptable in the current policy and legislative context.

H028 – Riverbank Works, Stirling

The Scottish Environment Protection Agency (SLDP_175/051) supports the identification that the site is significantly constrained and not all the site is available for development due to flood risk. Recommends for clarity that it is noted in the site requirements that final capacity of the site will be limited by the findings of the Flood Risk Assessment. The latest Flood Risk Assessment (dated March 2012) proposes compensatory storage at the site. However there are contamination issues at the site which may impact upon this proposed flood mitigation measure.

Peter Bennie (00705/001) - expresses concern about the condition of the site (mound of earth and stones) that may remain if the site is not to be developed for some time, and requests that this is dealt with before 2019.

H038 – South West of Milton Mill, Stirling

The Scottish Environment Protection Agency (SLDP_175/052) - commented on a planning application (CD103) at this site and recommended that the finished floor levels of the houses be set at an appropriate height above the small watercourse and the road culvert (which are likely to be tributaries of the Bannock Burn). Therefore, recommends that the requirement for a flood risk assessment, avoidance of development on the functional floodplain, incorporation of flood mitigation measures and use of water resilient materials and measures is attached to the key site requirements of the allocation.

H046 – 11 Station Road, Stirling

Cycle Stirling (01039/019) - requests additions to the key site requirements.

H048 – Garages, Burghmuir Road, Stirling

Lynne McLaren (01230/001) - has concerns over the type of housing (particularly social) and impact this will have on the value of their property. Wants clarification over the height of the proposed properties, whether there will be flats, and whether this will infringe on their privacy. More housing on Cecil Street is going to cause more traffic entering the street and problems with parking. Clarity is needed on where the access to the properties will be.

Frank Pearson (01229/001) - is concerned about losing existing access to a garage within his garden which faces the proposed housing site.

Derek King (01228/001) - states that the proposed site is the only access to existing garages which have been sited here since the mid 1960s reducing parking problems in the area. Has built a double garage (approved by Planning) to replace the original timber garage in the area. The site is also widely used by children and dog owners and is the only small bit of green belt area left other than crossing the dual carriageway.

H049 – Ministry of Defence Site, Stirling

Ministry of Defence (SLDP_653/001) - supports the allocation of this site for the uses proposed, and is the site's promoter, but objects to the non-inclusion of an area of land to the west of the site, also within Ministry's ownership, that has not been allocated, and requests its inclusion in the site boundaries.

Story Homes (SLDP_1178/005) - considers the site wrongly phased. The programme to deliver 100 units in Period 1 should be moved into Period 2 as, according to the Action Programme, there are school capacity issues which are unlikely to be resolved until 2024.

Cycle Stirling (01039/010) - requests additions to the key site requirements.

H052 – Stirling Royal Infirmary Site, Stirling

Keith G Jacques (01168/001) - objects to the number of dwellings proposed on this site (150) which is too high for the following reasons:

- School capacity at St Ninian's Primary School; school could not accommodate the development.
- Predicts development will increase traffic flows on Bellfield Road, which currently experiences congestion.
- The timescale over which disruption may be experienced by neighbours: development is programmed over both Plan Periods until 2034 - considers that this is too long.
- Impact on the character of the area: considers that achieving an appropriate design, scale, and massing, particularly in relation to the nearby Conservation Area, is unlikely at the current density/number of dwellings proposed.

Scott Simpson (00708/001) - does not object to the principle of housing, but is concerned about the volume of housing proposed which is not in keeping with the low density housing in the area and would impinge on the character and amenity of the Conservation Area. The design of the development should be of a high quality and parking requirements should not overspill into neighbouring streets. The existing park and ride bus service should be retained to reduce private car use. Development at the former car park (junction of Randolph Road/Livilands Gate) should be sympathetic with the surrounding property and the Conservation Area. The building at No.1 Randolph Road should be retained. Concerned

also about the timeline for development (over 20 years) and associated construction traffic, dust, noise, disruption.

H058 – Newpark, Stirling

Ogilvie Homes Ltd (SLDP_321/006) - Welcomes the allocation of the site (8.4 Ha) for housing and its deletion from the Green Belt, and the proposed phasing in Phase 1. Concerned that limiting the allocation to 100 units could compromise the Council's objectives for the type of development envisaged for the site which is required to be integrated with Cultenhove. Suggests site capacity is increased to between 150 and 200 units consistent with the St Ninian's Development Framework (CD172) which refers to a housing capacity of 150-200 units at the Newpark Farm site. This would be a medium density of 10 houses per acre. Further housing on this site would reduce the pressure to release other greenfield sites. Limiting the site to 100 units does not allow sufficient flexibility and could compromise the Council's objectives.

Karen Wilson (01326/001) - would prefer that the Green Belt is not used for housing but if it is earmarked, objects to the access road being through Sauchie Street. This is a cul de sac and all neighbours make use of the residential parking in this area. The street is extremely busy and causes congestion already. The junction at Barnsdale Road is also very busy. Access to the proposed housing should be towards the Wordie Road end rather than through a small residential housing area.

Andrew Jamieson (00702/001) - is concerned that any development here may compromise the amenity and privacy of their property and requests certain development requirements to reduce this risk.

Darren Smith (00697/001) - is concerned that the development will cause loss of view to the rear (of fields, horses and Bannockburn site). Does not support affordable housing on the site. Concerned about construction period and impact on existing residents utilities and services.

H060 – Cornton, Stirling

The Scottish Environment Protection Agency (SLDP_175/059) - objects to the allocation as a key requirement is compliance with the Cornton Development Framework (CD171) which includes an area identified as Site 3 for development which is within the functional flood plain. Recommends that site 3 is removed from the development framework as to retain it as an allocation implies that the principle of development at this location is acceptable in the current policy and legislative context. Supports however the Key Site Requirements for H060.

H062 – Area 3 Laurencecroft, Raploch

The Scottish Environment Protection Agency (SLDP_175/060) – The Indicative River and Coastal Flood Map (Scotland) (CD251) shows that the allocation is at significant risk of flooding from the predicted 1 in 200 year flood event. This is further supported by the more accurate Halcrow study (CD205) which shows the vast majority of the site at risk of flooding during the 1 in 200 year flood event. There is a small L-shaped area which is shown to be free from flood risk. However if development was erected on this small area outwith the risk of flooding, it would be an island of development during the 200 year flood event with no flood free access and egress. Scottish Planning Policy (CD1) paragraph 204 states that developers and planning authorities should take into account effects of a flood in access

including by the emergency services. Previous advice regarding this site incorrectly assumed that there was an existing building on the site, but now aware that the site is vacant. Development on this site would therefore increase the numbers of properties at risk of flooding and could result in neighbouring existing developments being at an increased risk of flooding by displacing flood water. Therefore recommend that the site is removed from the Plan as to retain it as an allocation implies that the principle of development at this location is acceptable in the current policy and legislative context.

H128 – Stirling Ice Rink

Torbrex Community Council (SLDP_105/001) - Considers the site should be used for green space, as an extension of Beechwood Park. Objects to the proposed point of access across Torbrex Lane. Considers that there is limited demand for new housing development in Torbrex and that any further development in this location, adjacent to the old High School site that is currently under development, will lead to an extended period of disturbance for nearby residents.

H129 – Tesco Site, Wallace Street

Ashleigh Bird (01173/001) - objects to the allocation of this site for residential purposes, for the following reasons:

- Loss of local car parking facilities.
- Loss of long-distance views to the Wallace Monument etc.
- Impact upon the traffic and road safety in the surrounding streets.
- Impact upon the aesthetic, character, and appearance of the area, and upon the community dynamics.
- Loss of local shop, that is well-used by the city's student body, and which encourages them to come into the city centre from the university campus.
- Considers the allocation is at odds with the City Vision.

Representations to non-allocated sites

SS25 - Cornton Vale Prison

Councillor Mark Ruskell (01218/006); Kay Fairgrieve (00234/002); Jill Burt (00308/003); Frances Fielding (00486/002); Ian M McLaren (01275/002); Bob Fairgrieve (00315/003); Callum Blackburn (00066/004) – All comment that the Cornton Vale Prison site is to be vacated within Phase 1 of the Plan and yet it has not been fully considered as an alternative option for housing in the vicinity, particularly as an alternative to Airthrey Kerse (H056).

SS41 – Wester Cornton, Stirling

Mansell Homes (00682/003) - Some additional development within the locality would assist in terms of the revitalisation, perception and overall confidence within the Cornton area. The addition of mixed residential development on land to the north of the Cornton Development Framework Area (land at Wester Cornton) would assist widening the housing base in terms of quality and tenure which is key to the success of the Cornton regeneration. It would also add an additional effective site (c.80 units) to the housing land supply, increasing choice and variety, all in accordance with prevailing Scottish Government policy and guidance. The site is fully in accordance with the underlying strategy of the Plan related to urban consolidation and regeneration and effective in terms of the criterion within paragraph 55 of Planning Advice Note 2/2010 (CD10). Retaining or removing land from the Green Belt should be

balanced with the identified need for new housing. Development here would not significantly reduce settlement separation or undermine the visual/physical qualities of the Green Belt. New planting and a new landscape framework will enhance the setting of the urban areas. The provision of a large community space dividing the built development will be provided as part of the long term Green Belt designation.

SS44 – Glasgow Road, Whins of Milton

CALA Homes (West) (SLDP_230/009) - recommends that an additional site (total 13ha) at Glasgow Road, Bannockburn is allocated in the Plan. A Development Framework Report is submitted to support this. South west of Bannockburn is recognised as a sustainable location for development which is confirmed through the South Stirling Gateway allocation of c.52 ha for 800 homes, retail and business uses. This modification to the Green Belt highlights the need to review its role and determine how land in this location can contribute to the Council's future sustainable development strategy as well as protecting the landscape character.

This site is on the south west edge of Bannockburn at a location where surrounding development already exists in the countryside, e.g. Chartershall, Klondyke Garden Centre and commercial development at Glasgow Road. As a consequence, the transition from the urban edge to countryside is fractured. Site can accommodate 150 homes. It is well located to local jobs, facilities and services and represents a sustainable location and provides the opportunity to create an attractive entrance and strong edge to Bannockburn. The Council's reasons for justifying the release of land in the vicinity of the site equally apply to Glasgow Road. The overall location has the landscape capacity to accommodate further development and it will not impact on the Battlefield or the setting of the Battlefield Monument.

Submits a Site Effectiveness Matrix confirming the site's compliance with the 'tests of effectiveness' in PAN 2/2010. The need for additional housing is outlined in our representation on housing land supply and review of SG08 South Stirling Gateway Draft Development Framework.

SS45 – Chartershall, Stirling

David J Muirhead (01297/001) - objects to the village of Chartershall being excluded from the Plan. Puts forward 2.5 acres of unused land abutting the village that could be utilised for various forms of housing including affordable. This will help meet the growth targets which the Council are obliged to provide for by the Scottish Government.

SS48 – Broadleys Farm, Stirling

Taylor Wimpey UK Ltd (SLDP_263/001) - Promotes a site at Broadleys Farm for housing development (c.200 units when the net developable area is finalised based on landform, constraints, etc). As part of the development a new access will be taken from the A91 in the form of a roundabout. Submits a Masterplan which points towards this being an effective site that can deliver housing units within a 5 year time period.

The site can provide a sustainable extension to the Green Belt, for the long term. The A91 and railway line provide a natural boundary to the town and can finish off this part of the settlement in an appropriate manner. Although the site is part of the Green Belt it does not contribute any real value in terms of landscape, etc. It is evident from the allocations to the north that this area has been considered as suitable for development and expansion in previous plans in terms of the general principle of settlement expansion.

The site is effective and would accord with the Spatial Strategy for the Plan in terms of strengthening the city edge, forming a strategic entrance to Stirling at this important gateway, a controlled Green Belt extension on a site which is already confined on three sides, and contribute to the longer term growth of Stirling in a period in advance of Durieshill being delivered.

SS49 – Bannockburn Hospital

Heather Cooper (00113/003) - objects to the non-allocation of the land at and around Bannockburn Hospital for residential development, as considers this to be a highly accessible location.

John Brisbane & Son (SLDP_1139/003) - objects to the deletion of employment proposals at Bannockburn Hospital from the position described in the Draft Proposed Plan. Objects to the non-allocation of this vacant site which should be allocated for either employment or residential use.

NHS Forth Valley (SLDP_137/001) - considers Bannockburn Hospital to be brownfield and should be specifically allocated as a development opportunity within the Plan. No explanation has been given for the site being removed as an allocation for employment use from the Draft Plan. Refers to previous submissions by NHS Forth Valley requesting its allocation discussions with the Council about the potential for residential use on the site. Suggests there is available infrastructure to support 40-50 houses or other uses such as employment, other commercial, leisure or community use. Does not consider that the retention of buildings as part of any redevelopment or alternative use is justified. The site is within 1.6km of existing local facilities, on a main bus route and local improvements could be made to increase and improve safety for pedestrians.

SS50 – Lower Milton/West of Cat Craig, Bannockburn

Heather Cooper (00113/004) - objects to the non-allocation of the area of land to the west of Cat Craig for the development of flatted housing that is suitable for people seeking to downsize. Any development should preserve views of the hills.

CALA Homes (West) (SLDP_230/008) - recommends that an additional site (total 3ha) at Lower Milton, Bannockburn is allocated in the Local Development Plan. A Development Framework Report is submitted to support this. South west of Bannockburn is recognised as a sustainable location for development which is confirmed through the South Stirling Gateway allocation of c.52 ha for 800 homes, retail and business uses. This modification to the Green Belt highlights the need to review its role and determine how land in this location can contribute to the Council's future sustainable development strategy as well as protecting the landscape character.

This site can accommodate around 35 homes, 25% of which (around 9 homes) will be affordable. The land form to the west and south west of the site rises in such a way as to provide both a physical and visual barrier of any development on this site from the road. The local topography here also prevents views towards the proposed development from the adjacent Croftside Farm. Bannock Burn also runs along the northern boundary of this site. The overall location has the landscape capacity to accommodate further development and would not impact on the Battlefield or the setting of the Battlefield Monument. There is an opportunity to consider utilising further development to promote a Green Network strategy which would create usable public spaces as part of a transitional zone between a rural and urban character. A Site Effectiveness Matrix is submitted confirming the site's compliance

with the 'tests of effectiveness' in PAN 2/2010. The need for additional housing is outlined in our representation on housing land supply and review of SG08 South Stirling Gateway Draft Development Framework.

SS51 – Back O’Muir Farm, Bannockburn

Wallace Land Investment & Management (SLDP_48/009 & SLDP_48/005) - consider Back O' Muir Farm should be allocated for development purposes. The site is capable of being developed either solely for residential purposes or for mixed-use, comprising residential, retail and commercial floorspace. The site is capable of accommodating either 565 residential units, or 473 residential units and a local neighbourhood centre on 4.7ha of land, which is capable of accommodating the Council's retail requirement for this area and an element of commercial/business floor space. Submitted plans provide details of how these different forms of development could be delivered on the ground. The site does not lie within the boundary of the Green Belt (current or proposed), nor within any other form of designated protection area, such as Battlefield. Past studies have highlighted the ability of this land to accommodate development without giving rise to any significant landscape or other impacts. It is immediately effective in accordance with Planning Advice Note 2/2010 and can come forward in the short term. Support is given to the provision of additional retail floorspace within Bannockburn as opposed to Crookbridge (R012), but for a variety of reasons, linked to the multiple ownership of the site which has led to competing interests, and ground condition issues, considers that Stirling South Gateway site (H055/B10R09) is unsuitable to accommodate this proposed retail floorspace, and that SS51 is better suited to accommodate this development as it is in the control of a single party and does not suffer from the same geotechnical and topographical constraints as South Stirling Gateway, although it abuts it directly; the main difference between the two locations is that development of SS51 can be guaranteed whereas the same cannot be said of the Stirling South Gateway site. Considers its development would deliver and secure the same general level of benefits for the local community as would be the case with the development of the South Stirling Gateway site.

SS52 – Gartclush Farm, Bannockburn

John Brisbane & Son (SLDP_1139/002) - objects to the non-inclusion of Gartclush Farm as a housing release location. The entire site is some 67.7 hectares to be developed over 3 phases. Phase 1 capacity of c.600 units (300 within the 0 - 5 year lifetime of the Plan and a further 300 units 5 - 10). The area is effective in terms of Planning Advice Note 2/2010. The site (as part of West Sauchenford) was assessed at the previous Public Inquiry (CD40) and scored well against Durieshill. Indeed, the argument that it was too close to Bannockburn now appears somewhat contradicted by the proposed South Stirling Gateway (H055/R09) across the A91. This general area now requires to be reviewed in light of this. Supports the South Stirling Gateway proposals and encourages the creation of the major growth of Stirling being found on both sides of the A91 where initiatives for additional facilities including schools and park and ride, can be provided in a much more central and focused location. The A91 is a location which is likely to find support from house builders and deliver Stirling's long term Strategic Growth. It would be appropriate to further allocate land around Bannockburn Hospital for commercial/tourism and retail uses and additional housing on a phased basis along the Falkirk Road at Gartclush Farm (see submitted Masterplan).

Modifications sought by those submitting representations:Representations to allocated sitesH026 – 19 Cornton Road

The Scottish Environment Protection Agency (SLDP_175/049) - requests that the site is removed from the Plan, and states that they would remove their objection if the site was removed from the Plan.

H027 – 56 Abbey Road

Scottish Environment Protection Agency (SLDP_175/050) - requests that the site is removed from the Plan, and states that they would remove their objection if the site was removed from the Plan.

H028 – Riverbank Works

Scottish Environment Protection Agency (SLDP_175/051) - requests addition to 'Key Site Requirements' that the final capacity of the site will be limited by the findings of the Flood Risk Assessment (FRA).

H038 – South West of Milton Mill

Scottish Environment Protection Agency (SLDP_175/052) - requests the inclusion of a key site requirement that a Flood Risk Assessment be undertaken and a commitment that development on the functional floodplain should be avoided, that flood mitigation measures will be required at this site, and that water resistant materials and measures may be required.

H046 – 11 Station Road

Cycle Stirling (01039/019) - requests that the following text is added to the 'Key Site Requirements': "Increase off road space and crossing for pedestrians and cyclists from town centre to Station. Provide some green space."

H048 – Garages, Burghmuir Road

Frank Pearson (01229/001) - Retain continual access to garage.
Derek King (01228/001) - If proposed plans go ahead, requests that provisions be put in place for future access to the garage situated within their property.

H049 – Ministry of Defence Site

Ministry Of Defence (SLDP_653/001) - Include the area of MOD-owned land to the west of the site in the boundary of site H049.

Story Homes (SLDP_1178/005) - 100 units should be moved into Period 2.

Cycle Stirling (01039/010) - Add to key site requirements, "Increase cycle access from Forthside Way to Kerse road, e.g. via Meadowforth Road."

H052 – Stirling Royal Infirmary (SRI) Site

Keith G Jacques (01168/001); Scott Simpson (00708/001) - Reduce the number of dwellings proposed for the allocation (scale of reduction unspecified).

H058 – Newpark

Ogilvie Homes Ltd (SLDP_321/006) - The allocation is an under-utilisation of a greenfield site of c.21 acres at which 10 units per acre could comfortably accommodate 200 units. Identify the site for 150-200 units for Phase 1.

Karen Wilson (01326/001) - Wants access to the proposed housing to be towards the Wordie Road end not through Sauchie Street.

Andrew Jamieson (00702/001) - Requests that a 20m wide landscaping buffer zone be introduced running along the north east boundary of the site i.e. between H058 and the residential properties within the Newpark area.

H060 – Cornton

Scottish Environment Protection Agency (SLDP_175/059) - If site 3 was removed as a development site from the Development Framework we would remove our objection to allocation H060.

H062 – Area 3, Laurencecroft

Scottish Environment Protection Agency (SLDP_175/060) - Remove zone (i) from the Raploch Design Guide and remove allocation H062 from the proposed local development plan.

H128 – Stirling Ice Rink

Torbrex Community Council (SLDP_105/001) - Remove residential allocation, and designate as an area of open space that acts as an extension to Beechwood Park.

H129 – Tesco Site, Wallace Street - Ashleigh Bird (01173/001) - Remove allocation.

Representations to non-allocated sitesSS25 – Cornton Vale Prison

Cllr Mark Ruskell (01218/006) - Consider alternative sites to H056 for housing.
Kay Fairgrieve (00234/002) - Remove H056 and if there is a need for housing in the area, use Cornton Vale.

Jill Burt (00308/003) - Cornton Vale should be considered as a housing site.

Callum Blackburn (00066/004) - Consider social housing elsewhere (to H056) with the Cornton Vale site a consideration.

Frances Fielding (00486/002) - Considers Cornton Vale should be looked at as a housing site.

Ian M McLaren (01275/002) - Consider housing at Cornton Vale as it becomes available.

Bob Fairgrieve (00315/003) - Remove H056 and if there is a need for housing in the area, use Cornton Vale.

SS41 – Wester Cornton, Stirling

Mansell Homes (00682/003) - The submitted development site at Wester Cornton should be allocated for residential development and this section of the larger area should be deleted from the Green Belt. Identification of the northern section of the site to be retained as Green Belt and used for community uses (allotments/community woodland). An indicative masterplan for the entire site is submitted.

SS44 – Glasgow Road, Whins of Milton

CALA Homes (West) (SLDP_230/009) - Allocate the site for housing in the Stirling Settlement Statement as follows:

"Glasgow Road, Phase 1: 150 units, Masterplan required. Evaluate and mitigate potential impact on Battle of Bannockburn inventory site. Conserve and enhance green corridor along the Bannock Burn. Flood risk assessment will be required at planning application stage to define the area at risk of flooding. An appropriate assessment (Habitat Regulations Assessment) required relative to Firth of Forth SPA (in combination effects)".

Include the site in Appendix B of the Plan.

Amend Stirling South (Map 3) to reflect the allocation of Lower Milton (ref: Development Framework Report). The South Stirling Gateway should be extended to include the area outwith the settlement boundary (ref: CALA representations to SG08). Consequential changes are also proposed to the Green Belt boundary (ref: CALA Green Belt Review).

SS45 – Chartershall, Stirling

David J Muirhead (01297/001) - 2.5 acre field adjoining Chartershall should be included in the Plan as a site available for housing or alternatively as a mixed use site suitable for business and industry.

SS48- Broadleys Farm, Stirling

Taylor Wimpey UK Ltd (SLDP_263/001) - Site at Broadleys Farm should be included as a housing allocation for 200 units in the period 2010-2019 and removed from the Green Belt. Submits a Masterplan in support of the representation.

SS49 – Bannockburn Hospital

Heather Cooper (00113/003) - Allocate the hospital site and its surrounds for residential development.

John Brisbane & Son (SLDP_1139/003) - Inclusion of the Bannockburn Hospital site for employment uses as was proposed in the Draft Proposed Plan.

National Health Service Forth Valley (SLDP_137/001) - Allocate the Bannockburn Hospital site as suitable for a variety of alternative uses including residential, employment, other commercial, leisure or community use.

SS50 – Lower Milton/West of Cat Craig, Bannockburn

Heather Cooper (00113/004) - Allocate the proposed site for flatted housing development.

CALA Homes (West) (SLDP_230/008) - Allocate the site for housing in the Stirling Settlement Statement as follows:

"Lower Milton, Phase 1: 35 Units, Masterplan required. Evaluate and mitigate potential impact on Bannockburn Battlefield Inventory site. Enhance Green Network and conserve and enhance green corridor along the Bannock Burn within the site. Flood risk assessment will be required at planning application stage to define the area at risk of flooding. Ground stability and undermining assessment required. An appropriate assessment (Habitat Regulations Assessment) required relative to Firth of Forth SPA (in combination effects)".

Include the site in Appendix B of the LDP: Schedule of Housing Sites.

Amend Stirling South (Map 3) to reflect the allocation of Lower Milton (ref: Development Framework Report). The South Stirling Gateway should be extended to include the area outwith the settlement boundary (ref: Cala representations to SG08). Consequential changes are also proposed to the Green Belt boundary (ref: Cala Green Belt Review).

SS51 – Back O'Muir Farm, Bannockburn

Wallace Land Investment & Management (SLDP_48/009); (SLDP_48/005) - Allocate additional, effective and deliverable land for residential development purposes, including the land at Back O' Muir Farm, Bannockburn in order to ensure that an effective and generous 5 year housing land supply can be maintained at all times. The Back O'Muir allocation should be for approximately 500-560 units, potentially provided as part of a mixed use allocation, with a significant proportion of the site expected to be delivered during the period 2010-2019. Also requests provision is made for the allocation of land within the site for retail development purposes.

SS52 – Gartclush Farm, Bannockburn

John Brisbane And Son (SLDP_1139/002) - Deletion of Durieshill as non-effective and replace with Stirling South Gateway and land to the east including Gartclush Farm.

Summary of responses (including reasons) by planning authority:**Representations to allocated sites****H026 – 19 Cornton Road**

As this site already has planning permission, there is nothing to prevent the development coming forward. However the site was agreed to be non-effective to 2019 in both the 2011 and 2012 Housing Land Audits (CD63 and CD64 – Audit Ref: SC051) and therefore does not count towards the latest (2013) land supply assessment set out in CD65. It is considered that the Key Site Requirements relating to flooding are sufficient to deal with the identified flood risk on the site should a future planning application be submitted. Therefore, it is considered that the Plan should not be modified in this respect.

H027 – 56 Abbey Road

As this site already has planning permission, there is nothing to prevent the development coming forward. The site was agreed to be effective to 2019 in the 2011 HLA (CD63 – Audit Ref: SC052), but is no longer effective in the 2012 Housing Land Audit (CD64). It therefore counts towards the latest land supply assessment set out in CD65. It is considered that the Key Site Requirements relating to flooding are sufficient to deal with the identified flood risk on the site should a future planning application be submitted. Therefore, it is considered that the Plan should not be modified in this respect.

H028 – Riverbank Works

The Council is agreeable to the Plan being modified in this way should the reporter(s) be minded to agree with Scottish Environment Protection Agency, and considers this to be a non-notifiable modification.

The phasing presented is agreed with Homes for Scotland in the 2012 Housing Land Audit (CD64), and it is not considered that this could be moved forward due to the complexities in resolving the constraints within the site. Further, the present condition of the site is not an issue for the development plan. Therefore, it is considered that the Plan should not be modified in respect of the representation by Peter Bennie (00705/001).

H038 - South West of Milton Mill

This site is now developed and complete. Therefore, it is considered that the Plan should not be modified in respect of this representation.

H046 – 11 Station Road

It is considered that the site is in a very accessible location (by all transport modes), being within the city centre, with Stirling's main bus and train station located within around 200 metres of the site, and two pedestrian crossings immediately adjacent linking the site to the train station and the rest of the city centre. Further, it is considered that the Plan's policy framework (particularly that contained within Policy 3.1) is sufficient to ensure that development sites are accessible by a range of modes of travel, and such detailed matters would be addressed at the planning application stage. In relation to the provision of open space within the site, the development of the site will be guided by the Masterplan to be prepared for the wider area which will address such issues. Therefore, it is considered that the Plan should not be modified in respect of this representation.

H048 – Garages, Burghmuir Road

This site is a small Council-owned site allocated for 100% affordable and particular needs housing to meet housing needs in the area. The impact of development on property values is not a material planning consideration, and the details of the final design of the development, i.e. height of properties, type of dwellings (houses or flats), their proximity to neighbouring residential properties, and point of access will be dealt with at the planning application stage. Environment Services has not raised any concerns with regard to increased traffic on the street but displaced parking is referred to in the Site Assessment (CD45) for site BRAE01. However, this issue can be dealt with at planning application stage. Any arrangements that neighbouring property owners/occupiers have with the Council with regard to access on the site are civil matters that must be resolved between the Council and those parties prior to its development – they are not planning considerations. The site is not part of either the Green

Belt or the Green Corridor as defined in the Plan. It is considered that the site is a good infill/gap site, and its allocation conforms to the Plan's Spatial Strategy with regard to urban consolidation in the Core Area (see Issue 3).

H049 - Ministry of Defence Site

The Council does not agree that the Plan should be modified to include an additional area of Ministry owned land within the allocation H049. This area was not included in the original expression of interest put to the Council by the Ministry of Defence and has only recently (through this representation to the Proposed Plan) been suggested. The additional land is occupied by the Territorial Army Centre but should it become vacant in time for the masterplanning of H049, it can be considered as part of this process.

The Council does not agree that 100 units from H049 should be moved into Period 2. Issue 4 responds to the concerns raised by Story Homes.

Cycle Stirling (01039/010) - Policy 3.1, supported by Supplementary Guidance SG14 (CD178), requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites – except in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so, whether the cost of providing the cycle links that are suggested is reasonable in the context of the development proposals that will be brought forward for that site.

H052 - Stirling Royal Infirmary Site

Representations refer to a range of detailed matters such as access and parking, design, scale, layout, impact on heritage, impact on school infrastructure etc. The Plan emphasises the importance of placemaking, good design and environmental, social and economic sustainability. Proper account requires to be taken of local characteristics and circumstances. This is supported by a range of topic based Primary Policies, Policies and Supplementary Guidance against which planning applications will be assessed. The Key Site Requirements draw attention to more significant, but potentially resolvable, environmental and transport issues. In addition to these, a range of other detailed matters will require to be addressed at the Masterplanning and planning application stage. Neighbouring owners/occupiers and other local residents and interest groups will have an opportunity to comment on these detailed matters, and account must be taken of their representations prior to the final determination of the application.

There is not considered to be an issue with school capacity as this will be resolved through a proposed extension referred to at Page 217 of the Plan and explained within the Background Report on Education Facilities (CD75). Only c.100 units are allocated within the site in the period up to 2024. A detailed Masterplanning process, currently underway by NHS Forth Valley, will determine the residential capacity of the site.

H058 - Newpark

The Council does not agree that a modification should be made to increase the capacity of this site to 200 units. The capacity of the site (100 units) shown in the Plan is only indicative. A higher number of units may be possible as the site extends to 8.2 hectares, but this should

only be determined once a detailed development scheme is before the Council. Concerns over the impact on the setting of the A listed Borestone monument complex and the Battle of Bannockburn should form part of that consideration.

The loss of Green Belt in the area is considered justified and further discussed under Issue 8.

The St Ninian's (Cultenhove) Development Framework (CD172) which includes site H058 in new Neighbourhood C indicates that the site should be accessed from Wordie Road and Cultenhove – there is no indication within the Framework that access is suitable from Sauchie Street.

The Development Framework refers to a green corridor – a linear greenspace for a pedestrian and cycle path all along the east of the site. This will help to provide the privacy and visual buffer requested by Andrew Jamieson. The Council considers that specific reference to comply with the St Ninian's Development Framework needs to be added to the Key Site Requirements for H058. As this is to provide clarity and ensure consistency with the allocations under H059, it is considered to be a non-notifiable modification.

Loss of view is not a material planning consideration. The Key Site Requirements draw attention to more significant, but potentially resolvable, environmental and transport issues. In addition to these a range of other detailed matters will require to be addressed at the planning application stage. Neighbouring owners/occupiers and other local residents and interest groups will have an opportunity to comment on these detailed matters, and account must be taken of their representations prior to the final determination of the application.

H060 - Cornton

The Plan does not show any specific site for allocation as part of H060 as this is to be determined through the Development Framework and Mastepanning exercise. The Council is agreeable to the removal of Site 3 shown within the Cornton Development Framework document (CD171) which is considered to be a non-notifiable modification as the change will be made to Supplementary Guidance not the Plan itself.

H062 - Area 3, Laurencecroft

This site features within the 2011 and 2012 Housing Land Audits (CD63 and CD64 – Audit Ref: SC050) as non-effective to 2024. It also features within the Raploch Masterplan and Design Guide (CD169 – zone i) which is currently under review. The Council does not agree that the site should be de-allocated as it is identified for Period 2 and is not therefore being put forward as an allocation within the Plan. The Plan only allocates land for the first 10 years of the Plan i.e. up to 2024. The land allocated for this period is considered adequate and it will be for a future review of the Local Development Plan to determine whether any Period 2 sites are required. The risk of flooding across the site will be a determining factor as to whether the site is allocated and also whether the site continues to feature in the Housing Land Audit and Raploch Masterplan.

H128 - Stirling Ice Rink

This site is subject to an approved Planning Brief, 2006 (CD86) which is also presented as part of the Proposed Plan, 2012 (CD250). The site is brownfield and considered a good infill site in the urban area. The need for housing in the Stirling area is dealt with in the Vision and Land Requirement set out in the Plan (Chapters 4 and 6) and responded to under Issue 4. The site's allocation for housing purposes conforms to the Plan's Spatial Strategy with

regard to urban consolidation in the Core Area (see Issue 3). The Council does not therefore support its use as open space. Beechwood Park and Stirling High School are recognised in the Settlement Statement for Stirling and in the Council's Open Space Strategy (CD56) as important to the open space, recreational and sporting facilities within the area. The development of the site will require to contribute to the improvement of these local facilities. The most appropriate access to the site is from the north east across Torbrex Land (as described in the Planning Brief) but the safe crossing by pedestrians will be maintained. The site is programmed to come forward in the period up to 2019. Any concerns regarding construction disturbance will be a matter for the planning application and planning enforcement process.

H129 - Tesco Site, Wallace Street

Tesco submitted a representation to the Draft Proposed Plan (CD204) which supported the redevelopment of the site. This site (once vacated) would class as brownfield and is considered a good infill site in the urban area. The need for housing in the Stirling area is dealt with in the Vision and Land Requirement set out in the Plan (Chapters 4 and 6) and responded to under Issue 4. The site's allocation for housing purposes conforms to the Plan's Spatial Strategy with regard to urban consolidation in the Core Area (see Issue 3). The Council does not therefore agree to its removal as an allocation. Loss of view is not a material planning consideration. The Key Site Requirements draw attention to more significant, but potentially resolvable, environmental and transport issues. In addition to these a range of other detailed matters will require to be addressed at the planning application stage. Neighbouring owners/occupiers and other local residents and interest groups will have an opportunity to comment on these detailed matters, and account must be taken of their representations prior to the final determination of the application. Tesco has received planning permission (CD110) for the relocation of its existing superstore on the site to another site (R06) at the edge of the City Centre. This new site is located adjacent to the railway station and within close proximity to the City Centre, the bus station and the expanded town centre facilities at Forthside and will be accessible to all.

Representations to non-allocated sites:

SS25 – Cornton Vale Prison

This site is currently occupied by the prison and has not been put forward by the landowners as an expression of interest for inclusion within the Plan nor through any subsequent representation to the Draft or Proposed Local Development Plan. The majority of the site falls within an area of flood risk as indicated in the SEPA Indicative River and Coastal Flood Map (Scotland) (CD251). The Green Belt in this location is considered important to the setting and identity of Stirling and Bridge of Allan as referred to in Para. 3.5 of Proposed Supplementary Guidance SG03 Green Belt (CD160) and to maintain separation between the settlements (Para. 3.6). A review of the Green Belt at north Stirling also confirms this at Para. 6.7 (CD55) and the proposed extension to the Green Belt to the west of the Cornton Vale is important to the wider landscape setting of Stirling and Bridge of Allan within the carse landscape.

Cornton Vale is not therefore considered an effective site, deliverable within the first 10 years of the Plan, and therefore suitable for allocation. The land supply identified in the Plan for this period is considered to be sufficient to meet housing needs and additional sites are not required. Should the site become vacant over the next few years and promoted to the Council, it can be considered along with H056 which is also not allocated within the Plan but to be considered in a future review for the period after 2024.

SS41 – Wester Cornton, Stirling

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this land for development. This site was submitted as an expression of interest (BOFA07) and considered through the Site Assessment process (CD45). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representation is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential use, as demonstrated by the Background Report on Housing Land Requirement (CD61) and discussed more fully in Issue 4.
- There is no capacity within Cornton primary school to accommodate the development and capacity problems already exist in relation to the development at Westhaugh (H022).
- The site is immediately at the edge of an area of flood risk as indicated in the SEPA Indicative River and Coastal Flood Map (Scotland) (CD251). The Scottish Environment Protection Agency continues to raise concerns over sites adjacent to flood risk areas.
- The Green Belt in this location is considered important to the setting and identity of Stirling and Bridge of Allan as referred to in Para.3.5 of SG03 Green Belts (CD160) and to maintain separation between the settlements (Para.3.6). A review of the Green Belt at north Stirling also confirms this at Para.6.7 (CD55). Development in this location would therefore threaten the role and function of the Green Belt.
- This mostly undeveloped area is an important link between the green corridor at Bridge of Allan and the green corridor at Cornton and therefore important to the Green Network. The submitted proposal does not demonstrate how this link is to be protected and enhanced, consistent with emerging Green Network Policy.
- Development of the site as suggested would impact on future infrastructure provision referred to at page 123 and 217 of the Plan. The Plan requires the safeguarding of land adjacent to the railway line in order to facilitate the realignment of Cornton Road and a new railway bridge crossing to allow the closure of the Cornton level crossing. The Plan also requires the safeguarding of land for a new access route to be provided between Cornton Road and Airthrey Road. The exact locations for these infrastructure projects are still to be determined but housing development at this site in the manner expressed in Mansell Homes submitted plan, would remove the opportunity to consider most of the area west of the railway.
- It is not clear from the submission what regeneration benefits for Cornton will be derived from the proposed housing development at this site. The area proposed for community woodland/allotments is remote from the existing residents at Cornton and is likely to be required for realigning the road/bridge link making the retention of the Green Belt to the south of the site all the more important.

SS44 – Glasgow Road, Whins of Milton

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this site for development. This site was submitted as an expression of interest (BORE03) and considered through the Site Assessment process (CD45). Although the extent of the site submitted to the Proposed Plan has been reduced, it raises similar concerns. The site does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the

representations is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential uses, as demonstrated by the Background Report on the Housing Land Requirement (CD61) and discussed more fully in Issue 4.
- The site boundary includes the Bannock Burn and is within the 1 in 200 year area of flood risk as indicated in the Indicative River and Coastal Flood Map Scotland (CD251). Although the developer recognises that this reduces the developable area to 6.6 hectares, no details have been submitted to allow a proper assessment of this and therefore a proper conclusion to be reached.
- No information is submitted on how the infrastructure requirements will be met such as schools, drainage, transport, all of which require investigated, funded and delivered, as part of this development. The site is not therefore considered 'immediately effective' as claimed by the objector. The site is within the catchment area of Borestone Primary School and Stirling High School. Both of which are within the Core Education Area and subject to other development pressures and the careful timing of future development (see CD75).
- The site is located within the Green Belt. The Council's response to CALA Homes objections to the review of the Green Belt is dealt with under Issue 8, particularly their specific suggestion that the Green belt boundary should be moved to the M9 in this location.
- The site is located in a sensitive location relative to the Battle of Bannockburn. The developer has submitted a Landscape Appraisal of the Battle of Bannockburn in which it is argued that residential development at Glasgow Road would not adversely impact on the key features of the battle or the ability to read the battlefield landscape. The Council responds to this appraisal in CD208, particularly highlighting that the clear views to and from Cat Craig and from the environs of the National Trust Visitor Centre, are one of the most important key features associated with either day of the conflict. The western part of the Glasgow Road site is sighted within this view and is likely to have an adverse impact on the setting of the battle. The allocation of employment development at B10 has been carefully considered and will be less visible than the Glasgow Road site due to the topography of the land. It is also not within the key views from and to Cat Craig and the monument complex. Historic Scotland has indicated their support (CD203) to the Council's approach to battlefields as set out in the proposed Supplementary Guidance SG24 on Battlefields.
- The reference to a 'fractured edge' to the urban area at Glasgow Road referred to by CALA Homes, is not considered to be a valid justification for developing in this area. The Stirling Green Belt Landscape Study (CD 53) acknowledges the weak Green Belt boundaries in this location caused by piecemeal development, and recommends landscape improvement, not development. The Council is concerned that development here would increase the prominence of the built edge, further reducing the landscape integrity of this area and the role it plays in the setting and identity of the historic landscape associated with the battle of Bannockburn.
- Little information is supplied on how the development will enhance the Green Network and therefore it is difficult for the Council to understand what additional benefits the development will provide. CALA Home's references to the opportunities of the floodplain, biodiversity enhancement and a riparian corridor along the Bannock Burn are already being pursued as a Green Network project (CD 60) - this project is not reliant on future development. The area is already well used and there are Core Paths established.

SS45 - Chartershall, Stirling

The area of land put forward lies within the Green Belt. The Green Belt in this location is considered important to the setting, identity and character of Bannockburn as referred to in Para. 3.2 of SG03 (CD 160) and the wider structure of open space important to the Green Network. A review of the Green Belt at south Stirling also confirms this at Paras. 5.21 and 5.25 (CD 55). The site lies within the Inventory designated area of the Battle of Bannockburn and land west of the A872 provides an important setting for the Bannockburn rotunda, memorial cairn, flagpole and statue (all A Listed) and the setting of Stirling. Development in this location would therefore threaten the role and function of the Green Belt and the view from and setting of the listed structures, only 500m away. The site lies either side of the Mill Lade and is within an area of flood risk as indicated in the Indicative River and Coastal Flood Map Scotland (CD 251). The old bridge over the Mill Lade is B Listed – the Council has concerns over the adverse impact of any development on the setting of this listed structure. Development here would further expand built development into the open countryside, contrary to the approach set out in the Spatial Strategy (Table 1) - Chartershall is not identified as a settlement in the Plan Settlement Hierarchy. None of the supporting information included in the representation is considered to be of sufficient weight/merit to support a modification to allocate land for development here.

SS48 – Broadleys Farm, Stirling

The representation received from Taylor Wimpey (SLDP_263/001) seeks the allocation of land at Broadleys Farm for residential purposes. The Council has carefully considered the various reasons put forward in support of the suggested modification, but remains of the view that there continues to be insufficient justification to allocate this land for residential development.

This site was submitted as an expression of interest (BRAE04) and considered through the Site Assessment process (CD 45). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representation is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential uses as demonstrated by the Background Report on Housing Land Requirement (CD 61) and discussed more fully in Issue 4.
- A masterplan is submitted which demonstrates c.200 units can be accommodated on the site with significant areas remaining undeveloped and retained as open space. A Landscape Appraisal is submitted in support of the masterplan, the conclusions of which the Council does not agree with. The Council considers the site to be highly visible from the A91 and therefore development here will be visually intrusive. The extent of woodland planting suggested in the masterplan only reinforces this opinion. The Bing provides a clear landscaped edge to the settlement and a strong Green Belt boundary in this location – the submission does not indicate where a revised robust Green Belt boundary should be, should development take place here.
- Housing in this location would appear detached from the urban area particularly with the main access being taken off the A91 and the retention of open undeveloped areas between the proposed housing and the land around the Bing. Therefore it is not visually or physically well connected to the commercial development proposed at Broadleys/Millhall or the residential area of Braehead, where it is separated by the railway.
- The site is located within the Green Belt. This area of Green Belt has a central role in

protecting the character, setting and identity of Stirling and is a key component to the understanding and interpretation of the Battle of Bannockburn. The role of the Green Belt is set out in Supplementary Guidance SG03 Green Belts. Development in this area would seriously compromise the role and function of the Green Belt and should therefore be avoided.

- An Archaeology statement (produced by CFA Archaeology) is submitted by the objector. The Council considers that the events and disposition of the armies on Day 2 of the Battle of Bannockburn (24th June) are clearly a matter for debate, this is in part because one of the main records for the battle: Barbour's The Brus, was written some 60 years after the events, thus for example the precise nature and location of the 'Great Ditch' is unlikely to be ever discovered, regardless there are a number of geographic features which would have presented obstacles to troop movements. Of the four locations listed by the CFA's report, Options Two (dryfield) and Four (Carse) are considered to be the most likely for the location of the Day 2 battlefield by Historic Scotland in their Inventory of Historic Battlefields. Option 4 is considered by Historic Scotland to have the stronger case: there is no mention of the English having had to climb a steep slope to engage the Scots, which they would have had to do to fight on the Dryfield and this seems unlikely. The majority of sources and the Inventory agree that the English Camp was located on the Carse between the Bannockburn and Pelstream. Therefore, any development on this area has the potential to destroy objects associated with the battle, the rarity to date such artefacts is not in itself evidence for absence and indeed recent metal detecting in April 2013 by GUARD Archaeology in collaboration with Glasgow University Centre for Battlefield Archaeology has identified potentially medieval objects from the battle. In addition, it is argued that despite modern development, the open nature of the proposed development area retains the bleak character of the battlefield at the time of the conflict and that any development on this location would destroy this.
- A Transport statement is submitted. The Council continues to have concerns over the accessibility of the site to local amenities. New residential units should be located within 400 metres of a public transport route and this is unlikely this can be achieved without provision for bus penetration through the site. The timing of employment development at Broadleys/Millhall and opportunity for a secondary access to be provided is uncertain. The proposal for a new pedestrian/cycle bridge over the railway is vitally important to the development, but it is not clear from the proposals whether this is being provided along with the residential development. General accessibility criteria suggests a maximum threshold of 1600 metres for walking to local facilities – parts of the site exceed this distance in terms of access to the primary school and significantly exceed this in terms of medical and other vital services.
- Being detached from the main urban area, the site is not considered suitable as a future residential environment. It is located some distance from local services and amenities such as schools, medical facilities etc, which are required to support residential development in this location.
- No information is submitted on how the infrastructure requirements will be met such as schools, which will require to be investigated, funded and delivered, as part of this development. The site is not therefore considered 'effective' as claimed by the objector. The site is within the catchment area of Braehead Primary School and Stirling High School. Both of which are within the Core Education Area and subject to other development pressures and the careful timing of future development (see CD 75).

SS49 - Bannockburn Hospital

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view there continues to be insufficient justification to allocate this site for development. This site was submitted as an expression of interest (BANN21) and

considered through the Site Assessment process (CD 45). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representations is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential and employment uses, as demonstrated by the Background Reports on the Housing Land Requirement (CD 61) and Employment Land Requirement (CD 51), and discussed more fully in Issues 4 and 5.
- The site is isolated and detached from the settlement of Bannockburn. Public transport and walking opportunities from the site to local amenities in Bannockburn, including schools, are poor, and significant infrastructure improvements would be required to the A91 to improve this situation.
- The site is subject to past and probable shallow mine workings (see CD 202). This does not prevent development coming forward but adds to the complexity and cost of the development.
- Development for housing purposes in this location would appear incongruous with its countryside setting and has the potential for urbanisation in what is essentially a countryside location.
- The retention of the older Victorian buildings (not listed) on the site is considered important to provide an historic context to any development.
- Due to the circumstances outlined above, it is not considered appropriate to allocate this countryside site for development. Its brownfield status does not warrant a specific allocation as it sits within an sensitive countryside location. Any appropriate residential or business uses proposed for the site could be considered under Policies 2.10 on Housing in the Countryside and 2.9 Economic Development in the Countryside along with other relevant policies in the Plan.

SS50 – Lower Milton, Bannockburn

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this site for development. This site was submitted as an expression of interest (BANN03) and considered through the Site Assessment process (CD 45). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representations is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential uses, as demonstrated by the Background Report on the Housing Land Requirement (CD 61) and discussed more fully in Issue 4.
- The site boundary is immediately to the south of the Bannock Burn but the north-west corner of the site is within the 1 in 200 year area of flood risk in the Indicative River and Coastal Flood Map Scotland (CD 251). In the absence of any submitted flood risk assessment for the site, and due to the lack of previous development on the site, it would not be appropriate to allocate the whole site for development until the extent of flood risk is known. Despite acknowledging that there may be flood risk at the site, CALA Homes submission clearly shows new housing development proposed for the north-west corner.
- No information is submitted on how the infrastructure requirements will be met such as schools, which will require to be investigated, funded and delivered, as part of this development. The site is not therefore considered 'immediately effective' as claimed by the objector. The site is within the catchment area of Bannockburn Primary School and

Bannockburn High School. Both of which are within the Core Education Area and subject to other development pressures and the careful timing of future development (see CD 75).

- Part of the site is subject to previous mining activity (probable shallow workings) (see CD202). This does not prevent development coming forward but adds to the complexity and cost of the development.
- The site is located within the Green Belt. The Council's response to CALA Homes objections to the review of the Green Belt is dealt with under Issue 8, particularly their specific suggestion that the Green belt boundary should be moved to the A91 due the fragmented nature of the remaining Green Belt proposed for this location. The landscaped edge (and inner boundary of the Green Belt) in this location is already clearly defined by the Bannock Burn and its vegetated slopes. The Council does not therefore support any amendment to the boundary in this location.
- CALA Homes submission indicates that 'the dwellings will front onto Glasgow Road at the entrance to the site to create a positive and attractive face to the development'. Given that access will be taken from a fourth arm of the existing roundabout and due to the slope the road will run along the contours for some length, the Council does not agree that this will be achievable.
- In any case, the existence of breaks in urban development and countryside gaps appearing as you travel along Glasgow Road is characteristic of this part of Stirling. The 18th century crofting/small holdings at Croftside, Caigford and Pirnhall are recognised in the Royal Commission's Historic Land Use Assessment (CD 206). CALA Homes refers to this part of Stirling as 'fractured' implying this is a negative attribute. The South Stirling Gateway Draft Development Framework (CD 170) acknowledges this landscape characteristic as positive as it reflects the traditional crofting character of the area. The Framework suggests it is enhanced by the introduction of a 'green gateway' to the City and lower density development as indicated on the Site Development Plan. A well designed landscape corridor along the A872 is proposed in order to maintain important views and enhance these characteristics. Development of housing at Lower Milton would impact on this.
- The site is located in a sensitive location relative to the Battle of Bannockburn and Battle of Sauchieburn. The developer has submitted a Landscape Appraisal of the Battle of Bannockburn in which it is argued that residential development at Lower Milton would not adversely impact on the key features of the battle or the ability to read the battlefield landscape. The Council responds to this in CD 208, particularly highlighting that the clear views to and from Cat Craig and from the environs of the National Trust Visitor Centre, are one of the most important key features associated with either day of the conflict. Development at Lower Milton, on rising ground, would be sighted within this view and is likely to have an adverse impact on the setting of the battle. Historic Scotland has indicated their support (CD 203) to the Council's approach to battlefields as set out in the proposed Supplementary Guidance SG24 on Battlefields.
- The proposals refer to a focal area of open space within the development which would link into the Green Network – this is just visible on the submitted plans. The existing Core Path that runs south of the Bannock Burn is well used and its rural characteristics (and potential to appreciate the battlefield) would change significantly through the development of housing at its edge. From the Core Path, the introduction of garden fences, as a clear divide between public and private space would be viewed on rising land and the introduction of a small area of what would be formal, managed open space would do little to enhance this.
- The southern boundary of the site is proposed for structure planting to define the urban edge and make the transition to countryside (however CALA Homes say elsewhere that they consider the site not visible from the road – the Council disagrees with this,

development would be highly visible from the A872, particularly travelling south). Given that the whole site is currently open pasture, significant structure planting (including areas of suitable woodland) would require to be established to achieve any transition, all of which will take time to mature. Therefore the impact of the development in both immediate and more distant views is not likely to be mitigated for some years.

SS51 - Back O'Muir Farm

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this land for development. This site was submitted as an expression of interest (BANN02) and considered through the Site Assessment process (CD 45). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representation is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential and employment uses, as demonstrated by the Background Reports on the Housing Land Requirement (CD 61) and Employment Land Requirement (CD 51), and discussed more fully in Issues 4 and 5.
- The Council acknowledges the site is outwith the Green Belt but this fact does not automatically lead to its allocation for development. The review of the Green Belt (CD 55) has considered and recommended deletion of the Green Belt in particular locations as this presents the best approach in terms of a sustainable settlement strategy. This is consistent with Scottish Planning Policy and is further discussed in Issue 8.
- Development at this site would represent a major incursion into the countryside which is open to views and contributes to urban sprawl. It further expands built development into the open countryside, contrary to the approach set out in the Spatial Strategy (Table 1) which indicates controlled greenfield expansion within the City Corridor. The City Corridor approach is discussed in the Main Issues Report (CD 41) and Vision and Spatial Strategy Background Report Para. 8.6 (CD 49). This site lies outwith the City Corridor and would not strengthen the city edge/gateways. Its boundaries to the east are not considered robust and structure planting across the full length of this eastern boundary would be required (and is proposed) which confirms that the scale of development proposed does not 'fit' comfortably within the landscape and topography of this location.
- The A91 is a strong physical boundary to define the Countryside Policy Boundary in this location, and therefore is also a barrier to good accessibility by walking and cycling. The site is not currently well served by public transport (except to the north along the A9).
- The scale of development proposed and the necessary infrastructure to support this site is such that the Council is not convinced that it is any more effective than other allocations within the Plan e.g. South Stirling Gateway (H055), Durieshill (H057) or Touchill Farm, Plean (H072). No information is submitted on how the infrastructure requirements will be met such as schools, drainage, transport, all of which require to be investigated, funded and delivered, as part of this development. The site is not therefore considered 'immediately effective' as claimed by the objector.
- The site is subject to previous mining activity (probable and past shallow workings) (see CD 202). This does not prevent development coming forward but adds to the complexity and cost of the development.
- The suitability of a retail superstore on the site, in place of that proposed for South Stirling Gateway or Crookbridge in the Plan, is difficult to support given that both these sites are closer to the urban area of Stirling and therefore sequentially more preferable and also more accessible. Also the proposal for a neighbourhood centre (undefined

within the submission), combined with a proposed neighbourhood centre within South Stirling Gateway development, raises concerns in terms of the impact this will have on existing centres particularly Bannockburn.

SS52 – Gartclush Farm

The Council has carefully considered the various reasons put forward in support of this site, but remains of the view that there continues to be insufficient justification to allocate this site for development. This site was submitted as an expression of interest (NEW13) and considered through the Site Assessment process (CD 45). It does not conform to the Spatial Strategy and also suffers from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representations is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential and employment uses, as demonstrated by the Background Reports on the Housing Land Requirement (CD 61) and Employment Land Requirement (CD 51), and discussed more fully in Issues 4 and 5.
- Development at this site would represent a major incursion into the countryside which is open to views and contributes to urban sprawl. Its boundaries are not considered robust and structure planting across the full length of this boundary would be required (and is proposed) which suggests that the scale of development does not 'fit' comfortably within the topography of the location.
- The A91 is a strong physical boundary to define the Countryside Policy Boundary in this location, and therefore is also a barrier to good accessibility by walking and cycling. The site is not currently well served by public transport.
- The development of this site appears reliant on the promoted site adjacent at Back O'Muir Farm. Gartclush Farm would not be appropriate on its own and would appear as a new settlement in the countryside. It further expands built development into the open countryside, contrary to the approach set out in the Spatial Strategy (Table 1) which indicates controlled greenfield expansion within the City Corridor. The City Corridor approach is discussed in the Main Issues Report (CD 41) and Vision and Spatial Strategy Background Report Para. 8.6 (CD 49). This site lies outwith the City Corridor, would not strengthen the city edge/gateways and is not physically connected to the established urban area of Stirling City.
- The Council does not dispute that the Reporter into the Major Growth Area Local Plan Inquiry (CD 40) found that the Sauchenford site compared favourably with Durieshill, however she ultimately recommended the allocation of Durieshill. The strategy at that time was to identify a major growth area – a new settlement, as the main focus to meet the longer term housing needs of the area. This position has not changed. The strategy of the emerging Local Development Plan accepts Durieshill can help meet the longer term housing needs, but the shorter term should be provided through urban consolidation and strategic settlement expansion within the City Corridor.
- Comments made about the failed delivery of Durieshill would also therefore apply to any major development at Gartclush Farm. The scale of development proposed and the necessary infrastructure to support this site is such that the Council is not convinced that it is more effective than other allocations within the Plan e.g. Durieshill (H057). No information is submitted on how the infrastructure requirements will be met such as schools, drainage, transport, all of which require investigated, funded and delivered, as part of this development. The site is not therefore considered 'effective' as claimed by the objector.
- The site is subject to previous mining activity (probable and past shallow workings) (see CD202). This does not prevent development coming forward but adds to the complexity and cost of the development.

Reporter's conclusions:Proposed local development plan housing sites

1. The Scottish Environment Protection Agency (SEPA) wants all or part of housing sites H026, H027, H060 and H062 removed from the proposed local development plan (LDP) because the sites are at considerable risk of flooding, to an extent that makes them largely undevelopable. As a result, the LDP allocations are not acceptable under current legislation and advice. SEPA also wants changes to the Key Site Requirements for sites H028 and H038.
2. The LDP records in the "Existing and Future land Supply" table that as of June 2011, sites H026 and H027 had planning permission for housing. In fact, H026 obtained full planning permission for the erection of 5 flats on 4 October 2010 (reference 09/00519/FUL, CD120). That permission appears to have been granted with no flood risk assessment and subject to a condition that the development should have started within 3 years, i.e. by 4 October 2013. From my site visit, while it is obvious that this is a brownfield site and that some structures have been cleared from part of the site, there is no indication that development has started to implement the permission. H027 is also the subject of full planning permission (reference 06/00191/DET, CD111). Eight flats were approved on 31 October 2008 with a condition specifying 5 years to start, i.e. until 31 October 2013. My site visit revealed that this site still contains a vacant and boarded up building, so that again, no implementation work has begun. On that basis, it seems likely that both permissions have expired.
3. The Key Site Requirements for H026 and H027 in the same table expect that subsequent development must avoid the functional flood plain. H026 and H027 both occupy the River Forth embankment and SEPA's indicative river flood map shows both completely inside the 1 in 200 year frequency river functional flood plain (CD251). As a result, there is no prospect of development being able to avoid the flood plain in compliance with the Key Site Requirements. Further, the planning authority's commissioned 2009 flood study for events along the River Forth provides map evidence that H026 is affected to varying degrees by flood events occurring in the range one in 2 years, 5 years and 10 years (CD205). H027 may also be affected, albeit that the mapped information is less clear and the extent of the affected site may be much less. However, the examination documents include photographs that show flooding affecting the flats beside H027 to significant depth (CD200). An extract from a flood risk assessment for H027 dated October 2006 provides further evidence of regular and significant floods affecting that site (CD201), as do SEPA's various consultation replies (CD207).
4. Current advice in Scottish Planning Policy (SPP) is that developments with a significant probability of flooding should not be permitted (paragraph 97). The Flood Risk Management (Scotland) Act 2009 places a duty on the Scottish Ministers and local authorities to manage and reduce flood risk (paragraph 200). Planning authorities should take a precautionary approach in taking decisions when flood risk is an issue (paragraph 202). Built development should only take place on functional flood plains where it will not affect the ability of the flood plain to store and convey water, where the development will not be at risk of flooding and where development will not increase the risk of flooding elsewhere (paragraph 203). SPP then sets out a risk framework for the assessment of potential development sites with a range of factors to be taken into account. For medium to high risk areas, i.e. inside the 1 in 200 year frequency area, housing may be acceptable provided that flood prevention measures to an appropriate standard either already exist, are under construction, or are

planned as part of a long-term development strategy (paragraph 204). A development that requires additional flood protection measures will normally only be acceptable outside or adjoining high risk areas (paragraph 206).

5. All of the above provides clear evidence that sites H026 and H027 are at substantial risk of flooding regularly and to a significant depth. Both sites are also entirely inside SEPA's mapped functional flood plain, whereby development is not encouraged. The examination has no evidence that a thorough, recent flood risk assessment has been undertaken for the sites, or that suitable prevention measures are either in place or are planned, as required by SPP. The LDP allocations seem to be justified only by planning permissions that have more than likely expired unimplemented, with no indication that any renewal has been sought, or that one could now be granted, even although both sites are brownfield and in need of improvement. Lastly, the planning authority states that in view of the uncertainties affecting these sites, neither has been factored into the housing land audits or the housing land supply assessments that support the LDP, so that neither site is necessary to the overall LDP forward land supply. Taking all of this into account, along with the up to date legislation and policy context set out in SPP, it would be wrong for the LDP to encourage development of sites H026 and H027 and both should be deleted from the LDP.

6. The planning authority states that it has made SEPA's requested wording change for site H028 as a non-notifiable pre-examination modification to the LDP, so that no further action is required on this. However, another representation expresses concern about the current poor condition of site H028, which would be resolved if development were to be brought forward from Phase 2 of Period 1 as envisaged by the LDP, to before 2019.

7. My visit confirmed that H028 is in an extremely poor condition. The site is currently vacant, derelict brownfield land that is characterised by large heaps of loose rubble from demolished buildings, as well as overgrown mounds of earth and other waste materials. Clearly, if the site were to flood, this waste material could be washed into and would then pollute the adjacent River Forth to a considerably damaging degree. In addition, it is more than likely that the debris will produce dust and mud for nearby residents and could possibly also attract vermin and anti-social behaviour. At the very least, the mounds must harm residents' visual amenity. While this situation ought to be addressed as a matter of urgency, immediate resolution is not covered by legislative powers that are part of this LDP process. That said, the LDP phasing could be used to encourage early redevelopment and, from that, it could influence the prospect of matters being resolved sooner rather than later.

8. The planning authority justifies the Phase 2 allocation for H028 with reference to unspecified "complexities in resolving the constraints within the site". The H028 Key Site Requirements mention the need to address flood risk and to keep a riverside buffer strip free from development. SEPA's amendment has added that flood risk may limit the final development capacity of the site, and its representation states that there are contamination issues on the site that may impact on flood mitigation. Without clear evidence from the planning authority to justify its position, these Key Site Requirements and comments seem no different or obviously more problematic, than for many other Phase 1 allocations throughout the LDP.

9. Accordingly, the wider surroundings would benefit from early redevelopment of site H028 and the LDP examination evidence does not establish that the site is ineffective and incapable of being developed in Phase 1 of Period 1 of the LDP. On that basis, the phasing of allocation H028 should be brought forward in the LDP.

10. I confirmed at my inspection that site H038 looks now to be developed almost entirely.

On that basis, SEPA's representation has been overtaken by events and there could be no planning advantage or improvement to the LDP in making the requested change to the Key Site Requirements.

11. SEPA's objection to H060 could be overcome, if site 3 were to be removed. The planning authority states that it has removed that part as a non-notifiable pre-examination modification. Again therefore, no further action is required.

12. H062 relates to another river bank site, this time on the edge of the Raploch, beside Easton Court. My site visit revealed evidence of the footprint of a large demolished building on the site, along with hardstandings.

13. H062 is allocated as H7(6) for about 60 homes in Alteration 1A of the current adopted local plan, where it is also the subject of a design brief (CD37). The brief confirms that a large part of the site is brownfield, having been occupied by a home for elderly people. Given this background, the specific merits of H062 have clearly been considered in detail before and it is not proportionate or efficient to re-examine them now, when the site has been carried forward with no evidence of any significant subsequent change in the site circumstances.

14. H062 is also identified as Zone i in the well-established Raploch Masterplan Design Guide (CD169), which applies to the wider Raploch regeneration that is an important aspect of the overall LDP Spatial Strategy shown on the related Key Diagram – Core Area. Development on the site could make an important contribution to that wider strategic intention. In addition, the LDP indicates that site H062 might be developed with 52 homes in Period 2 of the plan, i.e. after 2024. The associated Key Site Requirements include the following expectations:

- compliance with the Raploch Masterplan;
- flood risk assessment;
- that development should avoid the functional flood plain; and
- that development should be restricted to the original building footprint, so that not all of the site will be developable.

Therefore, site H062 is not for immediate development and the planning authority does not yet regard it as an allocation that contributes to the effective housing land supply. Final allocation will be considered at a future review of the LDP, when flood risk assessment and any possible developable area will be considered in greater detail. Further, SEPA acknowledges that the site may have some limited development potential because replacing the demolished building could produce no net worsening of the local flood risk.

15. Based on the above, site H062 should remain in the LDP because it may have some long-term housing development potential, albeit bearing in mind the need to address and satisfy the Key Site Requirements. That said, for similar reasons to those discussed in Issue 41, the LDP could be argued to be raising false hope about the site's future development potential. Firstly, that is because the whole site lies inside the 1 in 200 year frequency river functional flood plain shown on SEPA's indicative river flood map (CD251). Secondly, there are significant concerns about the area becoming an island during flood events, with no safe, dry access route, including for emergency vehicles. The current legislation and policy context described above indicates that under all of these circumstances, the development capacity and potential of the site is at best doubtful. As a result, H062 may turn out to have no development potential because the specified Key Site Requirements may not be capable

of being satisfied. However, it is not possible to be certain what flood protection policy or legislation might apply when the potential H062 allocation is due to be finalised, i.e. 2024.

16. Turning then to consider the rest of the other LDP sites, Cycle Stirling requests an addition to the Key Site Requirements for H046 and H049 to make the need for enhanced cycle provision more explicit. The Key Site Requirements for both of these sites expect compliance with a masterplan and, in each instance, that has yet to be prepared. The Key Site Requirements for H049 currently specify the provision of cycle links to local schools and sports facilities.

17. The Transport and Access Background Report to the LDP highlights the need to encourage less use of motor vehicles and more of sustainable transport options, including cycling (CD71). The LDP Vision embodies this. The objectives of the representation are further covered by Policy 3.1, especially part (b), which aims to reduce travel demands and to encourage safe and realistic choice of access, including by cycling. The policy is supported by proposed supplementary guidance SG14: Ensuring a Choice of Access for New Developments, which includes detailed advice on the planning authority's cycle provision requirements, up to and including the provision of new routes (CD178). Specific minimum requirements are set out in SG14 Table 1 (pages 6 and 7). Appendix A to the SG also addresses cycle matters (pages 9 to 11). Cycling is covered further for some developments by Policy 3.3, including explicitly under part (d)(i). Again, this policy is augmented by SG16: Developer Contributions (CD180), which expects the provision of necessary infrastructure such as for cycling. Taken together, all of this achieves what the representation aims for, and it avoids the need to duplicate matters in the LDP Key Site Requirements for either site.

18. Next, site H048 is a comparatively small triangular shaped area that is located on the main A9 road through Stirling, south of the Linden Avenue car park and beneath Viewforth. The site consists of a flat, grassy strip between the main road and the back of the houses along Cecil Street. Some 10 wooden garages are situated at the south end of the site, which are accessed from Muirend Road. The site is allocated in the LDP for 10 affordable and particular needs homes.

19. The representations are concerned about the type of housing proposed, but the housing land section of the LDP text confirms the critical need for more affordable housing throughout the plan area. The issue is also the subject of SG04: Affordable Housing, which applies equally to every proposal (CD161). Representees' general concerns about the scale of need identified and the LDP response are assessed in detail in Issue 4 of this examination, where the plan's approach is endorsed. Site H048 is on a main road and it is close to the city centre, so that it is a suitable option for affordable and particular needs housing.

20. Concerns about the impact of development on private property values and alleged access rights are not valid planning considerations, so they cannot form part of this examination. Stirling Council states that it owns the site and, on that basis, these matters fall to be negotiated as a separate civil matter.

21. Other issues such as the scale of housing to be developed, the possible amenity impacts arising and vehicular access, all fall to be considered at application stage, when the exact details of how the H048 development might be delivered are finalised. At that stage, adjoining residents would have another opportunity to comment on the specific detailed proposed plans.

22. Based on all of the above, site H048 should not be deleted from the LDP.
23. Site H049 comprises a brownfield former Ministry of Defence depot that is located east of the main railway line through Stirling and close to the city centre. Although the allocation appears on the LDP proposals map as a housing site, the “Existing and Future Land Supply” table shows it for housing and employment, with the Key Site Requirements clearly indicating that a mix of these uses is envisaged. Clearly that confusion should be corrected.
24. Currently, a slightly larger site than H049 is allocated in Alteration 1A of the adopted local plan as Local Employment site ED4(1) and ED 16(5). That site incorporates land beside H049, which is currently used by the Territorial Army. The adopted local plan allocation also covers most of the area that the representation from the Ministry of Defence asks to have added to H049. The planning authority’s only response is that the additional land was suggested too late to given full and proper consideration for inclusion, although it could be added in future.
25. Irrespective of the timing of the suggestion, the extra land beside H049 was almost all allocated for a similar use in the current adopted local plan. The main exception was the access road. Because of that, it is difficult now to justify not carrying the allocation forward into the LDP, especially without evidence to show that circumstances have changed materially meantime, whereby the adopted local plan allocation is no longer appropriate or necessary.
26. The LDP reference to H049 indicates that 50 homes would be developed in both phases of Period 1, while a further 100 would follow in Period 2. Another representation argues that all of this development should be set back to Period 2 because of school capacity issues that are unlikely to be resolved until 2024. The planning authority believes that school capacity will be available before 2019, to accommodate the LDP phasing.
27. The LDP is supported by a background report that assesses current education provision along with the impact for that of all of the housing proposed in the LDP (CD75). The report concludes that all of the extra housing proposed in the whole LDP will eventually push many schools beyond capacity. The affected schools include Riverside Primary, which catchment covers site H049 (Table 1, page 3). However, that school has not yet reached capacity, so that in the meantime, it could presumably absorb some of the pupil product from the early phases of development in the catchment. A range of actions are then identified in the report to accommodate the longer term growth from the LDP, which actions include new primary schools, extensions, and alterations to catchment boundaries. Developers are expected to contribute to these solutions in accordance with a formula that is set out in SG16: Developer Contributions (CD180).
28. The LDP text reflects the background report and states that a comprehensive solution to education provision is proposed for the city’s core area. The text also confirms that developer contributions will be sought towards school provision from all new housing developments. The proposals maps for Stirling and the table of “Land Safeguarded for Infrastructure” then show that sites are safeguarded for new primary schools at Airthrey Kerse (H056) and South Stirling Gateway (H055), as well as for an extension to St Ninians Primary School. The LDP also cross refers with SG15: Education Provision (CD179), which repeats much of the above and uses the mix of new house sizes and types to calculate the amount of developer contributions.
29. Drawing all of this together, apart from the access road, for the reasons set out above, the small amount of extra land suggested by the Ministry of Defence should be incorporated

into H049. Further, site H049 is brownfield and it is generally desirable to develop that kind of site sooner rather than later, to make best use of the resource and to reduce the need to develop greenfield land. The representation regarding phasing and education capacity reveals no fundamental flaw in the background report or in the planning authority's approach. Further, the evidence shows that steps are in place via the LDP to plan for, and to accommodate, the education implications of an early phased development. On that basis, the phasing for the delivery of H049 that is set out in the LDP "Existing and Future Land Supply" table should not be altered.

30. Site H052 comprises the whole of the Stirling Royal Infirmary campus, which is located in a predominantly housing area south of the city centre. The site is brownfield and is proposed for development as surplus to NHS Forth Valley requirements.

31. The LDP "Existing and Future Land Supply" table for H052 indicates that the site would be redeveloped with a total of 150 new homes and the representations want to have this number reduced. Based on the LDP, development would produce 50 homes in both phases of Period 1 of the plan, with the last 50 remaining to be delivered in Period 2, i.e. after 2024. The Key Site Requirements specify compliance with a masterplan that has yet to be prepared, but the planning authority states the process is already underway. The planning authority also states that the 50 Period 2 houses may not be achievable, depending on the outcome of the masterplan process and given the implications of the other LDP requirements. In any event, the Period 2 numbers will be the subject of a future review of housing provision, when there would be another opportunity for public comment.

32. Other Key Site Requirements include keeping the existing stone building that is in a conservation area. From my site visit, this requirement appears to relate to and protect the property at 1 Randolph Road adequately. The requirements then add an expectation that the design, scale and massing of any development would be appropriate for the character and setting of the conservation area. In addition:

- Primary Policy 7 from the LDP confirms that proposals having a negative impact on any conservation area will not normally be supported; and
- Policy 7.2 reflects the standard, statutory requirement that development shall have regard to and must preserve or enhance the character or appearance of the conservation area that it might affect. Specifically, this will include relating well to the existing density, pattern, design, massing, scale and finishes that are characteristic of the area.

33. Education provision is discussed and accepted above in terms of site H049. It follows that the same general conclusions apply for H052. More specifically, H052 is in the catchment of St Ninians Primary School, where the background report (CD75) identifies no immediate capacity issue. That said, St Ninians is the subject of a specific LDP proposal that safeguards land for an extension. Traffic implications would be addressed under Primary Policy 3 and related Policies 3.1 and 3.2, and developer contributions would be sought to provide any necessary infrastructure via Policy 3.3. It is reasonable to assume that the planning authority will adhere to these requirements in forming the masterplan for the area, as well as in considering any subsequent specific development proposals.

34. Overall therefore, the planning related concerns in the representations have been identified as potential impacts and constraints affecting site H052 and the Key Site Requirements would address them so far as is appropriate for the LDP. Further, while the exact details of how the H052 development might be delivered properly fall to be considered at application stage, the outcome of the LDP process shows that the issues raised are capable of resolution. The other LDP policies that apply to the consideration of specific

proposals would also address many of the concerns expressed. Accordingly, the H052 allocation, which would bring about the beneficial reuse of an otherwise redundant brownfield site, should not be altered.

35. Site H058 comprises flat, greenfield land that is bounded to the north by Gateside Road, with new housing beyond. The west site boundary is formed by the M9 motorway and the access to Newpark Farm. The west edge of the site adjoins a well-established housing estate that is undergoing refurbishment and augmentation as part of the wider Cultenhove regeneration scheme, which is shown on the LDP Key Diagram – Core Area, and referred to in the plan's Vision and Spatial Strategy. The scheme is also discussed in the settlement specific text for Stirling, which confirms that site H058 is part of the regeneration scheme and mentions the planning authority's development framework for the area. H058 is then allocated for 100 homes in Phase 1 of Period 1 of the LDP, i.e. to be delivered before 2019. Ogilvie Homes wants to double the size of this allocation.

36. H058 is covered by SG08: St Ninians (Cultenhove) Development Framework (CD172), which specifies family friendly housing to a density of approximately 18 homes per hectare on about the western half of the site (area A), increasing up to 36 homes per hectare on the east half of the site (area B) (page 33). No other density figure is mentioned in the SG.

37. In principle, the site may be capable of accommodating more homes than H058 identifies, but this will depend upon a range of factors including the type of new home proposed, as well as other detailed considerations, such as those specified in SG08. However, it is more important to make sure that the outcome produces a high standard of development, including as guided by the design principles set out in SG08. Otherwise, the figures in the "Existing and Future Land Supply" table of the LDP are clearly marked "Indicative housing units". Neither the LDP nor the planning authority response to the representation suggests that the figures must be adhered to rigorously. The position remains to be finalised once a precise form of development emerges. Further, it seems highly unlikely that more homes would be refused planning permission just because of a variation from the numbers specified in the LDP. It is for prospective developers to produce an acceptable scheme for development of the site that accords with all of the planning authority's expectations and LDP requirements. It is not for the LDP to predict or restrict the outcome of that design process, and an increase of the numbers envisaged by the LDP is not justified.

38. The above conclusions for other LDP site allocations comment on the same kinds of other general issues raised by the representations, such as affordable housing, developer contributions, necessary infrastructure, and the consideration of traffic impact and parking congestion. It follows that the same conclusions apply here. More specifically, SG08 states that "It is proposed that Gateside Road will provide the main route for traffic towards the new site (including a bus route), with other existing roads forming less busy residential streets" with traffic calming and speed restrictions. Green spaces and structure planting are also explicitly proposed (pages 28 and 32). As a result, SG08 also addresses many of the representees' concerns. However, very localised and site specific issues such as potential loss of privacy for existing residents cannot reasonably be assessed or addressed properly before the precise form of development is known. At that much later application stage, residents would have another opportunity to raise these detailed concerns.

39. As a result of the above, the LDP reference to H058 need not be altered. However, because of the significance of the SG08 framework in addressing many of these issues, it is unfortunate that it is not mentioned in the Key Site Requirements for site H058. The planning authority recognises this omission and states that an appropriate reference has

been incorporated as a non-notifiable pre-examination modification to the LDP.

40. Site H128 is located a short distance south from Stirling city centre. The site was occupied by the now demolished Stirling Ice Rink and it adjoins the recently built High School, plus associated car parking. The site of the former secondary school is to the north, across Torbrex Lane. That site is currently undergoing extensive redevelopment with a large number of new homes. H128 is overlooked by a terrace of flats in that redevelopment. The site is also overlooked from the north east, albeit at greater distance, by flats in Beechwood Gardens. Otherwise, H128 adjoins sports facilities in Beechwood Park.

41. As described above, more housing would suit the prevailing character of the surroundings, although residents' wish to see the site restored to park related uses is equally understandable. However, given the previous use, that outcome may be commercially unrealistic. Further, site H128 represents a brownfield infill redevelopment opportunity and SPP states that planning authorities are expected to support and promote proposals to bring vacant or derelict land back into productive use (paragraph 48). Planning authorities should also promote the efficient use of land and buildings, and direct development towards urban sites. Brownfield redevelopment is preferred to greenfield and, when identifying locations for housing, planning authorities should first consider the reuse of previously developed land (paragraph 80). The LDP Vision and Spatial Strategy accord with that context because they envisage people living and working close to their homes, along with urban consolidation and mixed uses including housing, all in and around the city centre. Clearly, redevelopment of H128 with housing would accord with that entire policy context.

42. The planning authority has prepared a brief for redevelopment of the site in the form of SG08: Stirling Ice Rink (CD250). The brief directs vehicular access for the site away from the new high school campus and through the old school site, past the flats to the north east. That intention could channel construction traffic into both redevelopment sites along the same routes, and it could prolong building activity in the area. Both would affect the amenity of residents in the surroundings. However, the LDP envisages some 20 new homes on the ice rink site and constructing that small number is unlikely to worsen or prolong these negative impacts significantly, especially given such an extensive redevelopment of the former school site.

43. For these reasons, the LDP allocation for H128 should not be modified.

44. Site H129 is another brownfield site, this time beside the A9 dual carriageway and the main railway, in the centre of Stirling. The site is occupied by an unattractive and utilitarian supermarket building that is surrounded by service areas, car parking and foodstore related paraphernalia. As a result of all this, the site currently detracts from visual amenity in the surroundings.

45. The supermarket is operated by Tesco, who has outline planning permission for a replacement store on LDP site R06 (reference 07/00824/OUT, CD110). While that permission was granted in March 2009, so that its current status is doubtful, the planning authority's clear expectation is that development will occur before 2019. That expectation is based at least in part on Tesco's LDP representation (CD204). The role of R06 is discussed in more detail under Issue 6 of this examination, but when Tesco moves and R06 is implemented, site H129 would become vacant and surplus to requirements. At that stage, H129 would then become a good candidate for an infill and brownfield housing redevelopment, which opportunity is supported by SPP and the LDP Vision and Spatial Strategy, all as described above.

46. The Key Site Requirements for H129 address concerns about traffic congestion and vehicular access by stating that access should take account of locally problematic traffic flow issues, whereby it may be required from the A9, as well as from Wallace Street. The requirements also expect conformity with a planning brief, which is to be prepared. While it is reasonable to assume that process will answer many of the other concerns raised in the representation, H129 is already covered by the SG08B: City Centre Development Framework (CD175, page 22). SG08B states that redevelopment of Site 5 offers an opportunity to enhance the local built form and streetscape. In addition, that:

- the new buildings should be designed to announce the gateway and to reinforce and contribute positively to activity along the Wallace Street and dual carriageway frontages; and
- the built form should be sympathetic to the character of the conservation area and to the impact of development on wider views, as well as for local residential amenity.

Redevelopment should also consider mixed uses and access from the A9 dual carriageway.

47. Given all of the above, H129 would represent the loss of a supermarket shopping facility from the site. However, that loss would be outweighed by the prospect of:

- enhanced shopping provision for the city on site R06;
- improvement to the currently poor condition and appearance of site H129; and
- redevelopment of a brownfield site in the city centre with housing.

Those outcomes accord with SPP and with the underlying aims of the LDP. As a result, site H129 should not be deleted from the LDP.

48. There is a tension between the LDP allocation and the above framework statement about mixed uses for the site, but in the absence of the brief or a specific development proposal, it is not possible to state categorically that the local convenience shopping facility would be lost entirely. I also note from my site visit that H129 adjoins Stirling town centre, which is the primary focus for all kinds of shopping, and it is very close to the Raploch Sainsbury superstore.

Other suggested sites

49. The general issue about any potential need for more housing land is examined under Issue 4 in this report. The conclusion there is that some additional housing land should be identified to ensure that the requirements in SPP about the provision of a generous housing land supply and the need to maintain at all times a 5-year effective supply are fully satisfied. The allocation of additional land would be required primarily to ensure that sufficient flexibility exists within the effective land supply to cater for any unforeseen circumstances that may lead to slippages occurring in the delivery of houses from the LDP allocated housing sites. However, that situation does not justify the release of additional housing sites at all costs, especially where such sites fail to accord with the plan's development strategy or fail to satisfy its more detailed siting requirements. These other site circumstances also have a significant role to play in considering any allocation.

50. The circumstances of sites SS25 and SS41 are examined in this report under Issue 41, Airthrey Kerse, because of the close physical proximity between them and the other housing sites that affect that same space, as well as the interaction between them all.

51. Historic Scotland has a duty imposed by the Historic Environment (Amendment) (Scotland) Act 2011 to compile an Inventory of Historic Battlefields that are considered to be of national importance (CD19). Bannockburn is on that list, and it is hard to think of another battlefield that is of equal significance in the national psyche. Suggested sites SS44, SS45, SS48 and SS50 are all wholly within the designated boundary on the Inventory map. In other words, they are all in the area where the Battle of Bannockburn is understood to have taken place. The boundary also identifies some main locations where evidence of the battle either exists or may exist, along with the landscape that contains known areas of conflict, camps, routes for troop movements, and significant vantage points. Different parts within that wider battle landscape played different roles at different times, and visual links are vital in understanding why courses of action were chosen and, in turn, how events then unfolded. Whins of Milton, where the listed Bruce statue and the Bannockburn Visitor Centre are located, represent one of these main locations (paragraphs 3.6 to 3.9 and Annex 1, CD20).

52. Proposed supplementary guidance SG24: An Introduction to Battlefields and Planning in Stirling relates to the Inventory (CD184). Its content, along with the general approach taken, have been endorsed by Historic Scotland (CD203). SG24 explains the importance of the Bannockburn Heritage Centre surroundings and states that the English troops more than likely crossed the Bannock Burn from SS44 into SS50 near what is now Morrisons garage. Further, on day 2 of the battle, the English troops moved towards what is now Skeoch Farm, before camping somewhere between the Pelstream and Bannock Burns, i.e. on SS48. That same area is then believed to have been the focus of fighting on day 2, so that it is a key component of the battlefield.

53. SG24, Historic Scotland's guidance and the planning authority's draft development framework for H055 (SG08, CD170) all then analyse and discuss the importance of views from vantage points such as Cat Craig and the Whins of Milton monument site. The clear indication is that views from these locations and their intervisibility should be protected from further intrusion for the significant role that surveillance played in the eventual outcome of the battle. From my site visits, I am satisfied that housing development on suggested sites SS44, SS45, and SS50 would intrude substantially into those views and thereby inhibit understanding of the battlefield. For that reason, SS50 has been incorporated into the replacement golf facility mentioned in the draft framework for H055, which is key to delivering the South Stirling Gateway development.

54. For these reasons, suggested sites SS44, SS45, SS48 and SS50 should not be allocated for development. Had this position been different, it would have been necessary to explore other issues, such as the implications of any possible flood risk on these sites.

55. Other sites have been suggested at SS49, SS51 and SS52. Each of these is in open, rolling countryside, to the south east of the main A91, which acts a ring road that defines the urban edge of Bannockburn. SS51 and SS52 comprise greenfield sites on both sides of the A9 main road to Falkirk. SS49 is Bannockburn Hospital, which is now closed and lying empty. The suggested sites are all prominent in views from various locations throughout the surroundings, and they are especially visible from these main roads. The red brick hospital buildings sit high on the hillside above the A9/A91 roundabout near Greenyards, from where they are particularly prominent and noticeable. The buildings are a mixture of older and modern, and the planning authority states that some are Victorian. While that might be right, no buildings are of particular noteworthy character, quality or architectural merit, and they are all showing signs of deterioration.

56. None of these suggested sites is located in the core area, as that is envisaged by the LDP Vision and Spatial Strategy. In addition, development of SS51 and SS52 would

represent a significant urban expansion into the countryside, in an area where the LDP generally does not envisage growth. The Vision and Spatial Strategy direct growth to Durieshill and into the Eastern Villages, which general approach is endorsed in Issues 3 and 52 of this examination. Sites are then identified in the LDP to accommodate that growth, gradually over the plan period and beyond. These sites are Durieshill (H057, Issue 52), Berryhills, Cowie (H074, Issue 51) and H069, Pleanbank (H069, Issue 54). The respective examination issues rule out any need to find replacements for these LDP sites. As a result, accepting the suggested sites would add substantially to the amount of allocated land in an area where that greenfield release would not accord with the core principles that underpin the LDP.

57. Adding the sites also raises the probability coalescence between planned and existing settlements. Because the sites are so prominent and intrusive on this wide, open, countryside edge, that outcome would be especially unacceptable and undesirable. Longer term, containment and separation could be achieved by careful structure planting, which might help to prevent the impression of these settlements merging in the landscape. However, no such planting currently exists. Because of that, it would take some time to establish and to have a significant and an appreciably beneficial effect, leaving development to stand out in the meantime.

58. The circumstances of suggested site SS49 raise slightly different and more complex issues. Because it is a brownfield site that is fast deteriorating, planning policy at all levels would generally wish to encourage redevelopment. Put simply, the site needs to be used and the planning authority should take a realistic but pragmatic view, and encourage its potential. However, that context does not necessarily lead straight to the conclusion that the site should be allocated for new housing.

59. Site SS49 has a well-established boundary, parts of which are already planted with trees, so that it is readily identifiable and self-contained. The planning authority wants to keep and possibly convert the Victorian buildings, but as stated above, these are not high quality, so that approach is not merited, even if it were to be commercially viable. Careful redevelopment with lower rise buildings finished in softer, more subdued materials might help to reduce the visual impact of the existing hospital buildings, which stand out so prominently in the landscape. A similar approach might also help to link development of the site with the adjacent few existing homes. However, the site is constrained by the possibility of mine workings, leading to ground stability issues, and by probable contamination from the hospital use. The representations offer no brief or other detailed site assessment that expands upon how these potential constraints might be addressed. In addition, the examination has no evidence to envisage or assess how the site might be developed for a range of use options. Therefore, while redevelopment of the site merits serious future consideration, under all of these circumstances, site SS49 should not be allocated for housing in the current LDP.

Reporter's recommendations:

The local development plan should be modified by:

1. Deleting sites H026 and H027 entirely.
2. Bringing site H028 forward from Phase 2 into Phase 1 of Period 1.

3. Correcting the difference between the LDP proposals map annotations for site H049 as a housing site and the description in the “Existing and Future Land Supply” table.
4. Incorporating the extra land suggested by the Ministry of Defence into site H049, with the exception of the access road.

Issue 45	Employment sites in Stirling	
Development plan reference:	Chapter 10: Stirling Settlement Statement (page 188 - 225) B38 - South West Springkerse Roundabout B40 - Borrowmeadow Road, Springkerse B54 - Tradstocks	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Bluewater Scotland LLP (01317) Graham Robertson (00704) Tradstocks Ltd (SLDP_1074) Cycle Stirling (01039)		
Provision of the development plan to which the issue relates:	The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in the City. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>B38 – South West Springkerse Roundabout</u> Bluewater Scotland LLP (01317/001) - Support the allocation of the site (which is within their ownership) as an employment site suitable for Class 4, 5 or 6 Uses, however, seeks to amend the key site requirements to allow the site to also be used for hotel (class 7) and restaurant (class 3) uses, for the following reasons: <ul style="list-style-type: none">- Has tried since 2008 to secure interest in office development on the site, to no avail. However, has received some interest recently from two hotel operators and a family restaurant company.- There are a number of long-term vacant sites in Springkerse.- The site characteristics set it apart from other employment sites at Springkerse, given its location, accessibility, road-frontage location, surrounding amenities such as The Peak, and surrounding environmental quality, which has improved in recent times.- Loss of employment land would only amount to 1.1% of the total 81.8 hectares.- Development could create jobs.		
<u>B40 – 15 Borrowmeadow Road, Springkerse</u> Graham Robertson (00704/001) - Objects to the allocation of the site as it may put additional pressure on parking in the area, which is currently limited.		
<u>B54 – Tradstocks</u> Tradstocks Ltd. (SLDP_1074/001) - Site is the subject of two current planning applications. Erection of new stone working facility and visitor's interpretation centre at land to north east and south of travelling people's site, Stirling (09/00160/PPP). Construction of offices, showroom and resource centre at land to south east of travelling people's site, Stirling - 10/00581/FUL. Tradstocks generally support the allocation of their site as B54, but given the		

prevailing character of uses already existing at Craigforth, and likely to come forward on the adjoining Prudential site, consider that the uses considered appropriate at the site should be expanded to include those deemed appropriate locally and in granting planning permission to Prudential. There was also an indication given by councillors at the Planning Panel that tourism and leisure related uses might also be appropriate in this location.

Cycle Stirling (01039/017) - Requests additions to the key site requirements.

Modifications sought by those submitting representations:

B38 – South West Springkerse Roundabout

Bluewater Scotland LLP (01317/001) - Request amendment of 'Key site requirements' text by adding, 'Suitable for hotel and restaurant uses.'

B54 – Tradstocks

Tradstocks Ltd (SLDP_1074/001) - B54 should be amended to say that the Tradstocks site should be developed for Class 4 (business), Class 5 (general industry), Class 6 (storage or distribution) uses, but that Class 1 (shops), Class 2 (financial, professional and other services), Class 3 (food and drink), Class 7 (hotels and hostels) and Class 11 (assembly and leisure) uses might also be appropriate.

Cycle Stirling (01039/017) - Add to key site requirements, "Protect and enhance cycle route from Drip road under motorway to Dobbies/Craigforth/Agricultural Mart and link to Chalmerston Road via old bridge. Improve crossing points to Craigforth and Old Bridge."

Summary of responses (including reasons) by planning authority:

B38 – South West Springkerse Roundabout

It is recognised that the site does have good road frontage, environmental quality, is close to amenities, is accessible and is locationally very good. Far from suggesting that this makes the site more appropriate for a hotel/restaurant, it is considered these identify the site as being one of the better quality sites available for the Class 4, 5 and 6 uses that it is allocated for. The fact that for 5 years the owner has been unable to find a suitable operator could be reflective of the economic times. However, the Plan has to have an eye on the next 10 years and it would be inappropriate to make decisions for that period based on the experiences of the last 5 years.

Site B38 is part of the employment land supply, contributing 0.9 hectares of high quality land to the supply 2010 to 2024, as highlighted in the Employment Land Background Report 2012, Appendix 1 (CD 51). The Background Report highlights that although it is likely that the proposed employment land supply (81.8 hectares) will be sufficient for the target requirements (86.8 hectares) as set out in Table 6 of the Plan. The Council accepts that given the poor economic conditions, the supply is likely to be 5 hectares short of this requirement, (paragraph 6.2), therefore it would not be appropriate to lose an additional 0.9 from the supply. Adapting the Key Site Requirements here to allow a wider range of uses on this site, would jeopardise the employment land supply needed for the future, as this site would be lost to alternative uses, setting a precedent for others. Maintaining the quality and variety of supply within the employment land supply as well as the quantity is paramount to the Plan and as such it would be inappropriate to modify the Plan.

B40 – 15 Borrowmeadow Road, Springkerse

This site received planning permission (CD 114) in 2005 for the erection of steel framed units (Classes 4, 5 & 6) and has now expired. A new planning application would be required to allow development on site B40 and parking and roads issues would be taken into account at this time, addressing the concerns raised here. There are therefore no modifications proposed to the Plan.

B54 - Tradstocks

This site received planning permission (CD 116) for the erection of a new stone working facility and more recently (December 2012, CD 115) for the construction of offices, showroom and resource centre. The site is located within the countryside and not located within easy walking distance of local amenities. The site opposite (Craigforth B14) received planning permission for a mixed use development (CD 118) in 2008 comprising of business use (Class 4), hotels (Class 7) limited to a maximum of two hotels in total, restaurant (Class 3), petrol filling station, conference facility, leisure facility, residential (limited to conversion of existing buildings or replacement of existing residential units on a one for one basis only). The site was subject to a further application to vary Condition 1(a) of the outline permission from 3 years to 6 years and Condition 1(b) from 5 years to 8 years (CD 117).

The Craigforth site is fundamentally different to the Tradstocks site. It is not entirely greenfield and is in active employment use occupied by established buildings. The site has its own road access taken off the roundabout and its characteristics are therefore not similar to the Tradstocks site. No permission is granted for Class 1 or 2 Uses at Craigforth and therefore the Council sees no justification to support such uses at B54. B54 is out of centre and would not be an appropriate location for town centre uses including Class 3, where sites for such uses are already allocated within more sequentially preferable locations or provided for in the network of centres. Given the recent planning permission issued on the site, it would not be appropriate to consider a relaxation of the uses on the site as other uses such as hotel and leisure are already allocated elsewhere.

Cycle Stirling – Policy 3.1, supported by Supplementary Guidance SG14, requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites – expect in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so, whether the cost of providing the cycle links that are suggested reasonable in the context of the development proposals that will be brought forward for that site.

Reporter's conclusions:**B38 – South West Springkerse Roundabout**

1. The B38 site is well located and prominent and situated close to sports and retail facilities around Springkerse. It is also positioned on the eastern edge of the Springkerse Industrial Estate where there is an established range of employment uses.

2. The representation states that, in a slow market, there is a greater chance of better windfall sites coming forward to add to the existing stagnant supply and that this would allow sites such as B38 to be reconsidered now for alternative uses. The argument relies on the uncertain prospect of new, good quality sites coming forward in the future but, at the same time, it does not ensure that an ongoing effective supply of employment land is maintained now. As a result, this approach would be at odds with part (b)(i) of local development plan Policy 2.4: Safeguarding Employment Land and Property.

3. Policy 2.4 safeguards allocated sites such as B38 for employment development and part (b) details circumstances where uses other than those specified for the proposals maps allocations will be supported. These options include where the site is no longer needed to maintain a land supply, and where complementary or mixed uses may be involved. Part (d) then confirms that the allocations that make up the overall supply will be monitored through the annual Employment Land Audit, to determine if an effective land supply is being maintained. In other words, it confirms an annual audit process that would quickly reveal any mismatch around the take-up rate of the allocations. On that basis, and when read as a whole, the local development plan offers reasonable flexibility that allows for reconsideration in the event that the B38 development opportunity is not taken up.

4. The representation does not challenge the adequacy or quality of the wider employment land supply but, instead, points to the lack of take-up of similarly allocated sites nearby at Munro Road. However, these sites do not have the locational advantages offered by B38 which should encourage market interest, particularly as the economic and property development climate improves. Given its location, I accept the planning authority's position that site B38 is one of the better quality locations available in this area for Class 4, 5 and 6 uses. It is a small, but important, part of the employment land supply for the period 2010 to 2024 as set out in the Employment Land Background Report 2012 (CD51). This report does not identify an overly generous supply of well located, high quality employment sites. Therefore, in this context, it is essential that the allocation and protection of B38 for employment use should be maintained. In addition, there has been no evidence submitted in the representation to suggest that hotel and restaurant uses could not be located on more suitable sites elsewhere in the Stirling urban area.

5. I do not support amending the Key Site Requirements to allow a wider range of uses such as a hotel and restaurant. It would prejudice the employment land supply and it may create pressure for other non-employment uses on nearby sites. Whilst in the short term additional jobs could be created through hotel and restaurant developments, it is important to maintain the quality and variety of employment land supply. It helps provide more business space and supports longer term economic growth in line with the Local development plan's wider Vision and Spatial Strategy.

6. I do not recommend any modifications in relation to the representation from Bluewater Scotland LLP.

B40 – 15 Borrowmeadow Road, Springkerse

7. Planning permission was granted in 2005 for the erection of steel framed units (Classes 4, 5 & 6) on site B40. The permission has now expired but I consider that the site's suitability for built development has been established.

8. The location is a busy business area. However, at the time of my site inspection during a normal working day, there appeared to be on-site and on-road parking available. I consider that any issues around parking could be addressed whenever a new planning

application is submitted to develop the site. At that time, a more detailed assessment of local roads and parking issues could be carried out and, if appropriate, mitigation measures could be considered. If the problem cannot be resolved, then the planning authority may have to consider the appropriateness of other traffic and parking management measures in the local area.

9. I do not consider that it would be desirable to delete a site from the employment land supply in an established business area solely on the basis that local car parking may be constrained. The prospective developer and the planning authority should be given an opportunity to resolve the issue as and when a specific development proposal emerges. Accordingly, I do not recommend any modification to the plan in relation to the representation from Mr Robertson.

B54 - Tradstocks

10. The B54 Tradstocks site to the west of the city is allocated for Class 4 (business), Class 5 (general industry) and Class 6 (storage or distribution) uses. The representation proposes that Class 1 (shops), Class 2 (financial, professional and other services), Class 3 (food and drink), Class 7 (hotels and hostels) and Class 11 (assembly and leisure) uses might also be appropriate.

11. The representation is not supported by any information on the scale or impact of any retail development that might be developed on the site. Equally, it does not explain or justify why the Tradstocks site should be developed for Class 1, Class 2 or Class 3 uses in addition to, or instead of, locations forming part of the Network of Centres identified in Policy 2.6 and proposed Supplementary Guidance SG09. The prospect of any retail or commercial leisure development on the site would run contrary to Policies 2.6 and 2.7 where all new retail and commercial leisure development must provide evidence that the sequential approach to site selection has been used and should demonstrate why more sequentially preferable sites have been assessed and discounted.

12. The combination of uses proposed for the site would bring it into direct conflict with Stirling City Centre and other town and local centres listed in the hierarchy of centres in SG09. The proposed uses would undermine the vitality and viability of these centres. Any new retail development would exceed the additional retail capacity identified in recent studies that underpin the local development plan strategy and site allocations. The representation is not accompanied by any quantitative analysis that suggests this strategy is flawed and should be set aside.

13. The site's location within the countryside on the western fringes of the Stirling urban area also makes it entirely inappropriate for the mix of uses proposed in the representation. It is not located within easy walking distance of local amenities. It would not be a sustainable, accessible location for uses that inevitably would need to draw custom from a wider local area if they were to be economically viable.

14. Finally, the representation draws support from the grant of planning permission for a mixed use development at Craigforth (B14) although this permission does not cover Class 1 (shops) or Class 2 (financial, professional and other services) which are sought for the Tradstocks site. The Craigforth site is quite different in character from the Tradstocks site and the types of development proposed are also different. They include restaurant, business, hotel, conference and leisure uses with limited residential development. They would build on the existing Prudential business and buildings already established on the site. So, the extant planning permission at Craigforth, in itself, provides little justification for a

development on an unrelated site with a more diverse mix of proposed uses. Such a development outwith an existing centre would be contrary to the plan's objectives for the Network of Centres identified in the Spatial Strategy and Policy 2.6.

15. On the basis of all of the above, I do not recommend any modifications to the plan in respect of the representation from Tradstocks Ltd.

16. The representation from Cycle Stirling seeks specific measures to improve cycle access on the approaches to this site and to site B14 Craigforth. However, I consider that the plan already addresses these objectives.

17. Firstly, the Transport and Access Background Report (CD71) highlights the need to encourage less use of motor vehicles and more use of sustainable transport options, including cycling, and this is supported in the plan Vision.

18. Secondly, Policy 3.1: Addressing Travel Demands of New Development, especially part (b), aims to reduce travel demands and to encourage safe and realistic choice of access, including by cycling. The policy is supported by SG14: Ensuring a Choice of Access for New Developments (CD178), which includes detailed advice on the planning authority's cycle provision requirements. Specific minimum requirements are set out in Table 1 (pages 6 and 7). Appendix A to SG14 also addresses cycle matters (pages 9 to 11). Cycling is again covered for some developments by Policy 3.3: Developer Contributions, including explicitly under part (d)(i). This policy is augmented by SG16: Developer Contributions (CD180), which expects the provision of necessary infrastructure such as for cycling.

19. I consider that all the above policy support achieves the objectives of Cycle Stirling's representation without the need to introduce specific measures in individual Key Site Requirements. Accordingly, I do not recommend any modification to the plan in respect of Cycle Stirling's representation.

Reporter's recommendations:

No modifications.

Issue 46	Retail sites in Stirling	
Development plan reference:	Chapter 10: Stirling Settlement Statement (page 188 - 225) R01 - Rainbow Slides R02 - Station Road (north) R03 Station Road (south) R04 Spittal Street R06 - STEP/Vico	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Cycle Stirling (01039) Deanway Development Ltd (SLDP_1257) Plean Pre-Cast (SLDP_408)		Standard Life Investments UK Shopping Trust (SLDP_315) Stirling Civic Trust (SLDP_183)
Provision of the development plan to which the issue relates:	The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in the City. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Representations to allocated sites</u>		
<u>R01 - Rainbow Slides</u>		
Stirling Civic Trust (SLDP_183/001) - object to the allocation of the site for retail use (in particular personal retail), stating that few shoppers will in practice walk between this site and the traditional city centre. Considers that personal retail on this site is likely to further weaken the city centre, where there are already many empty shops. Considers the site is more suited to business or hotel uses. Requests that restrictions are placed on the locations that are suitable for Personal Retailing within the city centre to those that are within a walkable distance for someone carrying shopping.		
Standard Life Investments (SLDP_315/002) - requests that clarification should be given on the amount of retail floorspace proposed within the site. Considers that this site has the ability to include residential development either as an individual use or as part of a mixed use retail/residential development. Considers that an increase in residential development within this area would allow for an increase in footfall within the Prime Retail Area.		
Cycle Stirling (01039/018) - requests additions to the key site requirements.		
<u>R02 - Station Road (north), R03 Station Road (south) and R04 Spittal Street</u>		
Standard Life Investments (SLDP_315/003, SLDP_315/004 & SLDP_315/005) - request that clarification should be given on the amount of retail floorspace proposed within these three sites. Considers that they all have the ability to include residential development either as an individual use or as part of a mixed use retail /residential development. Considers that residential development on these sites would result in increased footfall within the Prime Retail Area.		

R06 - STEP/Vico - Cycle Stirling (01039/015) - requests additions to the Key Site Requirements.

Representations to non-allocated sites

Prime Retail Area – Thistle Centre

Standard Life Investments (SLDP_315/006, SLDP_315/008 & SLDP_315/009) - supports the requirement for additional retail comparison floor space to be directed towards the Prime Retail Area within Stirling, but considers that whilst there is capacity to support an increase in retail floor space in the City Centre, there is not sufficient retail demand to take up the level of retail floor area planned for. Requests that a revised Retail Capacity Study is prepared to illustrate the current conditions from 2012 onwards, and further requests that if this level of floor space is to be allocated, that it should all be allocated within the Prime Retail Area only. Objects to the non-allocation of retail development within the Prime Retail Area, and states that the Prime Retail Area should be the focus of new retail development before other sites within Stirling City Centre. States that Standard Life Investments are committed to the improvement and extension of the Thistles Centre (submits plan in support of this).

SS46 - Suggested Site: Klondyke, Whins of Milton

Deanway Development Ltd (SLDP_1257/004 & SLDP_1257/005) - requests the recognition of the Klondyke Garden Centre for Class 1 retail use (approximately 8,580 square metres net), and its inclusion within the description of the retail floor space supply, and in Table 9, and provides the following reasons:

- The site has a Certificate of Lawful Use or Development (copy of which is provided with the representation) for the existing Class 1 retail use, and states that advice from Senior Counsel suggests that the level of lawful floor space is approximately 8,580 square metres net.
- The site has an impact on any assessment of retail capacity in the area, as considers the site to be a committed open Class 1 retail development.
- Revocation of the Certificate of Lawful Use or Development could enable the delivery of a convenience superstore at site R09 South Stirling Gateway.

SS47 - Plean Pre-Cast, Stirling

Plean Pre-Cast (SLDP_408/001) - objects to the inclusion of the site, of which they are the promoters, within an Employment Safeguarding Area, and they seek to promote the site for allocation for a mix of uses, including retail, commercial, leisure, and hotel uses for the following reasons:

- Re-use of a brownfield site.
- Development of site does not rely on any other developments/infrastructure to become effective or deliverable
- Considers the character of the surrounding area is changing from industrial to commercial.
- As the site has not been allocated as Employment Site, its reallocation would not affect the employment land supply
- Site is adjacent to a main transport route into the town centre, within walking distance of the city centre.

Modifications sought by those submitting representations:Representations to allocated sitesR01 - Rainbow Slides

Stirling Civic Trust (SLDP_183/001) - requests restrictions on the locations that are suitable for Personal Retailing within the city centre to those that are within a walk-able distance for someone carrying shopping. Cycle Stirling (01039/018) requests that the following text is added to the Key Site Requirements: "Add/enhance off road cycle path along Goosecroft Road linking with NCN765. Enhance crossing points across Seaforth bridge south to Station and across to Maxwell Place. Provide some green space."

Standard Life Investments (SLDP_315/002) requests the site is allocated for both residential and retail uses, and that details of the amount of retail floorspace proposed for the site is shown in the Plan.

R02 - Station Road (north), R03 - Station Road (south) and R04 - Spittal Street

Standard Life Investments (SLDP_315/003, SLDP_315/004 & SLDP_315/005) - requests these sites are allocated for both residential and retail uses, and that details of the amount of retail floorspace proposed for the site are shown.

R06 - STEP/Vico

Cycle Stirling (01039/015) - requests that the following text is added to the Key Site Requirements: "Provide safe cycle link between Forthside and Kerse Road."

Representations to non-allocated sitesPrime Retail Area -Thistle Centre

Standard Life Investments (SLDP_315/006, SLDP_315/008 & SLDP_315/009) - requests the inclusion of the Prime Retail Area and the Thistles Centre in Appendix B as an allocation, the preparation of a revised Retail Capacity Study, and the allocation of all new City Centre retail floorspace within the Prime Retail Area only, including the sites being promoted by Standard Life Investments as shown on the map submitted with their representation.

SS46 - Klondyke, Whins of Milton

Deanway Development Ltd (SLDP_1257/004 & SLDP_1257/005) - requests the recognition of the Klondyke Garden Centre site for Class 1 retail use (approximately 8,580 square metres net) within the Plan, and amend the text of the Plan, including Table 9 and paragraph 6.26 to include the Klondyke Garden Centre site.

SS47 - Plean Pre-Cast, Stirling

Plean Pre-Cast (SLDP_408/001) - requests the removal of the site from the Employment Safeguarding Area, and its allocation as a mixed-use site for retail, commercial, leisure, and hotel uses.

Summary of responses (including reasons) by planning authority:Representations to allocated sites:R01 - Rainbow Slides

Stirling Civic Trust (SLDP_183/001); Standard Life Investments (SLDP_315/002) – This site is within the city centre boundary, which is a Network Centre. The role and function of the city centre is clearly defined in Proposed Supplementary Guidance SG09 Network of Centres (CD 176); the city centre is at the top of the hierarchy of centres, and is the focus for all types of comparison retailing within the Plan area, and the sole focus for personal retailing. Furthermore, within the Vision and Spatial Strategy Background Report, October 2012 (CD 49), paragraph 9.5, there is a requirement for 10,000 square metres of floorspace to be provided for comparison retailing within the city centre, and therefore sites within the city centre are required to be allocated to meet this identified need. Opportunities for the delivery of this floorspace in the city centre are limited due to its constrained nature (roads, the railway line, and the historic environment are some of the main limiting factors in its physical expansion), and R01 is considered to be one of few available sites capable of accommodating some of this floorspace. Therefore, it is entirely appropriate that the site should be allocated for personal retailing.

A Planning Brief has been produced for the site (CD 168) and published alongside the Plan as Supplementary Guidance (a Council Brief has been in place for the site since 2008 – CD 87). The Brief refers to ensuring the site is better connected to the city centre, and that it will be important to ensure that any development incorporating an element of retail will establish and/or improve linkages to the Prime Retail Area; this is in order to ensure that the site functions as part of the city centre, and does not impact upon existing retail provision. There is also a requirement to ensure safe and convenient pedestrian linkages are provided between the site and surrounding land uses.

The Brief clearly identifies that the site is suitable for a range of uses, including retail, residential, student accommodation, business, and leisure. The Council agrees with Standard Life Investments with regard to the benefits of increasing the resident population of the city centre, and the attendant benefits that this may have for the vitality and viability of the city centre, and this reasoning, first conceived of in the Council's City Visioning exercise (CD 50), has underpinned the Council's approach to the Spatial Strategy of the Plan. Urban Consolidation involves the use of vacant and brownfield land and property, and the concentration of higher density, mixed-use development within the city corridor.

The precise scale of retail floorspace (and consequently the share of the 10,000 square metres) that will be delivered on this site is not possible to determine at this stage. A planning application has been submitted (CD 149), which proposes a range of uses, including retail, residential development, a hotel, and student accommodation. The amount of retail floorspace proposed in the application is approximately 2,000 square metres gross.

The Council does not support the request from Stirling Civic Trust. The city centre is at the top of the hierarchy of the Network of Centres as set out in Proposed Supplementary Guidance SG09 (CD 176), and is identified as the sole focus for personal retailing within the Plan area. The city centre is considered to be compact, walkable, and the boundaries, although extended by this Plan, have been defined so as to ensure that this remains the case, and therefore it is not considered appropriate to limit the locations where personal retail is acceptable within that boundary.

Cycle Stirling (01039/018) - Policy 3.1 Addressing the Travel Demands of New Development, supported by Proposed Supplementary Guidance SG14 Ensuring a Choice of Access for New Developments (CD 178) requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites – except in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle, and if so, whether the cost of providing the cycle links that are suggested is reasonable in the context of the development proposals that will be brought forward for that site.

With regard to the request to provide some green space on the site, similar to the reasons given above, it is considered unnecessary to add this to the Key Site Requirements as the Plan provides an adequate policy framework to ensure that open space is given due consideration in the development of sites; this is set out in Policy 1.3 'Green Network and Open Space, and in Proposed Supplementary Guidance SG02 Green Network (CD 159). Therefore, the Council considers that the Plan should not be modified in respect of this representation.

R02 - Station Road (north), R03 - Station Road (south) and R04 - Spittal Street

These sites are within the city centre boundary, which is a Network Centre. The role and function of the city centre is clearly defined in Proposed Supplementary Guidance SG09 Network of Centres (CD 176); the city centre is at the top of the hierarchy of centres, and is the focus for all types of comparison retailing within the Plan area, and the sole focus for personal retailing. Furthermore, as identified in the Vision and Spatial Strategy Background Report, October 2012 (CD 49), paragraph 9.5, there is a requirement for 10,000 square metres of floorspace to be provided for comparison retailing within the city centre, and therefore sites within the city centre are required to be allocated to meet this identified need. Opportunities for the delivery of this floorspace in the city centre are limited due to its constrained nature (roads, the railway line, and the historic environment are some of the main limiting factors in its physical expansion), and these three sites are considered to be the few available sites capable of accommodating some of this floorspace.

The Council agrees with Standard Life Investments with regard to the benefits of increasing the resident population of the city centre, and the attendant benefits that this may have for the vitality and viability of the city centre, and this reasoning, first conceived of in the Council's City Visioning exercise (CD 50), has underpinned the Council's approach to the Spatial Strategy of the Plan. Urban Consolidation involves the use of vacant and brownfield land and property, and the concentration of higher density, mixed-use development within the city corridor.

Station Road (North) is allocated for retail (R07) and housing (H047). Sites R03 Station Road (south) and R04 Spittal Street, although not allocated specifically for residential development, this does not preclude their partial development for such a use, and indeed Policy 2.8 'Sites Suitable for a Mix of Uses' makes it clear that this approach would be supported. There is therefore no need to allocate these sites for residential use.

The precise scale of retail floorspace (and consequently the share of the 10,000 square metres) that will be delivered on these sites is not possible to determine at this stage. Allocating land for retail use is different to allocating land for residential development, where approximate dwelling numbers can be calculated based on commonly used site densities

etc. Retail developments can take many different forms (multi-storey, small parades of shops, larger stand-alone retail units etc.) and therefore a precise floorspace figure for these sites cannot be given in the Plan. Planning permission in principle exists for the whole of site R02 Station Road (North), subject to the conclusion of a Section 75 Agreement (CD 121). A smaller part of the site also has permission for commercial floorspace (retail/food & drink), and 16 residential flats (CD 122 and CD 124). The amount of commercial floorspace approved in the application is around 550 square metres gross.

In summary, the Council considers that the Plan should not be modified in respect of any of the representations made to sites R02 Station Road (north), R03 Station Road (south) and R04 Spittal Street.

R06 - STEP/Vico

Cycle Stirling (01039/015) – The suggested text is acceptable to the Council as it relates directly to measures that could be implemented within the site, and is therefore appropriate to include within the Key Site Requirements. The Council considers this to be a non-notifiable modification.

Representations to non-allocated sites

Prime Retail Area – Thistle Centre

Standard Life Investments – The 10,000 square metres of personal retailing floorspace identified for the city centre is a figure based on the findings of the Stirling Retail Capacity Study Update (CD 68) tempered by the feedback that the Council received during the Main Issues Report Consultation. It is the Council's best evidence at this time of the required floorspace for the City Centre, but demand will determine whether it comes forward. Some of this floorspace will come forward within the Prime Retail Area, but to allow for such demand to be met within a central sequentially preferable location, the whole City Centre is considered to have a role as it is vitality and viability of the Centre that is the focus, not just the Prime Retail Area.

The boundary of the Prime Retail Area is tightly drawn, and is comprised of mostly the Thistles Centre. There are few opportunities for immediate development/redevelopment (although it should be noted that part of site R03 Station Road South is partly within the Prime Retail Area). The Council acknowledges that there are opportunities to extend the Thistle Centre in the ways that Standard Life is suggesting and these are identified as development opportunities in Supplementary Guidance SG08B City Centre Development Framework (CD 175), page 21. This Guidance states that a Planning Brief requires to be produced for the Thistle Centre and surrounds focussing on its development potential, and this is captured in the Plan's Action Programme (CD 48), under action S4, page 12. It is considered that the redevelopment opportunities around the Thistle Centre have been given adequate consideration by the Council at this stage, and their allocation as specific retail sites is not considered to be appropriate while further work is required in analysing this area of the city.

The Council does not support the inclusion of the Prime Retail Area (which includes the Thistles Centre), as specific allocations in the Plan. The Prime Retail Area is a designation, within the boundaries of which certain policy principles apply, as set out in Policy 2.6 The Network of Centres and in Proposed Supplementary Guidance SG09 Network of Centres (CD176), and is not an allocation of land for development.

SS46 - Klondyke, Whins of Milton

Deanway Developments Limited (SLDP_1257) - The Council considers that there are a number of reasons as to why the site, or any part thereof (floorspace or otherwise), should be included in the retail floor space supply figures in the Plan. The site is currently occupied by an existing use. The existing retail floorspace supply identified in the Plan in Table 9 and 10 is comprised of sites with planning permission that the Council considers are likely to be developable for retail use, and where there has been an indication, through the submission of an application for planning permission, that there is a willingness from developers/landowners to see the sites developed for such uses; it is not simply a tally of every area of available land that could be developed for retail uses within the Plan area.

Further, the representation states that the site should be recognised for open Class 1 retail use of approximately 8,580 square metres net. However, this seems to be predicated on the assumption that all of the site could be developed for retail use; this seems highly unlikely given that any retail development on the site, whether convenience or comparison retail, would at a minimum require landscaping, car parking, access roads, and a delivery yard/area, all of which would require a considerable land take within the site. Therefore, it is very unlikely that the site could deliver 8,580 square metres of net retail floorspace.

Deanway Developments Limited also make the assumption that if the Council were to recognise the floorspace in the Plan, which for the reasons outlined above it does not, that this would automatically be counted toward the convenience floorspace supply. However, the Certificate of Lawful Use or Development is for the existing Class 1 retail use on the site.

Deanway Developments Limited do not appear to be suggesting that Klondyke should be allocated for retail use; rather that its 'capacity' in terms of its floorspace should simultaneously be 'recognised' in the Plan while at the same time traded to deliver convenience retail capacity for the development of another site in which they have an interest - South Stirling Gateway Site (R09). However, this is not possible to achieve through the Plan – if the Council recognised the site as a retail opportunity and included it in the retail floorspace supply in the Plan, it would surely be prudent to allocate it as it has done with all other supply sites. If the Council allocated it for convenience retail, it would as Deanway point out in their submission, have an, "impact on any assessment of available retail capacity," and would reduce the level of convenience retail floorspace required in the Plan from 4,000 square metres net (see Table 9 in the Plan).

The approach suggested is not considered to be appropriate for the Development Plan, and therefore the Council does not agree to modify the Plan in respect of this representation.

SS47 - Plean Pre-Cast, Stirling

In response to the representation from Plean Pre-Cast (SLDP_408/001), this site is not considered to be an appropriate location for any of the uses proposed, particularly retail, and the Plan's retail floorspace requirement has been clearly set out in the Plan in Tables 9 and 10, with sites identified to meet this. The approach to the allocation of retail floorspace is set out in paragraphs 9.4 to 9.8 of the Stirling Council Vision and Spatial Strategy Background Report (Sept 2012) (CD 49), and on pages 27 and 28 of the Plan.

Furthermore, the site is within an Employment Safeguarding Area. These areas are the core areas of employment land within the Plan, and effectively provide the employment land base supply. Policy 2.4 'Safeguarding Employment Land and Property' seeks to ensure under part (a) that sites identified within these areas are retained for 'employment generating

uses'. Only under exceptional circumstances will other uses be supported on such locations as outlined in part (b) of the policy. The site does not meet any of the criteria set out in part (b) in that:

- The site is required to maintain an effective land supply. The loss of an existing employment site would therefore be unacceptable.
- The proposal is not ancillary or complementary to the existing use.
- The proposal would not be delivered in conjunction with an employment use.

The proposal does not meet the terms of this policy, and the designation of safeguarded employment land and property continues to play an important role in maintaining a variety in the quality, quantity and location of employment land opportunities in the Plan area. Therefore the Council considers that the Plan should not be modified in respect of this representation.

Reporter's conclusions:

1. These conclusions cross-refer with those for Issues 6, 44, 48, 49 and 50.

The Thistles Centre

2. The proposed local development plan (LDP) process has identified an overarching need for more retail floorspace. Stirling city centre, as the prime destination that is properly at the top of the LDP shopping hierarchy, should be the main focus for that. Retail floorspace requirements are set out in Tables 9 and 10 of the LDP and they stem from supporting retail capacity studies (CD68 and CD69), as well as from the Vision and Spatial Strategy Background Report (CD49). From these, and for the city centre, Table 10 envisages that 7600 square metres net of new personal retail comparison floorspace is needed for the period 2010 to 2025. This new floorspace figure is based on the planning authority's preferred growth scenario that underpins the LDP strategy, and delivering it is inevitably aspirational and dependent on market conditions and demand. The retail studies have taken account of the impact of adding that new floorspace on the vitality and viability of the established city centre and no firm, detailed contrary evidence has been produced to quantify how or why that assessment is wrong. For example, the evidence does not show that a new capacity study is justified, or that the LDP should be varied to accommodate that at this late stage in the process either because: the retail capacity information is fundamentally flawed; or retail conditions have changed so markedly in the year since the last retail study update of September 2012.

3. The Prime Retail Area boundary within Stirling city centre has been drawn tightly with the deliberate intention of assisting the vitality and viability of the whole city centre. To that end, the new retail floorspace envisaged in Table 10 of the LDP is intended to be achieved across the whole defined city centre and Scottish Planning Policy (SPP) does not advocate applying a sequential approach within that, to favour the Thistles Centre, which comprises most of the Prime Retail Area. SPP confirms a need to support the vitality and viability of the whole city centre and not just the Prime Retail Area. Further, the LDP intends that the Prime Retail Area should be used as part of the framework for considering development proposals in the way that is described in Policies 2.6 and 2.7, not as a specific land allocation. That said, it is highly likely that some of the new floorspace will be achieved in the Prime Retail Area, and the opportunities to expand the Thistles Centre in that regard are acknowledged. But that possibility cannot be sequentially preferable to any other opportunity in the defined city centre.

4. Standard Life argues that there is potential for immediate expansion of the Thistles Centre into the service yards that are annotated on plan SK019 as F and D2. Together, these offer some 2825 square metres. After that, SK019 shows potential for more expansion from 2015 to 2020 onto sites B and C, which add up to 1504 square metres. Later again, from 2020 to 2025, sites D1 and A could add 7634 square metres and after 2025, site E could add 10,842 square metres. These development opportunities are reflected in the City Centre Development Framework (SG08B, CD175), but not as specific proposals because a development brief is needed to balance the implications of developing the sites. Having done that, a brief would then identify the development potential of these sites, which might include non-retail uses, but would primarily envisage an appropriate developed form that would improve the look and functioning of the centre and enhance the whole city centre. In other words, the aim of the LDP is not to achieve more retail development at all costs. There clearly is some opportunity to intensify and extend retailing at the Thistles Centre, but not without achieving much needed improvements to its fabric, appearance and function. These possibilities also carry their own implications and uncertainties, which will require careful consideration. For example, the bus station, which is in D1 on SK019, would need to be able achieve a suitable relocation to make way for development, and delivery bays at F and D2 would also need to be reorganised without losing the necessary service function. Pending all that, and especially the brief, it would be at best premature and at worst misleading for the LDP to allocate the whole Thistles Centre for development.

Allocated sites

5. The LDP tables allocate sites R01, R02, R03 and R04 for an unspecified amount of new retail floorspace. The supporting LDP evidence shows that Stirling city centre has limited scope to address the need for new floorspace, including that described above, and R01 to R04 comprise most of the few opportunities that are available. Some of these sites are edge of centre in the current adopted local plan and the LDP would bring them into the city centre to help to address that floorspace need. However, because each site has mixed use potential, it is not possible to predict with any certainty the amount of retail floorspace that could arise from the many different formats that an acceptable development could take. In addition, if the planning authority were to demand a specific amount of retail floorspace from that mix, development flexibility would be fettered, which is not appropriate on city centre sites outwith the Prime Retail Area.

6. The specified LDP Key Site Requirements for sites R01, R03 and R04 include compliance with the City Centre Development Framework (SG08B). R01 equates to Site 1 in that, which is specified as having potential for mixed uses, including retail, residential, leisure and an hotel. Key considerations are the incorporation of soft landscaping into any development scheme. The planning authority has also prepared a specific planning brief for R01 (SG08, CD168), which again identifies a range of potential uses including a mix of retail, leisure and business. The brief also confirms that retail development proposals should establish and improve links to the Prime Retail Area in the city centre. General site requirements include safe and convenient pedestrian linkages to the site surroundings in the city centre. The brief also specifies that cycle provision should be another integral part of any development on the site. Site R01 was designated as edge of centre in the current adopted local plan for the same mix of uses as is envisaged by the LDP. R01 is also the subject of a current planning application for 2000 square metres gross retail floorspace, plus some residential and an hotel (reference 12/00712/FUL, CD149).

7. The R01 site is occupied by a large empty building that was used for public leisure and it adjoins car parking that serves the city centre. As with R05 and R06, the site is not linked

seamlessly to the city centre, but it is a short, level, easy walk from the train and bus stations. In addition, the site is located close to many other commercial and town centre type uses including those along the nearby Barnton Road, which clearly functions as part of the city centre, albeit with that intensity diminishing outwards to Cowane Street. The LDP identifies R01 for the same mix of uses as can be found in the surroundings and along Barnton Road. Given its linked location and function, as well as the general character of the site and the wider area, R01 has scope to function as part of the city centre, albeit subject to the specified Key Site Requirements in the LDP.

8. Site R02 is a joint LDP allocation with H047 for 62 homes and the LDP Key Site Requirements specify a mixed development including retail, residential and other town centre type uses. R02 equates to Site 2 in the City Centre Development Framework and again, a mixed use development is envisaged. Further, the planning authority has granted planning permission in principle for the whole of R02 for a mixed development including commercial, retail, residential and leisure, followed by approval of reserved matters for part of R02 for 16 flats and 550 square metres of commercial retail as part of a mixed development (references 09/00525/PPP, CD121, 09/00526/PPP, CD122 and 10/00637/MS, CD124).

9. Over and above these specific requirements, LDP Policy 2.8 encourages mixed developments in central locations such as these, as well as on sites that are allocated with a mix of uses identified in the Key Site Requirements. Policy 1.3 then addresses the requirement for green space, although the precise form that might take must suit the highly urban character of the locations. The planning authority's expectations for open space and accessibility in developments are also detailed in related proposed supplementary guidance (SG02, CD159 and SG14, CD178 respectively).

10. Taking all of this together, site R01 is suitable for inclusion into the city centre. Further, the planning authority's intentions for sites R01 to R04, and its willingness to support mixed use developments on them, as well as to seek landscaping and improved accessibility are made sufficiently clear in the LDP, so no modification is required.

11. For site R06, the planning authority states that it has already incorporated an additional Key Site Requirement to provide a safe cycle link between Forthside and Kerse Road as a non-notifiable pre-examination modification to the LDP. On that basis, no further action is required.

Other suggested sites

12. Suggested site SS46 is the Klondyke Garden Centre at Glasgow Road, Bannockburn and it has a Certificate of Lawfulness that establishes the planning status of the land (reference 08/00576/LAW, dated 23 Sept 2008). The certificate means that the existing retail use is lawful and immune from enforcement action as a breach of normal planning control, which is not the same as an extant planning permission for a new retail development.

13. The purpose of the LDP is to guide the way in which Stirling Council wants to see the area developed for the specified future, not to record or reflect the planning history of particular sites within it. In doing that, the planning authority has developed a retail strategy that is based on particular growth scenarios and aspirations. The LDP then makes allocations to satisfy the requirements arising from the preferred growth scenario in that process. For retail, this position is recorded in Tables 9 and 10. Over the whole plan period, i.e. until 2025, the tables show a requirement for 4000 square metres net of new

convenience retail floorspace and 12,709 square metres net of new comparison retail floorspace. The tables and the land allocations arising also reflect existing sites with planning permission that either have been developed or are known to be likely to be developed. Therefore, the tables relate to new space over and above existing and the Klondyke site is not in that category because, as the certificate has established, it is an existing retail site.

14. The Certificate of Lawfulness applies to the whole Klondyke site and the representation says that the established level of floorspace by virtue of the certificate is the entire area inside the red line on the approved plan attached to the certificate. The representation then adds that this area equates to about 8580 square metres of net retail sales. Net floorspace is universally accepted as meaning the actual amount of trading floorspace, as opposed to gross, which is the whole retail building with the full range of ancillary spaces, such as offices, staff accommodation and storage. It is for that reason that Tables 9 and 10 mention net not gross, because they focus on the trading space requirement. While the site area may indeed be 8580 square metres, that is not the same as a net floorspace figure and it would not be practical for the whole site to be trading floorspace, given the obvious and inevitable need for supporting ancillary spaces.

15. In response to a further information request, the representee supplied an extract from a Senior Counsel's opinion, which confirms the view that the certificate applies to the whole site and not to the existing retail trading floorspace (page 4). The opinion then adds that the certificate does not restrict the amount of floorspace that maybe developed for retail on the site, so the use could intensify and the floorspace could be larger than the existing building without necessarily requiring any further permission, provided it could all be contained within the site plan approved with the certificate (page 5). Therefore, the opinion is not expressed in the same way as the representation.

16. Given all that, the certificate means that retail use is acceptable from the existing building or, in principle, from across the whole site. But the certificate does not establish that the site is capable of accommodating that precise amount of net retail floorspace. In the first instance, the certificate does not specify a floor area. Secondly, while retail use is undoubtedly established on the whole site, redevelopment with a different new building or an extension to the existing would more than likely still be development that would need a new planning permission, albeit not for the use. Under those circumstances, the proposal would need to satisfy relevant policies and standards for access, parking and landscaping. All of that would impinge on the size of the developable area and no evidence has been produced to show that these requirements could be satisfied while still delivering such a large net retail floor area. In other words, the certificate means that the whole site can be regarded as existing retail land, but not that it has, could support, or should necessarily expect to get, planning permission for the specified 8580 square metres of net floorspace. Lastly, by implication, all of this further confirms that the Klondyke site cannot be regarded as comparable to the sites that have planning permission for the development of a specific amount of new retail floorspace that are listed on Tables 9 and 10.

17. In considering whether the Klondyke site would better deliver the planning authority's retail strategy than the allocated sites, site R09 is inside and part of H055 for the development of the South Stirling Gateway. The Klondyke site is not within or especially close to this development area, so that is immediately less favourable than R09, even if it could produce a comparable amount of floorspace. R12 is part of B26, and it is located in the proposed new Springkerse and Millhall Commercial Centre. Supplementary guidance (SG09, CD176) then defines and explains the Network of Centres and it describes the commercial centre as reinforcing and protecting the city centre, with an exception to allow

household bulky goods retail only, to consolidate the existing and to make up for this specific floorspace deficiency in the defined city centre. Given that, proximity to the city centre is an obvious requirement, as well as to the established retail park. R12 also represents a development opportunity that would consolidate and support the necessary regeneration of the wider Springkerse area. Both of these would benefit the whole of Stirling and development of the Klondyke site could not deliver the same specific outcomes.

18. Site SS47, which is Plean Pre-cast Ltd, Kerse Road, Stirling is an existing industrial type site that is allocated in the adopted local plan as in a strategic employment area. The plan aims to keep existing uses in that area and to prevent any drift away to car sales or other non-business type uses. The LDP maintains that basic position by placing the site in an Employment Safeguarding Area, where the intention is to maintain the base supply of employment land. Currently, the site makes an effective contribution to that supply. Given the safeguarding designation, the site is subject to Policy 2.4 and its loss to retail could not be justified under those terms. The policy is caveated with the potential to support other uses where a site has been marketed unsuccessfully for employment purposes for 12 months or more. The evidence does not show that site SS47 falls into that category.

19. The planning authority is seeking through the LDP to satisfy predicted and specific floorspace requirements by prioritising development in the defined network centres, in accordance with national planning policy in SPP. Site SS47 is not in the designated city centre or the new commercial centre at Springkerse, where retailing could be acceptable. Further, the site is centrally positioned in the Employment Safeguarding Area where it does not adjoin either network centre. Given that, it cannot be viewed as a logical addition to either centre.

20. SS47 is described in the retail study that supports the LDP (CD69, paragraph 4.3.5) as so close to the allocated R06 site, that developing it would simply use up retail capacity from elsewhere, without adding anything to the distribution of superstores around Stirling. The planned distribution of sites in the LDP reflects the preferred growth strategy of the LDP, so it follows that SS47 would in turn act against delivering that strategy. If R06 is not developed, SS46 could conceivably be an alternative, but as stated above, it is far less well related to the city centre. In any event, the development of R06 seems to be a strong current commitment.

21. Based on the above, neither site SS46 nor SS47 should be allocated in the LDP as a development site, including for retail purposes.

Reporter's recommendations:

No modifications.

Issue 47	Cambusbarron	
Development plan reference:	Chapter 10: Cambusbarron Settlement Statement (page 130 - 133)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Drygrange Estates (SLDP_83) Hallam Land Management/CEG Land Promotions Ltd (01179)		
Provision of the development plan to which the issue relates:	The Cambusbarron Settlement Statement is the section of the Plan that sets out the approach to development in the village of Cambusbarron. All of the sites and designations considered under this Issue are contained within the Cambusbarron Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Representations to non-allocated Sites</u>		
<u>SS42 – Old Drove Road, Cambusbarron</u>		
Drygrange Estates (SLDP_83/001) - objects to the non-allocation of the site for residential development and to the lack of new housing allocations in Cambusbarron in general, which they suggest is at odds with both the strategy of the Plan and Scottish Planning Policy. Provides the following reasons as to why the site should be allocated:		
<ul style="list-style-type: none">• It has a good landscape fit, and the topography makes it appropriate for development.• It is within walking distance of the primary school and village centre.• It is connected to public footpaths and the countryside, and is unlikely to create significant travel problems• The extent of the woodland lost through the development of the site would be small• It could deliver affordable housing in a recognised 'pressured area'.		
<u>SS43 – St Ninian's Road, Cambusbarron</u>		
Hallam Land Management & CEG Land Promotions Ltd (01179/001) - objects to the non-allocation of the site for residential development for between 220-225 dwellings, and provides a number of reasons including the following:		
<ul style="list-style-type: none">• The site is effective and would be consistent with the Plan's Spatial Strategy with regard to Cambusbarron, which is a Tier 2 settlement within the Core Area.• It would meet a shortfall in the supply of housing in Cambusbarron.• It is within close proximity of Stirling, in a sustainable location, and a marketable location.• It has good topography and landscape fit, is a logical extension to village, and is able to be connected to the village and Stirling.• It is of no special landscape character and could be removed from the Local Landscape Area - if this is not possible, its development would not impact on the Area.• Increasing the population would help to sustain local services.		

- Assessments of ground conditions, archaeology, biodiversity/habitats, transport and access, educational capacity, and utilities infrastructure, have identified either no constraints or constraints that can be overcome. A number of assessments have been submitted to support the representation, including a Transportation Assessment, and an Archaeology Assessment.

Modifications sought by those submitting representations:

Representations to non-allocated Sites

SS42 – Old Drove Road, Cambusbarron

Drygrange Estates (SLDP_83/001) - request the allocation of this site for residential development, including an element of affordable housing.

SS43 – St Ninians Road, Cambusbarron

Hallam Land Management & CEG Land Promotions Ltd (01179/001) - request the allocation of this site for residential development of between 220 and 225 dwellings. Also suggests the site could be removed from the Local Landscape Area.

Summary of responses (including reasons) by planning authority:

Representations to non-allocated Sites

SS42 – Old Drove Road, Cambusbarron and SS43 – St Ninian's Road, Cambusbarron

The Council has carefully considered the reasons put forward in support of the proposed modifications to the Plan with regard to these two suggested representations, but remains of the view there is insufficient justification to allocate the sites for residential development. Both sites were promoted to, and assessed and discounted by the Council at the Expressions of Interest stage, and through the Main Issues Report consultation. Site SS43 was submitted at these stages as part of a much larger site, CAMB07 (CD 45), and site SS42 is known as CAMB10 in the Site Assessment (CD 45). The allocation of land for housing development within Cambusbarron would not conform to the Spatial Strategy and both sites also suffer from several significant environmental and infrastructure shortcomings. None of the supporting information included in the representations is considered to be of sufficient weight/merit to support a modification. In particular:

- The Plan allocates sufficient land for residential development, as demonstrated in the Housing Land Requirement Background Report (CD 61), and addressed more fully in Issue 4.
- The key issues relative to SS42 are in achieving suitable vehicular access, and the loss of woodland, which, as set out in Scottish Planning Policy paragraph 148, "should only be allowed where it would achieve significant and clearly defined additional public benefits" (CD 1).
- Site SS43, as noted above, was previously submitted as part of larger site CAMB07, and has therefore previously been assessed. The majority of the comments in the Site Assessment for the larger site are still applicable to SS43. The site does not relate well to the existing village as it is quite far removed from the village core, and would represent a significant extension to Cambusbarron. Flooding has also been highlighted as a potential issue at the very northern side of the site adjacent to St Ninian's Road; The Scottish

Environment Protection Agency commented on the site to that effect during the Main Issues Report consultation (CD237).

- The impact of the development of this site on the landscape setting of the village is also considered to be significant. The site is located within a Local Landscape Area. The south-west area of the site slopes upwards, becoming quite steep and visually exposed, and as a whole, is very visually prominent in the approach to Cambusbarron from the east. Scattered hedgerow and relict parkland trees are key features of this site, and it is considered that the site has retained its distinctive parkland characteristics, being part of the policies and parkland of the former Polmaise Castle. The site is also important to the overall setting of Stirling and the separation of Cambusbarron from Stirling. In response to the Archaeology Study, the Council acknowledges that the site is within the area defined by Historic Scotland in their Inventory of Historic Battlefields as being part of the Battle of Bannockburn, but considers that it is potentially peripheral to the key components of the battle.
- The Plan's Settlement Assessment for Cambusbarron published alongside the Main Issues Report (CD 42) identified the problems with allocating any sites for development in the village, the most significant of these being the impact on schools. One of the largest constraints to future housing development in Cambusbarron is primary school capacity. Physically, the school site could not accommodate any further extension; therefore a second primary on an entirely new site elsewhere in the village would be required. Planning for a considerable amount of new development in Cambusbarron in order to deliver a new primary school is at odds with the Spatial Strategy approach to development in the village.

Hallam Land Management & CEG Land Promotions Ltd (01179/001) - do not agree with the Council's conclusions on the impact of development on schools infrastructure, and believe that there may be a number of options not explored by the Council. The Council's Education Authority provides the following information in response to the points made in the representation:

- School Catchment Review: The catchment area of Cambusbarron includes a mix of houses within the village and some rural properties in the surrounding area. The M9 motorway creates a significant physical barrier to changing the school catchment. Rezoning to Gargunnock Primary School would be impractical, and would have resource implications, given the lack of a suitable walking route. Cambusbarron Primary shares a boundary with Borestone Primary School and St Ninian's Primary School. St Ninian's Primary School has a significant amount of housing proposed within its catchment area, and as such, the Education Authority would not consider rezoning to St Ninian's Primary School. Borestone Primary School has seen increased rolls over the last 4 years, and indications for 2013/2014 continue to show an increase. Rezoning parts of the Cambusbarron catchment to Borestone Primary School would require pupils to walk further to get to school, and a safe route would require to be established.
- Restricting placement requests: Eight pupils have requested to place into Cambusbarron Primary School over the last three years, with 25 pupils requesting to place out of the catchment area. Given pressure on neighbouring schools, it is likely that such levels of migration will be unable to continue to be approved, and this in itself will place additional pressure on the Cambusbarron School roll. The Education Authority does not agree that restricting placing requests into the catchment area would provide a reliable solution in this particular case.
- Extension of the existing school: Cambusbarron primary school has restricted access via its access road. The site has significant gradients, which increased the build costs when the school was previously extended. The school would require significant changes to accommodate the pupils generated from the development of 220 houses, and such works

would have to include upgrading and extending the school hall and other common areas. The pupils generated from such a sizeable development would place further pressures on traffic around the school and also available play space within the school grounds.

- Provision of a new school: Options to build a new primary school have previously been explored, but with the significant costs involved were not considered to be viable. An option to vacate the current site was explored prior to the existing extension but this was not possible as it would require the Council to redirect capital expenditure from projects already identified as part of the agreed Schools Estate Strategy. The recent extension and investment within the existing school has provided a valuable resource to meet current and forecast needs.
- Secondary school provision: Significant development is in progress within the Stirling High School catchment, to which Cambusbarron catches. Approximately 800 houses have either planning permission or are proposed in the Plan within the catchment of Stirling High School (CD 245), and the Education Authority believes that these developments could be accommodated by working with planning officers and developers to manage existing capacity at Stirling High School. It would be extremely difficult to extend Stirling High School as the school sits on a compact site. Any changes to the catchment area would be likely to result in pupils walking further to either Bannockburn High School or Wallace High School, and these changes are likely to be unpopular if proposed as a potential solution.

It is clear from the response above that there are significant issues related to the impact of development in Cambusbarron on schools infrastructure. The Council does not therefore agree that the Plan should be modified in respect of these representations.

Hallam Land Management & CEG Land Promotions Ltd (01179/001) – The Council does not agree to remove the site SS43 from the Southern Hills Local Landscape Area 5 – see reasons given above in relation to landscape issues associated with SS43. The reasons for the designation are set out in Proposed Supplementary Guidance SG27 Protecting Special Landscapes (CD 187). In the citation for the Southern Hills Local Landscape Area it is stated on page 69 that no review of its boundary is recommended. Therefore, the Council considers that the Plan should not be modified in respect of this representation.

To summarise, with regard to the representations received in relation to SS42 Old Drove Road, Cambusbarron and SS43 St Ninians Road, Cambusbarron, the Council does not consider that the Plan should be modified in respect of any of the issues raised in the representations.

Reporter's conclusions:

SS42 - Old Drove Road

1. The site forms part of the wooded slopes of Gillies Hill. It has a frontage to Old Drove Road which is the southern limit of built development in this part of the village. The representation on behalf of Drygrange Estates suggests that removal of the existing woodland on the site and development of housing would not have a negative impact on the local landscape. The representation draws comfort from the planning authority's Main Issues Report site assessment (CD45) which states that development could be reasonably well hidden in distant views of Cambusbarron.

2. I find that the potential visual and landscape impact of development on this site would be significant. Old Drove Road and the adjoining woodland edge form part of the north-east

boundary of the proposed Southern Hills Local Landscape Area (LLA). The site sits on the north-facing slopes of Gillies Hill that rise steeply above the flat carse lands along the River Forth. These wooded slopes are clearly visible when approaching from the north along the M90. They form a prominent wooded backdrop to the northern edge of the village which wraps around the lower slopes of Gillies Hill. Any removal of woodland would impact on the character of the Hill which is an important landscape feature in the LLA and contributes to the setting of both the village and Stirling beyond. Similarly, I consider that if development were to proceed on the site, then an area of woodland beyond the site boundary may need to be felled to ensure the safety of any new houses and to protect them from windblow and further tree losses. There would be a danger that the new village boundary would comprise a prominent and exposed woodland edge.

3. Scottish Planning Policy (paragraph 148) makes it clear that removal of woodland to facilitate development should only be allowed where it would achieve significant and clearly defined additional public benefits. In light of the above, there would be no landscape or other benefits arising from development at Old Drove Road. In addition, the conclusions for Issue 4 of this examination show that there is no pressing requirement for additions to the housing land supply that would justify housing development on a wooded site of this type in an unacceptable location.

4. The site is well located for local school, shopping and community facilities in the village and for higher order services in Stirling. There is no roads access or other infrastructure issue that would prevent development on the site. However, these matters are outweighed by the policy, landscape and housing land supply considerations set out above. Therefore, I do not support the allocation of the site for housing development and I do not recommend any modification to the plan.

SS43 - St Ninians Road

5. The St Ninians Road site is located on the north-eastern edge of the proposed Southern Hills LLA and it sits on the lower, open slopes of Gillies Hill which forms a wooded landscape backdrop to the village and the wider Stirling area to the east. The site is set down in the landscape and is screened from the lower carse lands to the north by the existing village. Views of the site from the south and east are constrained by topography and by the urban area in and around Stirling. The site is open parkland but it has a strong landscape structure around its edges reinforced by St Ninians Road which would form a continuous settlement boundary to the east.

6. In this landscape context, I am satisfied that any built development on the site would have no material impact on the visual or landscape character of this part of the LLA, although a small area on the upper southern slopes would need to remain free of development to help maintain this position.

7. The village is close to a full range of employment, community, shopping and transportation facilities in the Stirling Core Area. Although development of up to 220 houses would represent a significant and strategic expansion of the village, I am content that it could establish a new and defensible settlement edge. Equally, I do not consider that development here would result in the physical coalescence of Cambusbarron with the wider Stirling urban area to the east.

8. The submission accompanying the representation addresses a range of environmental, transportation, utility, habitat and archaeological matters. At this stage, I am satisfied that there are no issues in relation to these matters that would prevent development of the site

subject to further detailed assessments.

9. The main infrastructure constraint to development of around 220 houses is the ability of local schools to accommodate additional pupils, particularly at Cambusbarron Primary School. The planning authority and agents for the prospective developer have submitted technical and capacity assessments in support of their respective arguments about the need for, and the ability of, the primary school to be extended, remodelled or relocated.

10. There would be significant architectural and operational challenges in altering the existing building. These difficulties are compounded by the size, shape and slope of the school site. It is difficult to establish at this stage if these accommodation difficulties are capable of being overcome or whether they are insurmountable. Further detailed design, costing, catchment and operational assessments would be required to arrive at a definitive position. Only then could it be established if there was a viable solution to cater for new housing of the scale proposed.

11. The detailed work required to assess the feasibility of providing additional accommodation would take some time. It would also be dependent on concluding agreements on a number of important matters including funding, developer contributions, implementation arrangements and construction timing. As part of an agreed solution, there could also be a requirement for Stirling Council to review school catchment boundaries in the local area and thereafter implement new arrangements.

12. It is not possible to forecast when all this varied technical, legal and administrative work could be carried out and, importantly, if and when a solution could be agreed. Clearly, in light of this position, the lead-in time for development could be lengthy. I cannot be confident that the site could be effective and produce any housing output during the first 5 year local development plan period and, possibly, during any part of the plan period.

13. The conclusions for Issue 4 of this examination show that there is no requirement for large scale additions to the housing land supply. They only identify a modest short term need for additions to the housing land supply that are capable of being effective in the early years of the plan period. Cambusbarron is a Tier 2 settlement and is part of the Stirling Core Area where larger scale development is preferred as part of the plan's Spatial Strategy. However, the housing land supply conclusions do not justify release of a large site with a capacity of up to 220 houses and with projected completions stretching over a 7 to 10 year period. In any event, these potential outputs rely on school capacity and catchment issues being resolved which cannot be predicted with any confidence at present. These interrelated matters outweigh other considerations including the site's ability to form a logical extension to the village without adverse landscape and environmental consequences.

14. Therefore, I do not support the allocation of the St Ninians Road site for housing development and I do not recommend any modification to the plan.

Reporter's recommendations:

No modifications.

Issue 48	Millhall and Broadleys, Stirling	
Development plan reference:	Chapter 10: Stirling Settlement Statement (page 188 – 225) B11 – Millhall R13 – Millhall B12 - Broadleys Extension B13 - Broadleys Extension Area	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Caledonian Marts (01310) Caledonian Marts (Stirling) Ltd (00401) Cycle Stirling (01039)		Millhall Partnerships/Stirling Development Agency (SLDP_722) William Oswald (SLDP_246)
Provision of the development plan to which the issue relates:	The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in the City. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.	
Planning authority's summary of the representation(s):		
<p><u>Representations to Allocated Sites</u></p> <p><u>B11 - Millhall and R13 - Millhall, B12 - Broadleys B Expansion and B13 – Broadleys Extension Area</u></p> <p>Millhall Partnerships/Stirling Development Agency (SLDP_722/001) - Stirling Development Agency (SDA), have been working together as Millhall Partnerships to bring forward a comprehensive development for the entire area identified as proposed allocations B11, B12, B13 and R12. Currently undertaking preparatory work in producing a draft Millhall Development Framework, which can contribute to the preparation of the wider Springkerse/Broadleys Framework.</p> <p>Requests that the Bing and land to the west be included as an allocation as part of site B11/R13. The Bing is a manmade feature, a result of the mining activity and previous colliery. It is a brownfield site and one that merits being included as part of the wider development of Millhall and has no historical interest other than as a feature indicating its industrial past. The existing trees on the Bing currently provide a feature visible from the A91, and some screening of the current development at Broadleys, however it is considered that this could equally be achieved by structural planting elsewhere. The Bing and land to the west of this comprise more than half of Stirling Development Agency's land at Millhall and excluding it would severely impact upon Millhall Partnerships' ability to deliver a viable development at the overall site.</p> <p>Requests a greater flexibility in terms of retail uses to allow all forms of non-food retail (other than fashion and shoes) in the proposed Commercial Centre to see Stirling remain buoyant, and to emerge stronger from the recession.</p> <p><u>B11 – Millhall and R13 - Millhall</u></p> <p>Caledonian Marts (01310/001); Caledonian Marts (Stirling) Ltd (00401/001) - Considers a</p>		

more appropriate land use designation to be retail including a foodstore. There is considered to be an adequate/oversupply of Class 4 business space in Stirling. This is a brownfield site and the Auction Mart use is no longer in keeping with the surrounding area. The Mart originally stood on the edge of Stirling but as Stirling has expanded, it lies now within the built-up area. The location is readily accessible lying adjacent to the eastern bypass and just 5 mins from the City Centre. Aware of interest from supermarket operators and consider Millhall an obvious location for further retail development and it is of a size sufficient to accommodate large scale development.

B13 - Broadleys Extension Area

William Oswald (SLDP_246/001) - Fully supports the allocation of Broadleys Extension Area, but concerned that the allocation boundary includes land that has not been made available by their client, the landowner, for redevelopment. The boundary for B13 is therefore inaccurate and should be amended.

Cycle Stirling (01039/014) - Requests additions to the key site requirements.

Modifications sought by those submitting representations:

Representations to Allocated Sites

B11 – Millhall and R13 - Millhall

Millhall Partnerships/Stirling Development Agency (SLDP_722/001) - The steading north west of Millhall Road should be included in site B11/R13 on the Proposals Map. The Bing and land to the west of this, and currently shown as white land, should be included in site B11/R13 on the Proposals Map. The small area of land east of the Bing, and in the control of Millhall Partnerships, and which is currently shown as being within the Green Belt, should be included in site B11/R13.

Amend Key Site Requirements for B11 to refer to a Masterplan complying with Framework required, "but preparation of this can take place in advance of the Development Framework being prepared".

Remove reference to "household bulky goods retail and/or commercial leisure" and refer to "Class 1 (Shops - non-food), Class 2 (Financial, professional and other services), Class 3 (Food and drink), Class 4 (Business) Class 7 (Hotels and hostels), Class 11 (Assembly and leisure), a public house, car sales garages and a garden centre".

Caledonian Marts (01310/001); Caledonian Marts (Stirling) Ltd (00401/001) - The land use designation should be changed to food retail.

B12 - Broadleys B Expansion

Millhall Partnerships/Stirling Development Agency (SLDP_722/002) - The land either side of the Pelstream Burn should be included in site B12 on the Proposals Map.

B12 Broadleys B Expansion and B13 Broadleys Extension Area

Millhall Partnerships/Stirling Development Agency (SLDP_722/002) - Amend Key Site Requirements for B12 and B13 to refer to a Masterplan complying with Framework required,

"but preparation of this can take place in advance of the Development Framework being prepared".

B13 - Broadleys Extension Area

William Oswald (SLDP_246/001) - Seeks an amendment to the boundary of B13 to remove the existing Broadleys Farmhouse and land immediately to the south and west of the farmhouse (see submitted map).

Include additional land in the B13 allocation i.e. Farm buildings and enclosures in the northern corner adjacent to Millhall Cottage (see submitted map).

Cycle Stirling (01039/014) - Add to key site requirements, "Provide safe cycle link with Millhall Road."

Summary of responses (including reasons) by planning authority:

B11 and R13 Millhall

Millhall Partnerships/Stirling Development Agency (SLDP_722/001) - The Council has no objection to the inclusion of the steading buildings north west of Millhall Road within the development area for B13 Broadleys Extension Area. Its inclusion would make sense given the scale of commercial development intended to completely surround the farm steading as it is assumed that the farm holding would be substantially reduced. This would introduce another 0.36 hectares into the site making it 5.36 hectares in total and would represent a non-notifiable modification as it would not comprise a significant modification.

The area of the Bing and the land west of this shown as white land are included within the Green Corridor and/or are Open Space Audit Sites. These are important elements in achieving the overall objectives of the Spatial Strategy and Vision. Both areas were assessed as part of the previous stages of the Plan – at the Main Issues, Draft Plan and in association with the Proposed Plan (CD 45) as site BRAE05 which became sites B11, B12 and R13. The Council has consistently stated that the area of the Bing should be retained as a wildlife corridor with an enhanced and well-managed landscape/planting framework. The framework of the Green Belt surrounding the Bing is important to the interpretation of the Bannockburn Battlefield Inventory Site and the disused railway (now cycle route) provides an obvious boundary to what will become the built up area, providing important links to the Green Corridors beyond. The Bing provides an important visual landscaped buffer to the commercial development to the north and it is not agreed that the extent of this could be replicated through structure planting elsewhere. Therefore, the Council does not agree to modify the Plan in respect of this representation.

The suggestion that preparation of a Masterplan complying with a Development Framework can come forward in advance of the Framework being prepared is juxtaposition. The Plan makes it clear in the Key Site Requirements that these sites are part of a wider area being carefully planned through a Development Framework that will lead to a Masterplan process to ensure that the concepts of Placemaking are met and development is of a high standard. To bring forward a Masterplan prior to the completion of the wider Framework would undermine the principles the Plan is seeking to achieve and as such, no modification is supported.

The Council considers that the uses identified are sufficient to allow the introduction of

appropriate retail into this area consistent with the Spatial Strategy and the Network of Centres. Broadening this out to include reference to Class 1 (Shops – non food) may undermine the role of the City Centre within the Network Centre hierarchy. Furthermore, this is not considered an appropriate location for Class 2 uses as this is not the function of this particular Network Centre. Some ancillary Class 3 uses may be appropriate along with Class 7 (hotels and hostels) but this should be determined through the proposed Development Framework to be prepared for the area as other sites may be better suited to this use. There is a preponderance of car sale garages to the west of these site and these should be retained within that area, and not spread into the Millhall sites. Again the public house and garden centre uses would need to remain ancillary and consistent with the bulky goods retail and commercial leisure designation and their suitability for this location can only be determined as part preparing the wider Framework. Therefore, the Council does not agree to modify the Plan in respect of this representation.

Caledonian Marts (01310/001); Caledonian Marts (Stirling) Ltd (00401/001) - This Council does not support the allocation of this site for convenience retail. A site has been identified to the north at Crookbridge (R12) for convenience retailing and it is not considered necessary to support additional floorspace for such uses in this location. The Convenience Retail Requirements Study (CD 69) highlights the amount of convenience retail floorspace that may be required within the city area and there is not requirement for an additional superstore from that identified at either Crookbridge (R12) or South Stirling Gateway (R12). Therefore, the Council does not agree to modify the Plan in respect of this representation.

B12 - Broadleys B Expansion

Millhall Partnerships/Stirling Development Agency (SLDP_722/002) - The exclusion of land within the identified Green Corridor for development as part of B12 Broadleys B Expansion is deliberate and is in keeping with Policy 1.3 Green Networks and Open Space, a fundamental part of Placemaking (Primary Policy 1) and Site Planning (Policy 1.1). This is an area of open space which provides a setting for the Town Burn and is part of the multi functional Green Corridor network in this area. It is therefore not appropriate to include this area within the proposed development site. Therefore, the Council does not agree to modify the Plan in respect of this representation.

B12 - Broadleys B Expansion and B13 - Broadleys Extension Area

Millhall Partnerships/Stirling Development Agency (SLDP_722/002) - The suggestion that preparation of a Masterplan complying with a Development Framework can come forward in advance of the Framework being prepared is juxtaposition. The Plan makes it clear in the Key Site Requirements that these sites are part of a wider area being carefully planned through a Development Framework that will lead to a Masterplan process to ensure that the concepts of Placemaking are met and development is of a high standard. To bring forward a Masterplan prior to the completion of the wider Framework would undermine the principles the Plan is seeking to achieve and as such, no modification is supported.

B13 - Broadleys Extension Area

William Oswald (SLDP_246/001) - In conjunction with a request from the adjacent landowner under Millhall Partnerships/Stirling Development Agency (SLDP_722/001), this representation requests the inclusion of additional land north of Millhall Road for development. The Council considers that this addition to site B13 Broadleys Extension Area along with land recommended by the other landowner, could be included as part of the site. This amendment would result in the site size increasing by 0.36 hectares.

The amendment requested to exclude land owned and retained by the landowner around Broadleys Farm, in the west of the site adjacent to the railway line, would result in the loss of 1.94 hectares from site B13 Broadleys Extension Area, which is identified for Class 4, 5 and 6 uses. The loss of employment land against the background of requirements and supply is covered in some detail in Issue 6. It is highlighted in the Employment Land Background Report (CD 51) that although it is likely that the employment land supply (81.8 hectares) will be sufficient for requirements for Period 1 (2010 – 2024), given the poor economic conditions it is 5 hectares short of the overall requirement (Para. 6.2). The suggested loss of 1.94 additional hectares but gain of 0.36 hectares brought about by the inclusion of land around Millhall would leave an overall loss of 1.58 hectares.

It is essential to maintain a healthy employment land supply to ensure that a range and choice of sites are available as and when the economy does pick up and that sites are protected from changes of use. However, the land at Broadleys Farm is not being promoted for another, more commercially attractive, use at this time. In terms of Paragraph 48 of Scottish Planning Policy (CD 1), it states that “Marketable land should meet business requirements, be serviced or serviceable within 5 years, be accessible by walking, cycling and public transport, and have a secure planning status”. The site could therefore be considered unmarketable if the owner is unwilling to sell it. If the business allocation was to be removed however, the site would revert back to white land within the settlement and a range of other uses promoted which may not be compatible with the surrounding area or indeed the Development Framework to be prepared. In light of the above, it is considered appropriate to maintain the land within the B13 allocation. Therefore, the Council does not agree to modify the Plan in respect of this representation.

Cycle Stirling (01039/014) - Policy 3.1, supported by Supplementary Guidance SG14, requires development to be safely and realistically accessible by a choice of modes. The Council has not identified all the transport and access site requirements for all the sites – expect in exceptional cases. All sites will have to demonstrate whether they can be safely and realistically accessible by cycle, and where they can reasonably be, any necessary measure to ensure this is the case will be required. What is difficult for the Plan to definitively state is whether the links that are suggested are the best means of ensuring that the site is realistically accessible by cycle; and if so, whether the cost of providing the cycle links that are suggested is reasonable in the context of the development proposals that will be brought forward for that site. Therefore, the Council does not agree to modify the Plan in respect of this representation.

Reporter’s conclusions:

B11 and R13 Millhall
B12 - Broadleys B Expansion
B13 - Broadleys Extension Area

1. The representation from Millhall Partnerships/Stirling Development Agency relates to the inclusion of the steading buildings north west of Millhall Road within the development area for B13 Broadleys Extension Area. The representation from William Oswald is similar, in that it seeks the inclusion of additional land north of Millhall Road and beside the steading within the B13 Broadleys Extension Area. The former Millhall farm steading and the adjacent agricultural land are excluded from B11 and B13 in the local development plan for no obvious reason and, as proposed, the plan would make them an island of non-allocated land that would become surrounded by the uses envisaged for the other allocations. Because of that, including both would help achieve a more comprehensive and integrated

redevelopment of the area. Although Mr Oswald's representation is not detailed against the planning authority's non-notifiable pre-examination modification to the proposed local plan, it appears to cover the steading and Mr Oswald's ground. On that basis, I am content that all of these concerns appear to have been resolved and no further action is required.

B11 and R13 Millhall

2. The representation from Millhall Partnerships/Stirling Development Agency seeks inclusion of an adjacent pit bing within the area allocated for employment (B11) and retail related (R13) uses. The case for inclusion of the bing within an area allocated for built development relies on the need to allocate additional land to help the viability and deliverability of the wider development partnership in Millhall. However, the representation does not include any development appraisal or financial information that would support the assertion that the area is needed to enable wider redevelopment in Millhall to be economically viable.

3. Similarly, the representation is not supported by any quantitative analysis that would suggest the Employment Land Background Report (CD 51) prepared by the planning authority is inaccurate or that the land supply needs to be supplemented by inclusion of additional land in this area. At the same time, it appears that there are a number of development plots still available in Millhall and Broadleys in addition to redevelopment opportunities such as the Auction Mart. These include sites B12, B13, B29, B30, B31, B32 and B33 listed in plan Appendix B: Schedule of Employment Sites. The majority of these sites have programmed output in the period 2010 to 2024.

4. The case for allocation of the bing area for development must also be considered alongside an assessment of the bing's existing role and function. The bing could be classified as 'brownfield' land in light of its previous use and it is not allocated for a specific land use in the plan (white land). Large areas of the bing have been colonised by deciduous woodland over some time and this has successfully disguised its origins as a waste tip from past deep mining in the area. The bing links with a similarly wooded area to the west to form a substantial natural screen to the Millhall and Broadleys business areas when viewed from the south, east and west.

5. It is also clear that the bing is a recreational resource for local people who use it as part of a wider local network of paths, green corridors and amenity areas. The bing and adjacent woodland form a robust natural edge and boundary between the built up area to the north and the more open carse landscape and greenbelt to the south. I do not consider that the bing's phased removal and replacement with new structural planting, as proposed in the representation, would re-create the same type of robust landscape and recreational resource. The green belt edge surrounding the bing also contributes to the interpretation of the important Bannockburn battlefield site that is included in Historic Scotland's Inventory of Historic Battlefields and this would be prejudiced by removal of the wooded bing. Greater detail on this matter can be found under Issue 44 of this report, in the context of suggested housing site SS48.

6. The bing's landscape, recreational and amenity value, and its role in defining the urban-green belt edge, outweigh any arguments for its inclusion within the B11/R13 development area. Therefore, I do not recommend any modification to the plan in relation to this matter. Given its role and importance, the planning authority may wish to consider whether the bing should remain as 'white land' or should be incorporated into the green belt as part of a future review of the local development plan.

7. The representation from Millhall Partnerships/Stirling Development Agency also argues that preparation of a masterplan for B11/R13 Millhall can be carried out in advance of preparation of a development framework for the wider Springkerse / Broadleys area. The plan Draft Action Plan (2012) (CD 48) indicates that the development framework will be prepared in 2015. The representation states that Millhall Partnerships are in the process of commissioning various technical studies to assist in preparation of a development framework.

8. It is important that a masterplan for the B11/R13 Millhall area is not prepared in isolation but fits with development guidance for the wider area. Equally, there is an obligation on the planning authority to prepare the framework document timeously to ensure that development and economic investment proposals for the B11/R13 site are not unduly delayed. The wording of the plan's Key Site Requirements for B11/R13 does not preclude preparation of a draft site masterplan in tandem with preparation of the wider framework document. Work on both documents could proceed concurrently but completion of the final masterplan should await approval of the development framework to ensure a consistent area-wide approach. On that basis, I do not consider that any changes are necessary to the Key Site Requirements listed under B11/R13 Millhall in the plan's Settlement Statement.

9. The representation from Millhall Partnerships/Stirling Development Agency seeks greater flexibility at Millhall to allow all forms of non-food retail other than fashion and shoes as part of the site's inclusion within the proposed Springkerse and Millhall Commercial Centre. Retailing in general is examined under Issue 6 of this report. However, it should be noted in this context that proposed Supplementary Guidance SG09: Network of Centres (CD176), supported by retail capacity studies commissioned by the planning authority (CD 68 and CD 69), sets the background for the plan's designation of a network of different centres. SG09 describes the role of the Springkerse / Millhall Commercial Centre as reinforcing and protecting the role and function of Stirling City Centre. The City Centre is the preferred location for all new comparison and convenience retail development within the plan area.

10. The local development plan recognises that it may not be possible for all retail and commercial leisure development to fit within the City Centre and so the proposed Commercial Centre would provide additional space for the sale of household bulky goods (and other goods defined in the SG's Glossary of Terms). I find that this approach shows considerable flexibility in designating the B11/R13 site as part of the Springkerse / Millhall Commercial Centre and suitable for household bulky goods retail and/or commercial leisure use.

11. Whilst the representation provides an overview of the current retail environment in Stirling and other towns in Scotland, it is not accompanied by any analysis that demonstrates that the plan's proposals are flawed in relation to the hierarchy of centres generally or the proposed Commercial Centre specifically. Also, it does not provide any quantitative retail capacity assessment that demonstrates the need for additional non-food floorspace or the provision of a wider range of retail uses outwith the City Centre.

12. In the absence of such a justification, it is difficult to support any widening of the acceptable uses for the Commercial Centre. This could undermine the success of the Centre itself and prejudice the role of Stirling City Centre within the hierarchy. I support the planning authority's position that some other uses, including Class 3 and Class 7, may be acceptable within the area but this should be determined through the proposed Springkerse/Broadleys Development Framework. I consider that the permitted uses set out in the plan for the B11/R13 site strike the right balance between protecting the role of the

City Centre and allowing a degree of retailing outwith the Centre. I do not support any further widening of the retail offer at B11/R13. I do not recommend any modification to the plan in relation to this matter.

13. The Broadleys and Millhall location already has a significant number of car sales and other vehicle related businesses and, to some extent, this concentration diminishes the area's attractiveness for other employment uses. I would be concerned that extending the permitted range of uses and allowing the further spread of car sales outlets in this potentially prime development area, as proposed in the representation, would prejudice the location's status as an Employment Safeguarding Area (Policy 2.4). This is an important consideration when the Employment Land Background Report (CD51) has not identified a surfeit of good quality, marketable employment sites in the plan area. No modification to the plan is recommended on this matter.

14. The representations from Caledonian Marts suggest that the existing Auction Mart site is no longer in keeping with the surrounding area and that a more appropriate land use designation would be retail including a superstore. The representations are not accompanied by any quantitative capacity assessment that demonstrates the need for additional food retailing space in the Stirling area. In contrast, the plan position is supported by the Stirling Convenience Retail Requirements Study (CD 69) which concludes that there is no requirement for an additional superstore in light of the sites already identified at Crookbridge (R12) and South Stirling Gateway (R09). While these sites are examined under Issues 49 and 50 of this report, the representations for B11/R13 do not challenge the planning authority's basic analysis.

15. The proposal is also at odds with key retailing advice set out in Scottish Planning Policy (paragraph 64). It fails to justify retail food sales at the Auction Mart site through a sequential approach to site selection. Also, it does not demonstrate whether such a use would have an acceptable impact on the vitality and viability of the network of centres already identified in the plan, including the wider area allocated as the Springkerse / Millhall Commercial Centre.

16. There is a variety of uses in the surrounding area but there are no substantive reasons cited in the representations that show why the Auction Mart could not continue to operate in this type of location on the eastern edge of the city close to major road routes. The proposed land use allocation (B11/R13) also offers the prospect of redevelopment through a flexible definition of acceptable land uses, including bulky goods retail and commercial leisure, which could enable a relocation of the Auction Mart business. However, further flexibility through the addition of food retailing to the schedule of acceptable land uses would not be acceptable for all the reasons set out in the preceding paragraphs, as well as in related Issues 6, 49 and 50.

17. In summary, I do not recommend any modifications to the plan in relation to any of the representations from Millhall Partnerships/Stirling Development Agency and Caledonian Marts regarding B11/R13 Millhall.

B12 - Broadleys B Expansion

18. Although B12 is listed in the employment section and coloured blue on the Stirling Central proposals map in the local development plan, the Key Site Requirements for B12 that are set out in the "Existing and Future Land Supply" table establish beyond doubt that the planning authority regards the site as suitable for an element of retailing. The Requirements state that part of the site must provide Class 4 business, but also that the site

is “Suitable for household bulky goods retail and/or commercial leisure”.

19. Land alongside the Pelstream Burn / Town Burn, identified on the plan as part of a Green Corridor, skirts the western and northern edges of site B12 Broadleys B Expansion Area. Although the representation from Millhall Partnerships/Stirling Development Agency seeks the inclusion of this land within B12, there is no supporting case that demonstrates whether this land would be developed and/or protected if it were allocated in this way. Similarly, the representation does not show why inclusion of this land would be essential for securing the development of B12.

20. In the absence of this type of justification, it is difficult to set aside the requirements of plan Policy 1.3: Green Networks and Open Space that aims to safeguard green networks and open space. There are provisions in the policy for replacement or mitigation measures where such areas are lost to development. However, these are detailed matters that would be best considered as part of the development management process when site development proposals could also be assessed against more general Placemaking (Primary Policy 1) and Site Planning (Policy 1.1) criteria. At this stage, in advance of detailed proposals, it would not be appropriate to include any part of the green corridor network in the vicinity of B12 within an area allocated for development. I do not recommend any modification to the plan in respect of this representation.

B12 - Broadleys B Expansion and B13 - Broadleys Extension Area

21. It is important that a masterplan for the B12/B13 area is not prepared in isolation but fits with development guidance for the wider area. Equally, there is an obligation on the planning authority to prepare the framework document timeously to ensure that development and economic investment proposals for the B12/B13 site are not unduly delayed. The wording of the plan’s Key Site Requirements for B12/B13 does not preclude preparation of a draft site masterplan in tandem with preparation of the wider framework document. Work on both documents could proceed concurrently but completion of the final masterplan should await approval of the development framework to ensure a consistent area-wide approach. On that basis, I do not consider that any changes are necessary to the Key Site Requirements listed under B12/B13 in the plan’s Settlement Statement.

B13 - Broadleys Extension Area

22. Mr Oswald seeks the removal of his property at Broadleys Farm from the B13 site allocation. The land sits in the north-west corner of B13 adjoining the railway line. Its removal from B13 is unlikely to prevent wider redevelopment. However, it would be a non-conforming use that may not be able to co-exist with new employment uses around it. In planning terms, it would be preferable if the whole area could be designed and redeveloped for employment use in an integrated manner. This approach would maximise the use of a relatively limited employment land resource in this location. It is also likely to result in a more efficient site and infrastructure layout. I support the planning authority’s position that allocation of the farm site for any other purpose would prejudice the plan’s wider employment and redevelopment objectives for the area. Therefore, I do not recommend any modifications to the plan in respect of this representation.

23. Cycle Stirling seeks provision of a safe cycle link with Millhall Road as a Key Site Requirement for B13. The Transport and Access Background Report (CD71) highlights the need to encourage less use of motor vehicles and more use of sustainable transport options, including cycling, and this is supported in the plan Vision.

24. Plan Policy 3.1: Addressing Travel Demands of New Development, especially part (b), aims to reduce travel demands and to encourage safe and realistic choice of access, including by cycling. The policy is supported by SG14: Ensuring a Choice of Access for New Developments (CD178), which includes detailed advice on the planning authority's cycle provision requirements. Specific minimum requirements are set out in Table 1 (pages 6 and 7). Appendix A to SG14 also addresses cycle matters (pages 9 to 11). Cycling is again covered for some developments by Policy 3.3: Developer Contributions, including explicitly under part (d)(i). This policy is augmented by SG16: Developer Contributions (CD180), which expects the provision of necessary infrastructure such as for cycling.

25. I consider that all the above policy support achieves the objectives of Cycle Stirling's representation without the need to introduce specific measures in individual Key Site Requirements. Accordingly, I do not recommend any modification to the plan in respect of Cycle Stirling's representation.

Reporter's recommendations:

No modifications. However, for the avoidance of doubt, the recommendation is provided that the ground referred to in Mr Oswald's representation is to be allocated as part of B13, in the same way as has been done by the non-notifiable pre-examination modification for the Millhall Partnerships/Stirling Development Agency representation. Because the submissions do not make this absolutely clear, if that was not the planning authority's intention, the local development plan should be altered to include this extra ground within the B13 allocation.

Issue 49	Crookbridge, Stirling	
Development plan reference:	Chapter 10: Stirling Settlement Statement (page 188 – 225) R12 – Crookbridge, Stirling	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Allan Water Developments (01197) Deanway Development Ltd (SLDP_1257) Macdonald Estates plc (SLDP_1343) J Tough & Family (SLDP_715) Scottish Environment Protection Agency (SLDP_175)		Scottish National Party Group (00711) Stafford Trust (SLDP_256) Tulloch Homes Ltd (SLDP_724) Westerwood Ltd/Stirling Development Agency (SLDP_718)
Provision of the development plan to which the issue relates:	The allocation of site R12 Crookbridge for convenience retail uses. The allocation is mentioned in various parts of the Plan.	
Planning authority's summary of the representation(s):		
<p><u>R12 – Crookbridge, Stirling</u></p> <p>Scottish Environment Protection Agency (SLDP_175/032 & SLDP_175/080) - Supports the inclusion in the Key Site Requirement for a Flood Risk Assessment to be undertaken, development on the functional flood plain to be avoided and the identification that water resilient materials and measures may be required.</p> <p>Westerwood Limited & Stirling Development Agency (SLDP_718/001 & SLDP_718/003) - is the promoter of this site, and supports its designation within the boundaries of the Commercial Centre, and as a site for a superstore, but requests some rewording of the Key Site Requirements in order to ensure that a commercially viable planning permission and development can be delivered, and that the current planning application can be taken forward in advance of the Springkerse/Broadleys Development Framework. Also states that the Plan should make it clear that both Crookbridge (R12) and South Stirling Gateway (R09) could accommodate a superstore, and states that Crookbridge (R12) is deliverable within a 2-3 year timescale, has a named operator on board, and landowners are committed to working in partnership. Considers that the Council must be aware of the importance of a superstore to the delivery of a financially viable development of the site, particularly given the site constraints such as ground conditions, gas main/governor, flood risk, access etc. Westerwood Limited And Stirling Development Agency is concerned that by giving a convenience floorspace figure in the Plan, this will unduly influence future decision-making.</p> <p>Scottish National Party Group (00711/009) - sees no justification in offering an alternative to South Stirling Gateway (R09) at Crookbridge (R12), for the retail superstore. Considers that it defies all logic as regards sustainable travel, and that the location within the South Stirling Gateway (R09) was accepted by the (Elected Members) Local Development Plan Group as sustainable, and best located to meet the needs of the Stirling South area, where retail provision is limited.</p>		

Tulloch Homes Ltd (SLDP_724/007) - disagrees with the identification of "further convenience retail (c.4000sqm)" at R12, and specifically its identification as an alternative site to South Stirling Gateway (R09). This is a change from that originally proposed in the Draft Proposed Plan 2011 (CD 44b), when the need for additional convenience retail provision within Stirling was solely allocated to the South Stirling Gateway (R09) site.

The Convenience Retail Requirements Study, produced in 2010 (CD 69), identified a need for a new superstore development in two locations in Stirling. One of these locations was Bannockburn, "to best serve the proposed growth strategy". A new retail development in this area would also be ideally placed to serve the south east of Stirling and the Eastern Villages and would also serve the new settlement at Durieshill. At present the majority of comparable provision is in the centre or to the north of the City, which indicates potential leakage to other centres outwith the Stirling administrative area.

Considers that Crookbridge (R12) does not accord with the Council's strategy and policy to promote sustainable development in accessible locations. The location of a superstore here, adjacent to other retail and business uses on the east side of the City, will not encourage walking and cycling. It will also not perform the function of a neighbourhood centre as well as a foodstore to serve an existing local residential community, as would be the case for South Stirling Gateway (R09) and, the wider catchment area. Development of R12 would be totally contrary to the Council's overall strategy and policies on sustainable economic growth and placemaking. Considers that the location of a major convenience retailer at R09 would achieve the Council's aims for mixed use by means of a masterplan approach.

Stafford Trust (SLDP_256/004); (SLDP_256/005) - own land within an area identified within the Plan as the South Stirling Gateway (H055/B10/R09), and objects to the allocation of Crookbridge (R12). State that Scottish Government Planning Circular 1/2009 Development Planning (CD 4) advises that, "Scottish Ministers expect the proposed plan to represent the planning authority's settled view as to what the final adopted content of the plan should be. This stage should not be used to 'test the water': new or controversial elements of plan content should already have been aired at the main issues report stage (at least as options) (paragraph 55)". Plans should be founded on a strong evidence base. The Convenience Retail Study (CD 69) supports the allocation of land close to the urban area of Bannockburn as the optimum location to conform to the proposed growth strategy and meet the aims of reducing expenditure leakage. Crookbridge is not considered a suitable location in this regard. The report states, "Its location by the eastern distributor road provides good access by car from most of eastern Bannockburn and the Eastern Villages, but much less so compared to a location closer to Bannockburn/Pirnhall, for example. It is not within a cycle or walk-in residential catchment."

Considers Crookbridge is not well-placed to serve the south east Stirling area, is located within a few 100 metres of an existing supermarket and will not provide an attractive alternative to residents of South Stirling and therefore will do nothing to prevent leakage of expenditure from south Stirling in particular. Considers it is quite apparent that this site does not meet the wider aims and objectives of the Plan to promote a sustainable economic growth, with retail units well connected to housing areas and reducing the need to travel. Considers that the introduction of Crookbridge as an alternative retail site creates ambiguity as to the direction of the Plan, with an either/or scenario lacking any clear focus or justification. The time for highlighting options for meeting the convenience retail requirement was in the Main Issues Report.

J Tough & Family (SLDP_715/002) - considers that the retail policies and land use allocations have been significantly altered between the Main Issues Report and the Plan,

with no planning justification and at odds with the recommendations of the Council's retail consultant, with land at Crookbridge now proposed as a possible site for a supermarket (R12) which is owned by the Stirling Development Agency, a joint venture between VALAD and Stirling Council.

Stirling Council have a duty to prepare a land use planning strategy which is evidence based and represents the most appropriate land use strategy for the area, based upon Scottish Planning Policy (CD 1). Considers that by including Crookbridge for possible supermarket use in the Plan, the Council has ignored the advice of their retail consultant which concluded that if all the committed sites are developed, there will be no support for a third new superstore and probably limited market interest so a consent at Crookbridge will constrain future superstore opportunities in the Bannockburn area. The Convenience Retail Study (CD 69) recognises the limited supermarket provision within the south east Stirling area and a location by the, "built up area (Bannockburn) seems preferable as it would serve all these areas, plus St Ninians and it is close to all the main roads (A9, M9, A91 and A872). The location would also be well positioned to intercept leakage to Falkirk". The Plan states that the aim of a further store is to, "improve such provision in the southern area of Stirling and reduce expenditure leakage to other areas" (Paragraph 6.25). Crookbridge will not provide any qualitative benefit to this area given the existing food store provision at the adjoining Springkerse and proposed stores at nearby Burghmuir Road and Players Road and its location in 'Central Stirling'.

Considers that the ambiguity in the Plan with an either/or situation is confusing and lacks any reasoned justification, and that this situation can only be interpreted as being driven by the landowner at Crookbridge, Stirling Council and VALAD, seeking a capital receipt. Considers that the time for outlining 'options' was during the Main Issues Report.

Macdonald Estates (SLDP_1343/002, SLDP_1343/005 & SLDP_1343/004) - considers the Strategy in the Plan is either confused or erroneous by reference to a potential convenience superstore at the Council-owned site at Crookbridge (R12). The Plan does not appear to support convenience development at Crookbridge, however this does not square with the reference at paragraph 6.25 of the Proposed Plan (page 27) which indicates further convenience retail is anticipated at either South Stirling Gateway (R09) or at Crookbridge (R12). This is further compounded by reference to Appendix B (page 105) which includes Convenience Superstore in the "retail goods type" for Crookbridge (R12). It would appear therefore that the Plan contains an error. However, if this is not an error, the allocation of a convenience superstore at Crookbridge is not supported. Such an allocation conflicts with the Settlement Strategy for Stirling (Chapter 10) and conflicts with the Network of Centres SG09 (CD 176) and Policy 2.6 as convenience retailing would not be in keeping with the identified role of the Commercial Centre in SG09 (CD 176). This presents an either/or scenario that has significant implications for the delivery of South Stirling Gateway (H055/B10/R09). Considers that housing development alone cannot deliver the required funding to support such infrastructure. As a result the commercial aspects of the release and in particular the convenience superstore are key economic drivers in the delivery of the site. Without these commercial elements the delivery of the site will be stalled. This would be a huge blow to the Plan and its Spatial Strategy. South Stirling Gateway is a key component of the Spatial Strategy and the confused position in the Plan as it relates to Crookbridge (R12) has created a potential barrier to the delivery of this site. All recent Council Studies support convenience retail provision within South Stirling. Crookbridge is within Central Stirling and cannot be considered as an option or an alternative option to the South Stirling Gateway for the provision of convenience retail.

Deanway Development Ltd (SLDP_1257/002) - objects to the allocation of the site, and provides a number of reasons, including:

- The site has been introduced too late in the process to be a reasonable allocation, and is being presented on a procedurally flawed basis - as one of two options. The Council has an ownership interest in the site.
- The site is unsupported by any retail planning evidence, including the 2010 Convenience Retail Requirements Study (CD 69), or any other planning merits.
- There was no reference to the suitability of the site for convenience retail in the Main Issues Report (CD 41) or Draft Proposed Plan (CD 44b), and no explanation in the Plan given as to why this was the case. The site should have been properly tested at the Main Issues Report stage.
- The key site requirements identify the site as suitable for household bulky goods retail and/or commercial leisure, not for convenience superstore uses.
- Due to other permissions in place, there is now no shortfall to address in a location close to the city centre.
- Site does not relate to existing or proposed residential communities, will not reduce the need to travel, and will exacerbate congestion.
- The allocation is inconsistent with the identified role and function of the Commercial Centre.

Allan Water Developments (01197/002 & 01197/007) - considers the site should not be identified as a potential site for a convenience superstore for the following reasons:

- Lack of justification in quantitative terms for additional convenience floorspace beyond that already identified as committed (contributor is critical of the two retail studies that have informed the Council's position).
- The scale of available expenditure growth anticipated a few years ago has not materialised due to the effects of the recession.
- Neither of the two consultants advising Stirling Council on retail issues has identified justification on either qualitative or quantitative grounds for the allocation of the site.
- Site is poorly located, remote from local housing, dependent upon access by private car, is not located in an area deficient in existing supermarket/superstore provision, would result in increased car journeys increasing carbon emissions, part of the site is within an area at risk of flooding.
- Development of this site will threaten the ability to deliver site R07 (Former MFI site, Stirling), which is a vacant/derelict site and could support the regeneration of St Ninian's Local Centre. Removing the allocation will enable the implementation of R07.
- Consequential amendments to the Plan which would result from the R12 site being removed from the Plan.

Modifications sought by those submitting representations:

R12 – Crookbridge, Stirling

Westerwood Limited & Stirling Development Agency (SLDP_718/001 & SLDP_718/003) - requests the 'Key Site Requirements' text is modified to read as follows:

- Compliance with Springkerse/Broadleys Development Framework (to be prepared), although a planning application can be brought forward in advance of this.
- Masterplan complying with Framework required, which can either be submitted separately or as part of a planning application.

- Suitable for a superstore, household bulky goods retail, and/or commercial leisure.
- Provision of Class 4 Business on part of the site if it can demonstrate viability.
- Conserve and enhance green corridors of trees and banks of Pelstream Burn through the site and tree belts to the east and south, to screen the site from the A roads.
- Flood Risk Assessment required relative to the Pelstream Burn. Development on the functional flood plain should be avoided unless justified in the Flood Risk Assessment. Water resistant materials and measures may be required. Not all of the area will be developable and no development should occur in the functional flood plain or other areas known to flood (underlined text suggested for deletion).
- To ensure the maintenance of the integrity of the Firth of Forth SPA, foul and surface water drainage shall be treated to the relevant standards of Scottish Water and SEPA
- Evaluate and mitigate potential impact on Battle of Bannockburn Inventory site.

Also requests that the text of paragraph 6.25 of the Plan (page 27) is modified as follows:

- State that further convenience retail proposed could be provided at Crookbridge (R012) and South Stirling Gateway (R09), rather than one or the other,
- Explain that the 4000 sqm convenience figure quoted is purely indicative, and that it will be for a Retail Impact Assessment submitted with a planning application to justify the eventual figure appropriate for each site,
- Make plain that whatever the figure for convenience floor space that is eventually quoted in this paragraph, it will be provided as part of a superstore where the floor space split could potentially be anything from 70:30 to 50:50 (convenience to comparison floorspace) based upon the modern trend for superstores of the type the Plan envisages coming forward.

Tulloch Homes Ltd (SLDP_724/007); Deanway Development Ltd (SLDP_1257/002); Allan Water Developments (01197/002 & 01197/007); Stafford Trust (SLDP_256/004); SLDP_256/005); J Tough & Family (SLDP_718/002); Macdonald Estates (SLDP_1343/002, SLDP_1343/004 & SLDP_1343/005) - all request the deletion of any reference to Crookbridge (R12) as a convenience retail site from the Plan.

Deanway Development Ltd (SLDP_1257/002) - requests that site R12 is allocated for 'household/bulky goods only'.

Summary of responses (including reasons) by planning authority:

R12 – Crookbridge, Stirling

The strategy for new retail development is considered to be clear and consistent with Scottish Planning Policy (CD 1) paragraphs 53 to 55. A Network of Centres is identified in Proposed Supplementary Guidance SG09 (CD 176) setting out the role of each centre in the network. Any gaps and deficiencies in retail provision are highlighted in paragraphs 6.22 to 6.26 and Tables 9 and 10 of the Plan, and the need for new development identified in Appendix B. On the matter of convenience retail provision, both South Stirling Gateway (R09) and Crookbridge (R12) are considered to have a role to play, but due to the 4,000 square metre requirement, only one could realistically accommodate the need for one additional superstore, with the other site satisfying more local convenience needs. There is therefore an error in Appendix B, and in the Key Site Requirements for both sites R09 and R12, in that they should only refer to 'convenience retail' rather than 'convenience superstore', as both could not accommodate the superstore. This is considered to be a non-notifiable modification and further explanation of this is provided below. This amendment

should help clear up the matter of confusion referred to by Macdonald Estates (SLDP_1343/002, SLDP_1343/004 & SLDP_1343/005) and Deanway Development Ltd (SLDP_1257/002).

In response to the comments from Westerwood Limited And Stirling Development Agency (SLDP_718/001) requesting changes to the key site requirements, it is considered that none of the suggested changes should be implemented. Planning applications for the site must follow on from the Masterplan, which in turn must follow on from the Development Framework. If the developer wishes to submit a Masterplan prior to submission of a planning application, instead of alongside, this is perfectly acceptable, but there is no requirement to stipulate this in the Key Site Requirements. Any Masterplan will require to be approved by the Council. The requirement for the provision of Class 4 Business on this site should not be subject to a viability test, but is a specific requirement to meet the employment land requirement set within the Plan. In relation to the suggested amendments to the flood risk text, Scottish Environment Protection Agency (SLDP_175/032 & SLDP_175/080) has very clearly stated support that a Flood Risk Assessment requires to be undertaken, development on the functional flood plain is to be avoided, and the identification that water resilient materials and measures may be required. Therefore the suggestion by Westerwood Limited And Stirling Development Agency to modify the text is not supported. The request to insert the word 'superstore' is addressed above.

In relation to paragraph 6.25 of the Plan (page 27), it is accepted, as detailed above, that some confusion may have resulted from the wording of this paragraph, which states that, "Further convenience retail (c.4000 sqm) is anticipated either at Bannockburn, within the South Stirling Gateway (R09) or at Crookbridge (R012), the aim of which is to improve such provision in the southern area of Stirling and reduce expenditure leakage to other areas." The decision taken by Stirling Council in approving the Proposed Plan in September 2012 was to allow for, "The potential for additional convenience (food) retail development to be provided at Crookbridge (R012) as well as South Stirling Gateway (R09)" (CD 77 and CD 78).

Paragraph 6.25 deals with the major allocations for retailing in the Plan outwith the City Centre. It therefore deals with the 4,000 sqm (superstore) allocation, not the smaller convenience retailing needs that may arise during the Plan period. The Key Site Requirements relative to R09 and R12 (in the Stirling Settlement Statement) set out the retail role for these sites as convenience (R09) and household (R12) [It is agreed that convenience should also be added to R12]. The Plan allows for convenience retail to come forward at both sites but implies that only one can be the site for a new superstore (by the use of the word 'or' in Para. 6.25). The Council agrees that the Plan is not entirely clear in respect of the superstore allocation however this is considered unavoidable in light of further information coming forward relative to Crookbridge in the submissions made to the Draft Proposed Plan. The high cost of delivering development on the site due to the adverse ground conditions is considered to be an important factor and a convenience superstore is seen as one of the high value uses that will help the viability of this site. The Council's aspirations to deliver business space (B26) on the site will also be greatly enhanced by improvements to the viability of the site. The Council does not consider that it needs to be prescriptive on the matter of identifying suitable sites for the superstore, as both sites are considered well-placed to intercept leakage to the south east of Stirling, which is the main justification for supporting the capacity for a new superstore.

In response to the other comments by Westerwood Limited And Stirling Development Agency, it is agreed that the 4,000 square metres convenience figure quoted in paragraph 6.25 is indicative, and that it will be for a Retail Impact Assessment submitted with a

planning application to justify the eventual figure appropriate for each site, but this will be ensured through the planning application process by the application of Policy 2.7 Retail and Commercial Leisure Development, and similarly, the configuration of the floorspace (i.e. the split between convenience and comparison retail floorspace) will be governed by the application of part (e) of this policy.

Allan Water Developments (01197/002 & 01197/007) - Site R07 is allocated in the Plan for a convenience superstore of up to 4,650 square metres gross floorspace. Under Scenario 2 identified in the Stirling Convenience Retail Requirements Study (CD 69), which is the Scenario that has informed the Spatial Strategy approach in the Plan (and referred to in CD 49, paragraph 9.7), full account has been taken of the floorspace permitted in the planning permission that exists for R07 (CD 119 – a more recent planning application has also been submitted for this site by Allan Water Developments – CD 140). Therefore, the Council does not consider that the inclusion of Crookbridge as a potential site for the new superstore will have any impact on the deliverability of R07. The Retail Studies (CD 68 and CD 69) commissioned by the Council are considered to represent an accurate picture of the retail floorspace requirements in the area. Both studies were concluded during the current economic recession and took this into account in reaching assumptions over expenditure, turnover, trade draw etc. in the range of scenarios presented. The issue of convenience floorspace leakage – the main reason for seeking the provision of an additional superstore in Stirling, is still considered to be relevant.

The Council does not agree to modify the Plan in response to the representations made to Crookbridge (R12), within the exception of the acknowledgement of textual errors for sites R09 and R12 in Appendix B and in the Key Site Requirements, where the text should only refer to convenience retail rather than convenience superstore, as explained above. This is considered to be a non-notifiable modification.

Reporter's conclusions:

1. These conclusions cross-refer with those for Issues 6, 44, 46 and 48.
2. The proposed Local Development Plan (LDP) Spatial Strategy supports the city centre as a vibrant shopping destination and seeks to reduce expenditure leakage. The Spatial Strategy also notes that opportunities exist in the city centre for new retail development (Table 1). The Spatial Strategy is underpinned by the Vision and Spatial Strategy Background Report (CD49), which is dated October 2012 and identifies the range of main influences as including pressure and need for change as evidenced by various capacity studies, including retail (pages 7 and 8). The retail assessment that is most relevant to this issue is the Stirling Convenience Retail Requirements Study (CD69), which was completed in 2010 after the planning authority's Main Issues Report (MIR). The retail study is based on delivering the preferred growth strategy from the MIR process, i.e. population growth overall, and a network of retail centres, with Springkerse and Millhall as a new Commercial Centre to support Stirling City Centre (page 2). The relevant LDP text states that this new Commercial Centre (which contains site R12 at Crookbridge) is to include allocations for household bulky goods at R12. Supplementary guidance then further defines and explains the Network of Centres (SG09, CD176) and it describes the commercial centre as reinforcing and protecting the city centre, but with an exception to allow household bulky goods retail only, to consolidate the existing and to make up for this specific floorspace deficiency in the defined city centre (paragraphs 4.1 to 4.3). SG09 contains no suggestion that any site in the commercial centre would be suitable for convenience retail or the development of a new superstore of any size.

3. The retail study reflects the MIR strategy for convenience retail, which includes the development of superstores and supermarkets, especially in relation to areas of proposed housing expansion such as around Bannockburn, Durieshill, Plean and Cowie (CD69, paragraphs 2.3.3 and 2.4.1). The study notes that while superstores used to comprise more than 2500 square metres of trading floorspace, a store of that relatively small size would now be described as a mid-sized supermarket (paragraph 3.2.1). As a result, the MIR and the retail study clearly differentiate between superstore or supermarket and the study recommends that the LDP should make clear the broad scale of provision needed to meet the development strategy (paragraph 2.4.3).

4. Development at Durieshill is separated throughout the study mainly because development there would be too far in the future to address the short-term capacity need and to deliver the remainder of the growth strategy. But Durieshill is also referred to consistently as being a supermarket, to satisfy the local convenience needs of the new settlement.

5. The retail study confirms that a superstore located broadly in south east Stirling would serve the growth options and would generally improve superstore penetration (paragraph 3.6.3). A location by Bannockburn would be well-positioned to intercept leakage to Falkirk, which is a specific Spatial Strategy aim (paragraph 3.6.4). The planning application for a superstore of 9290 square metres gross at Crookbridge (reduced to 7432 square metres gross in the LDP examination representations) could improve quality of convenience retailing and it would have good car access to East Bannockburn and the East Villages, but it would be less accessible than a closer location and it would not be in a cycle or walk-in residential catchment. Further, if the planning application were to be granted, then the market prospects of a superstore in the Bannockburn area “may become more difficult” (paragraphs 4.3.3 and 4.3.4). Therefore, while Crookbridge could cover Bannockburn and Durieshill, the retail study concludes that it would not be as sustainable, or stem leakage to deliver the Spatial Strategy aim, as effectively as a closer site (paragraph 3.7.2).

6. The retail study evaluates the various MIR development scenarios. Scenario 2 assumes that all of the existing consents would be developed and Tesco would relocate to LDP site R06. Under those circumstances, predicted expenditure levels would be enough to support a superstore at Crookbridge, but only just and not until 2015. That prospect would also leave little capacity for others (CD69, page 24). In other words, there would only be enough convenience expenditure capacity to support:

- the existing consents;
- the Tesco relocation to R06;
- all the other consented smaller supermarkets; and
- one additional large-scale superstore.

Developing that new superstore at Crookbridge would leave no capacity for another, market interest would be limited by it, and future superstore opportunities in the Bannockburn area would be constrained. Not developing R07 at St Ninians, even although it has planning permission, could produce long-term capacity in the Bannockburn area (paragraphs 6.11.1 to 6.11.3). However, because the spare capacity would not readily support an additional superstore at Bannockburn in the near future, which is implicit in the LDP growth strategy (paragraph 6.8.1), the retail study again concludes that Crookbridge is not best placed.

7. From these capacity predictions and the various LDP consultations, the retail study supports a new superstore in the Bannockburn area to better serve the LDP spatial strategy,

to deliver the growth scenarios, to allow all the consented development to date, and to claw back expenditure leakage (paragraph 7.6.1). The suggested scale of that development is in the range 7500 to 9500 square metres gross (paragraph 7.6.4). The Bannockburn area is defined as serving south east Stirling and the East Villages, but the retail study favours development nearer to Bannockburn because Crookbridge is not best placed to achieve these specified results. Importantly, the study concludes that there is no scope for that size of superstore development at Crookbridge and Bannockburn, along with all of the other consents and allocations (paragraph 7.6.12).

8. The retail study was updated in September 2012 (CD68) when the Crookbridge planning application was still undetermined (page 3). At that stage, the amount of convenience and bulky goods floorspace capacity increased slightly, albeit balanced by increased vacancy rates in non-bulky goods comparison floorspace. Therefore, the update confirms limited convenience retail capacity beyond the exiting consents and the “local plan” allocations (paragraph 4.3.9), which capacity should be absorbed by development close to the existing centres, including the city centre (paragraph 4.4.1).

9. The Vision and Spatial Strategy Background Report also prefers scenario 2 set out above. However, the strategy boosts the total additional floorspace requirement quoted in the LDP to 4000 square metres net (CD49, paragraph 9.7). This figure is not obviously comparable with the advice from the retail study, its derivation and the reason for using net not gross is not apparent, and the background report does not address the retail study recommendation for clarity over the kind and scale of development that is envisaged.

10. The background report also states that the LDP incorporates the retail study recommendation of a new superstore “by Bannockburn to best serve the proposed growth strategy”. The reference to a superstore is not clarified and, by implication, it could be taken to mean something of the range envisaged by the retail study, which is far more than the 4000 square metres net mentioned above.

11. The background report then widens the development potential to include Crookbridge without explaining clearly that departure from the retail study recommendations (paragraph 9.7). The change also conflicts with the definition of the commercial centre in the network as described above, which specifies bulky goods retail only and comes from the LDP text and SG09. The change to include Crookbridge is noted in CD77 and CD78, but the fundamental departure from the retail study is again not clearly or transparently justified or explained. CD77 and CD78 only confirm Stirling Council’s intention to pursue convenience retail on R09 and R12, again with no indication of what size of development that might comprise.

12. In addition to new superstore (convenience) development at sites R05, R06, R07 and R10 (Durieshill), the LDP text then anticipates the development of about 4000 square metres of further convenience floorspace “either at Bannockburn, within the South Stirling Gateway R09 or at Crookbridge (R12)” (paragraph 6.25). The addition of a superstore at R10 is unexplained and it is not mentioned specifically in Table 9, which quantifies the additional floorspace requirement. While the text floorspace amount is not qualified (gross or net), Table 9 shows a convenience requirement of 4000 square metres net for the period 2010 to 2025, which is stated to be in addition to allocations R05, R06, and R07 that are noted as having planning permissions for superstore development.

13. Appendix B to the LDP then details the schedule of allocated retail sites. From that, R10 Durieshill is described as a convenience supermarket of 2500 square metres gross, which is consistent with the assumptions and outcomes from the retail assessment. R09 Bannockburn is described as a convenience superstore with floor area to be confirmed and

R12 Crookbridge is described as household bulky goods and convenience superstore floor area also to be confirmed. As a result, Appendix B does not show whether sites are allocated to address the total 4000 square metres net capacity requirement identified in Table 9 and it conflicts with some aspects of the text of the Spatial Strategy, as described above.

14. The LDP glossary defines a superstore as having a total gross convenience and comparison floorspace of more than 2500 square metres, which terminology differs significantly from the retail study. The LDP also appears to be internally inconsistent because it states as described above that a superstore has 4000 square metres net of floorspace, but elsewhere as shown above, the amount is not specified. The Spatial Strategy also mentions a total figure of 4000 square metres net, with no indication of what this might mean gross, to enable a comparison with the context, i.e. the retail study. However, the stated aim of the LDP clearly remains “to improve such provision in the southern area of Stirling and to reduce expenditure leakage to other areas”, which the retail study is convinced Crookbridge would not achieve as effectively as R09 at Bannockburn.

15. The LDP Spatial Strategy text adds that a development framework will be prepared to guide development in the Springkerse/Broadleys/Millhall area, which is given as B29-B41, B11-B13. This definition omits allocation B26/R12, in conflict with the Key Site Requirements in the later Stirling settlement section, as well as with the proposed draft development framework for South Stirling Gateway (SG08, CD170). SG08 states that opportunities exist for a new retail superstore to be centrally located in the area (page 23), to meet the needs of the wider Stirling area (page 2). As a result, the South Stirling Development Framework clearly envisages a broad based superstore development, which it is reasonable to conclude must be necessary for the successful delivery of that particular pillar of the overall LDP growth strategy.

16. The Stirling settlement text in the LDP states that within the newly defined Commercial Centre at Springkerse, development opportunities are identified at sites that include R12. R09 is not mentioned specifically, although H055 South Stirling Gateway is covered. The Existing and Future Land Supply tables then include:

- H055 with R09 where the Key Site Requirements are noted as compliance with development framework for South Stirling Gateway, a masterplan and “Neighbourhood centre to include retail superstore”; and
- B26 includes R12 where the Key Site Requirements are noted as compliance with Springkerse/Broadleys Development framework (to be prepared), a masterplan and “Suitable for household bulky goods and/or commercial leisure”.

Consequently:

- H055/R09 does not define size or mention convenience or comparison to accord with Appendix B and the Spatial Strategy;
- B26/R12 does not mention convenience retail of any size, but especially not the superstore that is mentioned in Appendix B; and
- the Stirling settlement section of the LDP conflicts with aspects of the rest of the plan, as described above.

17. Drawing all of the above together, the LDP does not make the size or kind of convenience floorspace allocations sufficiently or consistently clear and it does not show that the convenience capacity requirement identified within it would be met by the

allocations. Further, the terminology used throughout the LDP and its supporting component parts is sometimes vague and often inconsistent. The plan text and the other supporting component parts are also often inconsistent and in some case are even in conflict, with mistakes and omissions occurring where they should match. The inclusion of an allocation for a convenience retail superstore at Crookbridge conflicts with the planning authority's own commissioned retail studies and that difference has not been adequately explained or justified. Lastly, the available evidence indicates that site R12 at Crookbridge would not deliver the LDP Spatial Strategy as effectively as site R09. As a result of all this, the LDP leaves considerable uncertainty over exactly what the planning authority intends by way of retail development for sites R09 and R12.

18. The planning authority acknowledges some of these imperfections to some limited extent and states that it has corrected the LDP by changing Appendix B and the Key Site Requirements for R09 and R12 as follows:

- to refer to convenience retail, rather than convenience superstore for both; and
- to add convenience to the text reference to R12 in paragraph 6.25

These changes have been made as non-notifiable pre-examination modifications to the plan. Otherwise, the planning authority sees no need to be any more prescriptive.

19. The planning authority is also content that the 4000 square metre figure in paragraph 6.25 should be viewed as indicative and not a commitment, preferring to leave it to Policy 2.7 to establish acceptable levels of floorspace and retail impact for any planning applications arising in due course. Further, the planning authority states that the lack of clarity has been rendered unavoidable by information produced at Draft Proposed Plan stage about the high cost of developing site R12. Crookbridge is stated to have adverse ground conditions and a "convenience superstore" is regarded as a necessary high value use that will help with viability and thereby also with delivering the B26 business aspirations for the site. Aside from the fact that this cuts across the above changes, it also suggests that the planning authority is clearly pursuing a superstore size and concept of development on R12. More importantly, no evidence has been provided as part of the LDP examination to support these site viability claims, so that the LDP again suffers a lack of transparency.

20. If the planning authority's approach is accepted, the LDP would still contain extensive contradictions and uncertainties, as described above. More importantly, it would:

- cause significant uncertainty for the future of retail development in and around Stirling;
- cause difficulty of LDP interpretation for developers, as well as for those seeking to implement the plan;
- create scope for ad hoc, piecemeal development that is not suited to delivering the aims and growth strategy of the plan;
- potentially jeopardise the delivery of the LDP Spatial Strategy; and
- not accord with the Scottish Planning Policy (SPP) expectation of a robust, clear and plan led framework for future development.

21. The retail study conclusions are clearly not binding on the LDP or for the planning authority. However, in the absence of another equally robust, evidence based assessment of the planning authority's position, and given the apparent conflicts and uncertainties that are described in full above, the retail study seems to be the most reliable information source available. The retail study does not support the LDP position in respect of a convenience superstore at R12 Crookbridge, but it does support that kind of development at R09.

Accordingly, the LDP should restrict convenience superstore development, of the scale envisaged by the retail study for the Bannockburn area to R09. Further, the R12 allocation should be restricted to household bulky goods comparison retail, as expected by the LDP text and supplementary guidance on the Network of Centres, to support and address specific floorspace deficiencies in the city centre, and to accord with the B26 Key Site Requirements.

22. The amount of developable land at R12 is affected by proximity to the Pelstream Burn, which crosses the site. The Key Site Requirements set out in the LDP record that a flood risk assessment is needed to support any development proposal, that not all of the site is developable, and that no development should occur in the functional flood plain or other areas that are known to flood. In this way, the LDP accords with the specific advice of the Scottish Environment Protection Agency, as well as with SPP (paragraphs 196 to 209). In particular, SPP seeks to avoid the development of flood plains unless in extreme circumstances. Under these circumstances, diminishing the Key Site Requirements is not appropriate and the LDP should not be modified in this respect.

Reporter's recommendations:

The local development plan should be modified by:

1. Omitting the planning authority's pre-examination non-notifiable modification for R12 Crookbridge, which alters the wording of Appendix B and the Key Site requirements for R12.
2. Deleting all reference to convenience retail from R12 Crookbridge, from throughout the local development plan, and restricting the allocation to the sale of household bulky goods comparison retail.

The planning authority may also wish to address the other conflicts and discrepancies highlighted above in these conclusions and summarised in paragraph 17.

Issue 50	Bannockburn	
Development plan reference:	Chapter 10: Stirling Settlement Statement (page 188 – 225) H055, R09, B10 – South Stirling Gateway H130 - Milne Park Road	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Environment Protection Agency (SLDP_175) Scottish Government (SLDP_188) Scottish National Party Group (00711) Wallace Land Investment & Management (SLDP_48) Heather Cooper (00113) James Reid (00696) Gerry Halas (01239) Borestone Community Council (SLDP_1364) Lucette Watret (01316)		Mike Watret (00133) Taylor Stevenson (SLDP_1400) Dorothy M Russell (01295) William Griffin (00115) Suzanne Best & Ralph Govan (00148) Allan Water Developments (01197) Stafford Trust (SLDP_256) J Tough & Family (SLDP_715) Deanway Developments (SLDP_1257) Macdonald Estates plc (SLDP_1343) Ogilvie Homes Ltd (SLDP_321) Cycle Stirling (01039)
Provision of the development plan to which the issue relates:	The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in the City. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>H055, B10, R09 - South Stirling Gateway</u> Scottish Environment Protection Agency (SLDP_175/055) - Note that the key site requirements for H055, B10 and R09 do not specify that a Drainage Impact Assessment will be required. However the Assessment is identified as required in the Draft Development Framework for Stirling South gateway which these sites comprise. Scottish Government (SLDP_188/008) - The Settlement Statement and map for the south of Stirling makes no reference to the requirement to contribute to improvements at M9 Junction 9 Pirnhall inconsistent with Council's Transport and Access: Background Report (CD 71). The traffic modelling work undertaken by the Council demonstrates that the traffic generated by the development will require mitigation at Pirnhall to ensure the trunk road continues to operate safely and efficiently. Scottish National Party Group (00711/007) – With regard to H055, considers Historic Scotland's guidance on Conserving Battlefields has been completely ignored particularly the section on the role of planning authorities which requires Planning authorities to take the Inventory sites into account when preparing development plans and considering development proposals for their areas. Also considers the proposed numbers of housing for the site to be excessive, in light of Historic Scotland's guidance. Wallace Land Investment & Management (SLDP_48/010) - Support for H055 subject to the scale being reduced to limit adverse impacts both upon the Green Belt and upon the		

Battlefield. Considers the level of Green Belt release cannot be justified given the extent of and deliverable non-Green Belt land at Back O'Muir Farm. Considers that it is incumbent upon the Council to adopt a precautionary principle towards development within a Battlefield Inventory area, particularly large scale developments. Considers there are no overriding reasons for the allocation to be on sites within the Inventory Area and the allocation should be directed towards the alternative site at Back O' Muir Farm. Considers also that the allocation is not capable of accommodating the scale of development suggested due to heritage, geotechnical and topographical constraints, and that the indicative phasing is overly optimistic and unreasonable.

Scottish Government (SLDP_188/008) - Content that H055 does consider the impact on the designated battlefields and identifies how impacts will be mitigated.

Heather Cooper (00113/001) - Objects to H055 and R09 on the grounds that the site is poorly drained, it will generate increased traffic, poor ground conditions caused by previous activities such as undermining and landfill, loss of green space, loss of Green Belt, loss of jobs and recreation facilities with the loss of Brucefields golfing facilities, loss of historic character of the Bannockburn area, and impact of retail development on Bannockburn village centre. Would support some hotel development on the site, developed in conjunction with the existing Brucefields golfing facility.

James Reid (00696/001 & 00696/003) - Objects to H055 on the grounds that there is insufficient detail about the implications of the proposals, and the accompanying Development Framework must be subject to further public consultation to ensure that it can be adopted at the same time as the Plan. Objects to the reference to the provision of a superstore, the impact on wildlife (possibly protected species) at Cat Craig, loss of Green Belt, the identification of land for development between A872 and Cat Craig, one of the 'key aspects' identified in the Development Framework, reference to alternative golfing provision in the northern area of the site, the impact of development on access and parking for Craigford Cottages, the impact on provision of services to existing properties close to the site, and general 'planning blight' caused by continued development around these properties over a 20 year time period.

Gerry Halas (01239/002) - Concerned about loss of amenity with the golf course now part of the development area for H055. These facilities make good use of the existing Green Belt without detracting from it visually and enhance the character of the village. They are popular and help promote an active and healthy lifestyle. The driving range is regularly by national coaches. The grassed area enclosed by the northern limits of the driving range, Milnepark Road and Maitland Avenue, is a valued, well used asset for people of all ages and provides a safe, easily accessible and attractive green space complete with paths, seating and a mini football pitch for children.

Borestone Community Council (SLDP_1364/001) - Objects to the building of housing (H055) on the land currently used for recreation purposes (i.e. Brucefields golf course and adjacent racetrack). Does not believe this is an effective use of greenspace. Considers the loss of the Golf Course will further reduce the recreational facilities in this area and will have a significant impact on the local communities in and around Stirling. In addition to the main golf course, Brucefields offers a driving range and a short par three course and is an ideal venue for school children. No other golf course in the immediate area offers these type of facilities. Asks what consideration has been given to utilising the land on the east-side of the A91 for housing development.

Lucette Watret (01316/001 & 01316/002); Mike Watret (00133/001 & 00133/002) - Objects

to H055 and R09 on the grounds of invasion of privacy & flooding, increased noise & loss of light, increased traffic congestion / Health and Safety concerns, loss of Greenfield Site/Green Belt/Golf course/Corbiewood. Bannockburn already has less open space than other areas. Object to the removal of the last remaining hard surface harness track in Scotland. Compensation for loss of open space is required. Concerns over impact on GP facilities, dentist, physio, secondary school, police. Concerns over the impact development will have on local shops and Bannockburn village centre. Concerns over the impact on the battlefield.

Taylor Stevenson (SLDP_1400/001) – Objects to the H055 and development of the Brucefields golf centre on the grounds that there are very few sports facilities in Stirling and even fewer in the eastern villages. Stirling only has one other golf course which is unaffordable to many. Concerns over the impact on doctors surgery waiting times and if a new health centre was built in Pleau how old and infirm patients would access it. Objects to the loss of Green Belt with plenty of other areas/land in Stirling that could be development without destroying a sporting venue. Houses for sale in the area are also not selling.

Dorothy M Russell (01295/001) - Objects to H055 and specifically the development of land immediately behind Quarry Knowe cul de sac used as a play area due to the general lack of play equipment in this area. Objects to the proposed use of the Brucefields golf centre for housing (H055) and retail (R09) as it is used not only by local residents and schools but by people who live much further away. The golf centre is affordable to all and should be the last piece of land to be considered for development.

William Griffin (00115/003) - Objects to H055 as it is contrary to the stated and documented intentions of the Council namely, Serving Stirling (giving local people control) and ensuring the Plan reflects the views and aspirations of each community. The loss of the entire area as a green space is hugely detrimental to the entire area, but the loss of the golf course, driving range and related facilities is inexcusable. It is a facility used extensively by many of the community, of all ages and both genders.

Suzanne Best And Ralph Govan (00148/001) – Objects to H055 as it will change the quiet and isolated location of the Craigford Cottages area by introducing increased foot traffic past the housing affecting privacy. Open and unsoiled views will be affected and the existing single track road will not cope with the increases in traffic. There is no access to mains gas or sewage at the property so would like to see access to these services considered in the development.

Gerry Halas (01239/003) - Objects to the proposals for a supermarket (R09) with Morrisons, Tesco, Sainsburys, Waitrose, Lidl, Aldi (and planning permission granted for another supermarket at the former MFI site at St Ninian's) - all within Stirling District and all within 15 minutes by car from Bannockburn. Bannockburn Village is already well served. Does not accept the claim by the developers that the proposed supermarket will create 500 new jobs. There is a mature market for retail in this area and all that will happen is that the corresponding job numbers will fall across the other supermarkets and local shops. The plans to establish a roundabout on the busy A91 will impede traffic on what is an already busy trunk road and could cause traffic to back up onto the Pirnhall Roundabout - as presently happens at peak times.

William Griffin (00115/001) - Objects to R09 as considers the area is well catered for in terms of supermarkets and smaller local convenience stores. Objects to the proposed siting on an already inadequate road. A new roundabout will only worsen an already bad situation, impacting on the main "Services" roundabouts at peak times. The road carries much heavy

traffic and is an important access road to Alloa and the Hillfoots - the traffic it carries is hugely disproportionate to its size.

Allan Water Developments (01197/001) – Objects to R09 as considers there is a lack of justification in quantitative terms for additional convenience floor space beyond that already committed, the scale of available retail expenditure growth anticipated a few years ago has not materialised due to the effects of the recession, the slowdown in the development of new housing limits demand for this type of development, South Stirling Gateway Development Framework confirms that there is no requirement for significant up front infrastructure/remediation for the housing development, therefore the retail aspect of the South Stirling area is not required to be delivered prior to the housing element of the site. Development of this site will threaten the ability to deliver site R07, which is a vacant/derelict site and could support the regeneration of St Ninian's Local Centre.

Allan Water Developments also objected to a number of sentences, paragraphs etc. throughout the Plan that make reference to this site. However, it is considered that their objection is to the specific details of the allocation, i.e. the floorspace, and programming of the site. Therefore, if the Reporter is minded to agree with the points raised by the contributor, the Plan will require consequential amendments to be made.

Stafford Trust (SLDP_256/003); J Tough & Family (SLDP_715/001) - Supportive of the identification of retail floorspace (R09). Requests that a specific site (as submitted) for the retail provision is identified on land controlled by the Trust and the Tough Family, the location for which is supported by the Council's retail study (CD69). Concerns over the ambiguity in the Plan with regard to the provision of retail floorspace to serve South Stirling.

Deanway Developments (SLDP_1257/001) - Supports R09 allocation and considers that their site (Murialehouse) should be the sole preferred location for a new convenience goods superstore development for the following reasons:

- The site has a commercial allocation in the current Development Plan.
- The allocation is consistent with the Main Issues Report and Draft Proposed Plan.
- Site would serve the existing Bannockburn Community, and the South Stirling Gateway area, and is accessible.
- The general location of Bannockburn was identified in the 2010 Convenience Retail Requirements Study.
- Development would meet a retail deficiency in the southern area of Stirling.
- The Certificate of Lawful Use at the Klondyke Garden Centre site (in which they have an interest) could be revoked, and the capacity transferred to this site.

Macdonald Estates (SLDP_1343/003) – Considers Corbiewood Stadium is suitable in terms of scale and location to accommodate the R09 superstore as part of the wider land release. The site is effective and could be brought forward in the short term providing the necessary and important first phase of development. Considers the Strategy in the Plan is either confused or erroneous by reference to a potential convenience superstore at the Council owned site at Crookbridge (R12). This presents an either/or scenario that has significant implications for the delivery of South Stirling Gateway. All recent Council Studies support convenience retail provision within South Stirling. Crookbridge is within Central Stirling and cannot be considered as an option or an alternative option to the South Stirling Gateway for the provision of convenience retail.

Ogilvie Homes Ltd (SLDP_321/005) - Welcomes the allocated employment use at B10 and its proposed deletion from the Green Belt. Concerned that the indicated phasing should not

prejudice any stakeholders and the Plan needs to be more flexible in the release of land to help make the delivery of business land more adaptable to the needs of the business industry. If the site allocations are split as indicated in the Plan, this could potentially have an adverse impact of the delivery of readily available/serviceable employment land. Submits a plan which shows an area to the south of Pirnhall Inn for further consideration for employment growth in the medium to long term. This area will become more desirable once the South Stirling Gateway and the Park and Ride are implemented.

Cycle Stirling (01039/011) - Requests additions to the Key Site Requirements for H055.

H130 - Milne Park Road, Bannockburn

Gerry Halas (01239/004); William Griffin (00115/002) – Questions why H130 is in the Proposed Plan if planning permission for housing has been refused (Ref: 11/00305/FUL). Considers it will be difficult to fit the 15 houses allocated and not invoke the same objections. Objects on the grounds that the houses adjacent (No's 52, 51, 50, 49, 48, 47 and others), were subject to planning conditions restricting their height to two stories and to be built within a 'line of permitted development'. Beyond that line the land is heavily "made up" and does not follow the natural topography of the area. Approximately 40% of the ground on site has been made-up across the full width of an unspecified content. Concerned about overlooking and impact on privacy and light and surface water run-off into adjacent gardens. The public transport link from H130 to H055 was not a previous condition and implies that the green space and play-area to the south of this site would be encroached upon. Objects to the development of the existing recreational area other than as a recreational, open plan amenity for the area. The area is used extensively by members of the local community for a number of activities.

Modifications sought by those submitting representations:

H055, B10, R09 - South Stirling Gateway

Scottish Environment Protection Agency (SLDP_175/055) - Include the requirement for a Drainage Impact Assessment in the Key Site Requirements for H055, B10 and R09, consistent with the Draft Development Framework for the South Stirling Gateway.

Scottish Government (SLDP_188/008) - Include the text "M9 Junction 9 Pirnhall Interchange improvements" in the Key Site Requirements for the South Stirling Gateway.

Scottish National Party Group (00711/007) - Due cognisance given to the recent legislation to protect Historical Battlefield sites.

Wallace Land Investment And Management (SLDP_48/010) - Reduce the scale of the proposed allocation H055 in order that it can accord more fully with the stated aims and objectives of Primary Policy 7 (Historic Environment).

Heather Cooper (00113/001) - Remove allocation of South Stirling Gateway (H055 and R09).

James Reid (00696/001 & 00696/003) - Replace the Key Site Requirement related to the provision of a superstore (R09) with the requirement for a small local supermarket only, alongside local retail facilities involving small businesses to serve the general needs of the locality and some specialist needs. Remove proposals for development between the A872

and Cat Craig at H055 and give further protection to the remaining Green Belt. Provide something more imaginative/innovative than golf putting provision on the site to meet local needs and reflect environmental concerns, e.g. community orchard or allotments.

Borestone Community Council (SLDP_1364/001) - Reconsider the proposal to use any land that may impact on the current use of the golf course and racing facilities. If H055 and R09 go ahead, re-provide or encourage the development of 'pay and play' and child friendly facilities in the local area. Questions whether the area identified is adequate to allow for the development of a replacement golf course and leisure facilities.

Lucette Watret (01316/001); Mike Watret (00133/001) – Not to proceed with the South Stirling gateway development.

Allan Water Developments (01197/001) – Limit the floor area of R09 to a maximum of 2000 sq.m for convenience floor space, equivalent to a superstore of 4,500 sq.m gross floor area, and programme the development for after 2020.

Stafford Trust (SLDP_256/003); J Tough & Family (SLDP_715/001) - Identify the land owned by The Trust and the Tough family for convenience retail floorspace of 4,000 square metres (R09) to serve South East Stirling and a change to paragraph 6.25 to identify South Stirling Gateway as the only location for a supermarket to serve the South East Stirling area. The balance of land resulting in these combined landholdings should be allocated for associated and complimentary uses.

Deanway Developments (SLDP_1257/001) – Allocate Muiralehouse site as convenience goods superstore development. Allocate Muiralehouse site as the sole convenience goods superstore development opportunity to serve South Stirling area.

Macdonald Estates (SLDP_1343/003) – Allocate the land at Corbiewood Stadium for a convenience retail superstore (R09) as part of the wider strategic land release at South Stirling Gateway.

Ogilvie Homes Ltd (SLDP_321/005) – Remove the phasing from B10 (preferred), or apply flexibility in the release of land to ensure that it is readily available and can deliver when required by bringing all the Pirnhall land allocation forward to Phase 1, Period 1. Alternatively, policy wording could be amended to the effect that if there is demand for development interest expressed during the lifetime of the site, that land is out of sync with the proposed phasing can be brought forward. Should the status of the South Stirling Gateway proposal change, the B10 allocation should be retained as it can be developed as a separate entity. Also requests that land to south of Pirnhall Inn (plan submitted) be included as part of the longer term development aspirations for employment growth.

Cycle Stirling (01039/011) - Add to Key Site Requirements for H055, "safe, direct cycle routes through development, north into Stirling and to south crossing A91."

H130 - Milne Park Road, Bannockburn

Gerry Halas (01239/004) – Any housing built here should be restricted to the upper area of the site and in a line with the adjoining houses in Milne Park Rd.

William Griffin (00115/002) – Wants development to follow the building line and kept to land adjacent to Milne Park Road. Wants the existing recreational area kept as a recreational, open plan amenity for the area.

Summary of responses (including reasons) by planning authority:H055, B10, R09 - South Stirling Gateway

Scottish Environment Protection Agency (SLDP_175/055) – The Council agrees to include the requirement for a Drainage Impact Assessment in the Key Site Requirements for H055, B10 and R09, to ensure consistency with the Draft Development Framework for the South Stirling Gateway. The Council considers this to be non-notifiable modification.

Scottish Government (SLDP_188/008) – The Council agrees to include the additional text suggested in the representation to be consistent with the Council's Transport and Access: Background Report (CD 71). The Council considers this to be non-notifiable modification.

Scottish National Party Group (00711/007); Wallace Land Investment & Management (SLDP_48/010) - The Council has not ignored Historic Scotland's guidance on Conserving Battlefields and has taken on board the guidance set out in the Managing Change document on Historic Battlefields (CD 20). Detailed work has been undertaken to inform the Proposed Plan including the inclusion of a specific policy dealing with development affecting battlefields (Policy 7.8) and the production of Proposed Supplementary Guidance SG24 (CD 184) which identifies the key features of the Battle of Bannockburn and the Battle of Sauchieburn, and the important characteristics to conserve. The Draft Development Framework for South Stirling Gateway (CD 170) takes on board the findings of the Proposed Supplementary Guidance SG24 in reflecting the recommended development areas, and it is considered that the scale of development allocated is therefore appropriate. The Managing Change document (CD 20) guiding principles (Paras.5.4 to 5.6) do not recommend a precautionary principle to development in battlefield areas but ask that change is managed in a sympathetic way and any necessary mitigation is identified. The Council has received no objections from Historic Scotland with regard to this development proposal and Historic Scotland has indicated their support (CD 203) to the Council's approach to battlefields as set out in the Proposed Supplementary Guidance SG24 on Battlefields. Therefore the Council does not consider that the allocation should be directed towards the alternative site at Back O' Muir Farm. The Council does not therefore to agree to modify the Plan in response to this representation.

The Development Framework for the site (CD 170) acknowledges at 4.10 the extent of shallow under-ground mining and recognises that there will be upfront costs in terms of stabilisation however these should not preclude development taking place across the site as indicated. The Council holds data from the Coal Authority (CD 202) - the site is subject to previous mining activity (probable and past shallow workings) but this does not prevent development coming forward but adds to the complexity and cost of the development.

Heather Cooper (00113/001); James Reid (00696/001 & 00696/003); Gerry Halas (01239/002); Borestone Community Council (SLDP_1364/001); Lucette Watret (01316/001 & 01316/002); Mike Watret (00133/001 & 00133/002); Taylor Stevenson (SLDP_1400/001); Dorothy M Russell (01295/001); William Griffin (00115/003); Suzanne Best & Ralph Govan (00148/001) – These representations refer to a range of detailed matters such as access and road safety, parking, flood risk, privacy, noise, scale, layout, impact on heritage, impact on biodiversity, impact on infrastructure, etc. The Plan emphasises the importance of placemaking, good design and environmental, social and economic sustainability. Proper account requires to be taken of local characteristics and circumstances. This is supported by a range of topic based Primary Policies, Policies and Supplementary Guidance against which planning applications will be assessed. The Key Site Requirements draw attention to

more significant, but potentially resolvable, environmental and transport issues. In addition to these a range of other detailed matters will require to be addressed at the masterplanning and planning application stage at which point neighbouring owners/occupiers and other local residents and interest groups will have an opportunity to comment on these detailed matters, and account must be taken of their representations prior to the final determination of the application.

The Key Site Requirements require new leisure and open space to compensate for the loss of recreational resources. A new golf course is proposed on the northern part of the site as indicated in the Draft Development Framework (CD 170). The design principle is for an accessible short game course which is in line with the Scottish Golf Facilities Plan (CD 233) recommendations to develop the game and encourage more young people to take up the sport. Tulloch Homes currently own the Brucefields golf course and submitted it as an expression of interest (MIR Ref: BANN08) for residential development.

The informal area of open space to the rear of the builders' yard at H130, is identified in the Development Framework to be retained as open space, possibly for the provision of a fully equipped play area to address the lack of provision in this area of Bannockburn. The development of the site will also substantially improve path networks in the immediate area for existing residents and link to core paths and the Green Network beyond the site boundary including the Bannock Burn Trail. Cat Craig is not proposed for development and will be protected as a key landscape and open space feature for the development. The principle of removing Green Belt in this area is responded to under Issue 8.

The impact of the development on the provision of health care facilities is considered in the Proposed Supplementary Guidance SG06 (CD 162). Developer contributions will be sought towards such facilities and the provision of a new centre at Plean or Durieshill. Access to these locations will require to be considered by NHSFV once a specific location is decided upon.

The need for new housing in the area is responded to under Issue 4. The high levels of affordable housing needed across the Core Area and the need for a generous supply of housing land, has influenced the overall strategy for housing and sustainable locations to site new development.

A Habitats Regulations Appraisal (CD 252) has been undertaken on the Plan and this confirms that there are no known European protected species at significant risk from the Proposed Plan.

The Draft Development Framework, as Proposed Supplementary Guidance, was consulted upon at the same time as the Proposed Plan and will be finalised alongside the adopted Local Development Plan. These timescale are discussed under Issue 1. The preparation of a Masterplan for the site will explore detailed matters such as the relationship between land uses, buildings, open spaces, and all transport routes, and this will also be subject to consultation.

The site is programmed to be developed over the 20 year period of the Plan however it will most likely come forward in separate smaller phases, therefore construction will not take place continuously over the 20 year period. Mitigating the impact of the development on the residential properties at Craigford will be a detailed matter for the masterplan and planning application processes. The Council does not therefore to agree to modify the Plan in response to these representations.

Gerry Halas (01239/003); William Griffin (00115/001); Allan Water Developments (01197/001) – The need for further retail space is discussed under Issue 3 in terms of the retail strategy and within Chapter 6 of the Plan. An additional 4,000 sqm (net) convenience retail space is required to 2020 to meet anticipated shortfalls and the preferred location is at South Stirling Gateway or at Crookbridge. Therefore the Council does not agree that this should be limited to a maximum of 2,000 sqm (net) and does not agree that it will threaten the delivery of site R07, as there is considered to be capacity for both to exist in the Core Area (Reference Stirling Convenience Retail Requirements Study – CD 69). The impact on existing centres has already been considered in the Study and can be further considered under Policy 2.7 which allows for the overall amount and configuration of floorspace, and the range of goods to be sold, to be considered at the planning application stage. Detailed matters such as the impact on the existing road network will be considered in the Masterplanning process and through the submission of a Transport Assessment. Developer contributions will be sought to mitigate any adverse impacts on the road network and to encourage different modes of transport.

The Council has carefully considered the various reasons put forward in objection, but concludes that there is insufficient justification to delete the South Stirling Gateway (H055 and R09). The site was considered at the Main Issues Report stage and subject to a Site Assessment (CD 45). The site is deemed to conform to the Spatial Strategy in terms of its location within the City Corridor and its contribution to the Vision of the Plan. Land to the east of the A91 has also been considered through the above Site Assessment process (MIR Ref: BANN02) and is responded to under Issue 44.

Stafford Trust (SLDP_256/003); J Tough & Family (SLDP_715/001); Macdonald Estates (SLDP_1343/003); Deanway Developments (SLDP_1257/001) – The area of land at Corbiewood stadium and to the north (MIR Ref: BANN17, BANN18, BANN19), is currently excluded from the Green Belt and allocated as a Strategic Employment Site in Local Plan Alteration 1A (CD 36) under Policy ED1. Policy ED1 does not support convenience retail uses on the site unless it is ancillary to main employment use and part of a masterplanned mixed use scheme. This area is outwith the Countryside Policy Boundary area has been subject to a previous application for employment purposes (CD 101), currently undetermined. The site's current Local Plan status has been considered in the context of the emerging strategy in the Proposed Plan.

A Proposal of Application Notice (CD 102) has been submitted by Deanway Developments for the area to the north of the stadium. The development of this area is supported in principle but now forms part of the wider allocation of South Stirling Gateway in the Proposed Plan. The Key Site Requirements indicate that these sites should be considered as part of a masterplanned approach to South Stirling Gateway. This is important to ensure that all the required land uses are considered across the whole allocated area and the timing and costs for any required infrastructure is considered comprehensively. A masterplanned approach is recommended due to the overall scale of the development and in order to engage effectively with the local community on the wider proposals. The Council does not therefore support the specific allocation of a retail superstore on any of the sites suggested, separate to a comprehensive masterplanning process which will determine the most appropriate location and scale of any convenience retail on the site. Deanway Developments' comments regarding the Certificate of Lawfulness at Klondyke are dealt with in Issue 46. The Council does not agree to modify the Plan in response to this representation.

Ogilvie Homes Ltd (SLDP_321/005) – Allocations are phased to provide a range and choice of employment sites at all times (consistent with Scottish Planning Policy, paragraph 46) and

to ensure that there is sufficient supply to meet the employment land requirement set out in Table 7 of the Plan. Should existing sites prove ineffective, Primary Policy 2 allows for developments to be advanced from later Plan phases to maintain this supply. Therefore the Council does not support the removal of the phasing for B10 and considers that flexibility in the release of land already exists within the Plan. B10 is part of the South Stirling Gateway allocation, the release of business land is predicated on the development more housing in the area and the provision of jobs within a sustainable location. Therefore the site should come forward as part of a masterplanned approach and cannot be considered a separate entity. The Council does not therefore to agree to modify the Plan in response to this representation.

With regard to the land to the south of Pirnhall Inn, the objector has not submitted their landscape assessment for this site. The site is within the Green Belt and visible in views from the north and north-west. It is also a shaded site with the majority of the slopes facing north, and the existing vegetation to the east and south prevents substantial sunlight reaching the site. As additional employment land does not require to be identified and there are adequate sites allocated in the Plan, the Council does not support this site's removal from the Green Belt. The Council does not therefore to agree to modify the Plan in response to this representation.

Cycle Stirling (01039/011) – The Council agrees to the suggestions made in the representation and the revised text is about ensuring useful links through the site and would need to be taken account in site design. For this reason, the Council considers this to be non-notifiable modification.

H130 - Milne Park Road, Bannockburn

Gerry Halas (01239/004); William Griffin (00115/002) – Housing development at H130 will be restricted to two storeys in keeping with the adjacent housing and because the ground is elevated above the parkland to the south. The previous use of the site as a builders' yard will require a planning condition relating to removing any contamination on the site. The site is subject to past shallow mine workings (see CD 202) however this does not prevent development coming forward but adds to the complexity and cost of the development. There is made-up ground on the site which will require deeper foundations and grouting of the voids will also be required. Although this is an additional expense in developing the site, the constraints are not insurmountable and a design solution can be found. The reasons for refusing the recent planning application (CD 126) are on the basis of the lack of information submitted, not on the principle of development taking place at this location.

Concerns over overlooking, privacy, light and surface water run-off, is a matter for the planning application stage at which point neighbours will be notified and asked to comment. The informal area of open space to the rear of H130 is identified in the Development Framework to be retained as open space, possibly for the provision of a fully equipped play area to address the lack of provision in this area of Bannockburn. Any public transport link through this area would be required to protect the open space. Therefore the Council does not agree that development should be restricted to the building line of the properties along Milne Park Road. The Council does not therefore to agree to modify the Plan in response to this representation.

Reporter's conclusions:South Stirling Gateway

1. Representations from Scottish Environment Protection Agency, the Scottish Government and Cycle Stirling want reference to the need for a drainage assessment, assessment of traffic impact and improvements for junction 9 on the M9 motorway, and cycle provision improvements added to the Key Site Requirements listed in the proposed local development plan (LDP) "Existing and Future Land Supply" table. The planning authority states that it has made these changes as non-notifiable pre-examination modifications to the plan. On that basis, the representations appear to have been addressed and no further action is required.

2. Other representations express concern about a lack of regard for the site of the Battle of Bannockburn and suggest that an alternative site at SS51 Back 'o Muir Farm would be an appropriate substitute.

3. In general, LDP Policy 7.1(b) expects evaluation and preservation of archaeological remains where these may exist on a site. Policy 7.1(c) then adds that approval of development depends on satisfactory provision for potential remains. The plan text refers to "SG23", which advises on archaeology. Policy 7.8 also requires assessment, mitigation and conservation in the context of the consideration of development proposals affecting battlefields. Policy 7.8(a) adds that development having a significantly adverse effect will not be supported unless the overall integrity and character of the battlefield would not be compromised. The text refers to "SG24", which is Supplementary Guidance "Introduction to Battlefields and Planning in Stirling" (CD184). SG24 maps the Bannockburn battlefield, with a description of events and assessment of the surviving features. The map shows that the total H055/R09 allocation area may encroach into the surroundings of the battlefield, as fighting ebbed and flowed across a substantial part of the South Stirling area. In particular, the area is thought to have been affected by 2 English Army camps and troops movements between them. That said, SG24 confirms that no surviving features of the battle have been identified, before concluding that "Development proposals should take the battlefield into account in a positive way, including demonstrating how it will conserve or enhance the resource. Where development is approved archaeological mitigation ahead of development will be required" (pages 12 to 20). Correspondence with Historic Scotland (CD203) confirms that they are satisfied with the approach taken in this proposed supplementary guidance.

4. The Key Site Requirements listed for H055/B10/R09 specify the need to evaluate and mitigate any potential impact of development on Bannockburn and Sauchieburn battlefield sites. In addition, they expect compliance with a development framework and masterplan for the area. Although only a draft development framework has been prepared and proposed as supplementary guidance for the LDP so far (SG08, CD170), that draft framework:

- identifies and discusses battlefields at Bannockburn and Sauchieburn (including in section 3.1) and recognises them as development constraints (page 22);
- assesses the important role of Cat Craig hill in the battle (section 4.3) and underlines the consequent need for it to be preserved free from development and surrounded by sympathetic development (section 5.3);
- considers the wider implications for heritage and archaeology (section 4.7);
- recommends that visual links to the existing Bannockburn monument should be preserved (section 6.2); and

- recommends that development should contribute to the Bannockburn Trail, as well as to interpretation of that battlefield (page 23).

Representations from the Scottish Government confirm acceptance of the way in which the LDP has addressed this issue.

5. Taken together, all of the above shows that Bannockburn Battlefield has been given proper consideration in the process of allocating site H055/B10/R09 for development. Further, the above ensures that the historic value of the battlefield will continue to receive detailed consideration in the next stage of masterplanning the site. Significantly, the evidence does not suggest that the historic value of the whole allocation site renders it entirely undevelopable. As a result, the historic circumstances do not mean that a suitable alternative site is needed.

6. Other representations consider that H055/R09 is not appropriate for development and should be removed from the LDP because of a range of shortcomings that include:

- poor ground conditions;
- road and traffic impacts;
- flood risk and drainage impacts;
- lack of necessary infrastructure to support development;
- impact on privacy and amenity;
- environmental and social sustainability; and
- loss of green space and important recreational facilities such as the golf course and Corbiewood Stadium.

7. From my site visits, I note that the stadium site is in extremely poor condition. The site appears to be under used and under maintained, and it lends nothing to the visual amenity of the location. Next, an area including the stadium is already allocated for development in the adopted local plan. Although the nature of the development envisaged for the site would change in the LDP, the potential for the facility to be lost to development would stay the same. It is generally accepted that it would not be proportionate or efficient to re-examine or to modify part of a plan that has been carried forward from previous plans because the merits will have been considered in detail before. That is unless circumstances have clearly changed, and no evidence of that has been presented to this examination, especially to the extent that the allocation for development ought now to be regarded as no longer appropriate.

8. Many of the other suggested shortcomings would be addressed by the Key Site Requirements, including as these have been modified by the planning authority. For example: structure planting is expected to mitigate the impact of development on the wider landscape; the green network is to be preserved and enhanced; ground stability, drainage implications and flood risk are all to be assessed and then mitigated; and compensatory open space and leisure provision, including to offset the loss of the golf course, is required. It is reasonable to assume that the planning authority will adhere to these requirements.

9. The draft development framework mentioned above also already addresses some of the shortcomings, including landscape impact and ground stability (CD170). For example, it shows a new golf course on the northern part of the site, which would aim specifically to attract young people. Overall, the draft framework shows that the site has development potential, even with these acknowledged constraints. In turn, the LDP commits the planning authority to the preparation of a masterplan to further refine these undoubted issues.

10. Other LDP policies that would be applied to the consideration of specific proposals would address many of the above concerns as well. For example, Policy 3.3 states that developer contributions would be sought to provide the infrastructure that would be required because of development. In addition, drainage and traffic implications would be addressed under Primary Policy 3 and related Policies 3.1 and 3.2.

11. Lastly, very localised and site specific issues, such as potential loss of privacy for individual existing residents, cannot reasonably be assessed or addressed properly before the precise form of development is known. At that much later application stage, residents would have another opportunity for such detailed concerns to be considered.

12. Overall therefore, the potential impacts and constraints for development have been anticipated as far as is appropriate for the LDP. The outcome of that process shows that removing the allocation from the plan would not be justified because the suggested shortcomings should be capable of resolution, especially bearing in mind the current adopted local plan allocation.

13. Some of the representations then argue that there is no need for allocation R09, and especially not in advance of H055. R09 is for an unspecified size and nature of retail floorspace and the background to the need for retail floorspace is discussed in detail in Issue 49. Consideration also cross refers with the conclusions for Issues 6, 46 and 48. Without repeating those conclusions, it is enough to remind that the LDP case for retail development in South Stirling has been established and it relates to:

1. an immediate wish to stem the amount of trade that is currently leaking away from Stirling from the southern area in particular; and
2. the need to support the growth aims envisaged in the LDP Spatial Strategy; and
3. the need to provide for the shopping needs of incoming residents to the substantial volume of new housing that is envisaged for H055.

14. The Issue 49 conclusions are supported by the planning authority's retail capacity study, which takes full account of the planning permission at R07, St Ninians (CD69). Further, the retail capacity study predicts that only one superstore at either R12 Crookbridge, or R09 can be justified. The study then favours R09, in part because that site is better placed to deliver the LDP Spatial Strategy. It follows that these same conclusions apply to the consideration of these concerns about the development of a convenience superstore at R09. However, given the confusion throughout the LDP that is described in the conclusions for Issue 49 over the size of store envisaged, it should be noted that these conclusions relate to a superstore in the range considered by the retail capacity study, which is 7500 to 9500 square metres gross.

15. The representations then argue that R09 should specifically allocate Muiralehouse, which is by the stadium, as well as an unspecified site that is described as the stadium.

16. The relevant proposals map for the area and the Key Site Requirements for H055/R09 make clear that development is envisaged over a long period of time, and in compliance with a development framework, backed up by a masterplan. The draft development framework mentioned above states that opportunities exist for a new retail superstore to be centrally located in the area (SG08, CD170, page 23). Quite properly, given the length and substantial scale of development envisaged by the LDP for the South Stirling Gateway, as well as the kinds of constraints described above, the draft framework gives no more detail than that. Under all these circumstances, and bearing in mind that allocating a particular site within the whole area for retail development would fetter the intended subsequent

masterplanning process, it would be wrong for the LDP to be more prescriptive at this early stage.

17. The representations concerning B10 want flexibility over the phased land releases, as well as the potential for expansion onto green belt land between B10 and B07, which is located to the south.

18. The amount and the rationale behind the employment land allocations in the LDP are described in Section 6. From that, the amount of additional employment land that is required for Period 1, which is 2010 to 2024, comes out as 25 hectares. The process of calculation is set out in the Employment Land Background Report (CD51) and it is based on:

- the planning authority's desired growth scenarios for the LDP;
- a take-up rate of 6.2 hectares each year; and
- economic forecasting.

19. However, because current economic conditions mean that even that take-up rate is optimistic in the short-term, a reduced amount of some 20 hectares of employment land is allocated in the LDP until 2024. More land is identified for development after that, to cover the longer term beyond 2024. B10 spans this whole long-term period, subdivided into the relevant stages. Primary Policy 2(a) states that if "existing sites and allocations prove ineffective, this will be addressed in the first instance through consideration of advancing alternate developments from later Plan phases". Policy 2.4 then safeguards the allocated sites for employment type development, and part (d) confirms that the allocations that make up the overall supply will be monitored through the annual Employment Land Audit, to determine if an effective land supply is being maintained.

20. No evidence has been submitted to indicate that the generally cautious approach taken by the LDP to the amount of employment land allocated is not appropriate. Equally, there is also no evidence that growth is likely to be stronger than has been anticipated for the LDP, whereby the take-up rate would accelerate. Next, the above shows that if other sites elsewhere should fall, Primary Policy 2 allows for land in later phases to be advanced. Policy 2.4 confirms an annual audit process that would quickly reveal any shortfall and help to justify such an earlier release. On that basis, it is reasonable to conclude that enough land has been allocated in the LDP and there is no justification to release more, especially from the established green belt, as the representations propose. Further, the LDP offers reasonable flexibility and it does not suggest that the given number of hectares per phase must be adhered to rigorously. It is very unlikely that planning permission would be refused for development on part of an allocated site simply and solely because of mismatched phasing.

Site H130

21. The remaining representations consider that site H130 is not appropriate for development. In part this is because planning permission has already been refused for housing on the site, but also because of a range of shortcomings that include:

- poor ground conditions;
- overdevelopment;
- loss of green and well-used public open space;
- constrained building heights and positions;
- drainage impacts; and
- impact on privacy and amenity.

22. The evidence shows that while planning permission was refused in November 2012, that decision was based only on a lack of critical supporting information. In other words, permission was not refused because the site was fundamentally unsuitable for development (reference 11/00305/FUL, CD126).

23. Site H130 is affected by ground stability issues and possible contamination, as well as by the Bannockburn battlefield issue that is discussed above. Each of these constraints is clearly set out in the LDP list of Key Site Requirements. However, the evidence indicates that while the constraints affect parts of the site and they would influence its overall development capacity, they are unlikely to render the site completely undevelopable (CD45 and CD202). In other words, H130 should be capable of supporting some housing development. The LDP allocation quotes a notional capacity of 15 homes for the site. The “Existing and Future Land Supply” table clearly labels this number as no more than indicative.

24. At my site visit, I noted that more than half of site H130 is occupied by poor quality semi derelict buildings. The remainder is unproductive scrub land that is not laid out or maintained as public open space, although it may be used informally as such. The site is also not in the existing green belt, having been in the urban area identified in the adopted local plan. Scottish Planning Policy promotes the redevelopment of infill, brownfield sites like this (paragraphs 80 and 82).

25. The Key Site requirements for H130 link development of the site to the adjacent H055/R09/B10 allocation for the South Stirling Gateway. H130 is not part of this overall scheme though and it is not covered by the draft framework discussed above (CD170). However, H130 adjoins part of the larger area where the framework envisages built development. Given that, it would make no sense at this early stage to ignore this proximity and the consequent opportunity of a link with the much larger proposal. In addition, as stated above, the draft framework includes specific requirements for the incorporation of enhanced and more widely accessible public open space.

26. Otherwise, detailed issues such as drainage, building lines and heights, and privacy and amenity fall to be considered at application stage against the same policies and in the same way as is discussed above for South Stirling Gateway.

Reporter’s recommendations:

No modifications.

Issue 51	Cowie	
Development plan reference:	Chapter 10: Cowie Settlement Statement (page 134- 139) H074 – Berryhills H075 – Station Road H076 - Ochilview	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126) Omnivale Ltd/Taylor Wimpey plc (SLDP_729) Wallace Land Investment & Management (SLDP_48)		Story Homes (SLDP_1178) David McCormack (SLDP_726) Ogilvie Homes Ltd (SLDP_321) CALA Homes (West) (SLDP_230)
Provision of the development plan to which the issue relates:	The Cowie Settlement Statement is the section of the Plan that sets out the approach to development in Cowie. All of the sites and designations considered under this Issue are contained within the Cowie Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Cowie Settlement Statement</u> Scottish Water (SLDP_126/010) - Updates to water and drainage infrastructure statements are suggested although capacities can change on a daily basis as a result of new connections to the network and comments are based on current capacity information. <u>Representations to Allocated Sites</u> CALA Homes (West), together with Taylor Wimpey (East Scotland), Omnivale Ltd and Ogilvie Homes Ltd, have indicated in their representations that they are committed to working together with other parties developing in Cowie on a coordinated regeneration strategy for Cowie. In order to assist the regeneration process, these parties consider that a suitable 'vehicle' for the regeneration of Cowie would be the establishment of a Community Regeneration Trust. <u>H074 - Berryhills South/North</u> Omnivale Ltd/Taylor Wimpey plc (SLDP_729/001 & SLDP_729/002) - Owners of the site broadly support the allocation of H074 but consider the site capable of accommodating approx. 450 dwellings over an area of 15 hectares rather than 380. Full use to be made of this brownfield site to contribute to the regeneration of Cowie. 450 units would assist in facilitating a range of contributions being sought in the Plan. The range would be between 26 to 50 dwellings net per hectare. A mix of housing type and tenure would be used across the site in order to create character areas and maximise housing choice. A more flexible approach should be taken with regard to the phasing which is reflective of market requirements and the role of a major housebuilder in the development of the site. The allocation of 450 new homes will help meet the housing shortfall within the Plan area, and help deliver real change to the village. Cowie has assets that could combine to create an attractive sustainable place in which to live but it is in need of significant investment to improve its environment and community facilities. A strategic approach to improvements		

across the village could deliver a return that far outweighs the level of investment. There are good opportunities to enhance the existing spaces to create a green framework. Improved village connections are proposed and new gateways to the village.

Committed to working together with the other allocated housebuilders within Cowie to maximise the regeneration benefits for the village. Furthermore these new homes can help support the existing infrastructure ensuring that local businesses and community groups can be sustained in the longer term. The site is considered effective and satisfies the criteria set out in PAN 2/2010. Submits documentation including an indicative Development Framework in support of the allocation, and a Technical Report.

Considers the boundary of housing and employment site H074/B01 should include land on the periphery/boundary of the proposed allocation that is capable of being developed.

The Countryside Policy Boundary is shown on the Proposals Map for Cowie (page 139) going through the H074/B01 allocation. The boundary line shown is arbitrary and does not follow any physical feature on the ground. Requests that the Countryside Policy Boundary is modified to follow the external edge of site H074/B01.

Wallace Land Investment And Management (SLDP_48/013) - Objects to the scale of development for this site which is being promoted on the basis of the regeneration benefits that development would bring to the "host" village. However the scale of development which is proposed is wholly disproportionate when compared with the scale and character of the original villages and significantly exceeds that which can be reasonably justified as being required to support the regeneration of the village. The anticipated build out rates are also overly optimistic and are not reflective of the rates that are likely to be achieved within secondary locations such as Cowie. If a more reasonable view were to be taken as to the expected build out rates of these sites, scope would exist for additional sites to come forward in the short term, such as at Back O' Muir Farm, which would help to ensure that the overall housing land requirement within each of the stated periods can be met in full.

Story Homes (SLDP_1178/006) - H074 has 200 units programmed in Period 1, however it is noted that the constraints in the Action Programme such as school capacity issues, masterplan and biodiversity, signal that this level of development may not be achievable. Coupled with fact that resultant developer contributions are to target socio-economic regeneration in the area, such unrealistic proposals could have the knock on effect of stalling regeneration objectives.

David McCormack (SLDP_726/001) - The site falls within the Council's own definition of open space in the Open Space Strategy where it is described as "Berryhill Woodlands - a large area of semi-natural woodland with a series of path networks". Semi-natural woodland is also one of the typologies considered in the Strategy in accordance with PAN65. Berryhills Woodland provides an important landscape setting for the village and an important informal recreation area for residents. The woodland also provides one of the few views of the countryside for many residents of the village. The removal of the large area of open space would be inappropriate for this exposed site which is exposed to views from travellers on the railway line and B9124. A development of this scale would present a hard and uncompromising urban edge which would have a significant landscape impact. Any screen or structure planting would take many years to mature and would not mitigate against the adverse landscape impacts. In addition the introduction of a development of this scale coupled with the removal of an extensive area of open space would adversely affect the setting of the village and would detract from it's settled and mature character and appearance.

Insufficient attention has been paid in the Plan to the protection and enhancement of this area of open space. Its allocation for development would be contrary to Scottish Planning Policy and the Open Space Strategy.

H075 - Station Road

CALA Homes (West) (SLDP_230/011) - Welcomes the inclusion of the site in the Proposed Plan as a proposed housing allocation. However, objects to the exclusion of the entire site (6.1 ha) proposed by CALA, by omitting the proposed greenspace and SUDs pond. The whole site is required to be allocated to deliver the proposal. Considers that 100 new homes can be accommodated on the larger area proposed by CALA. Refers to need to allocate more homes in the Plan and this site will assist the Council in maintaining a 5 year land supply at all times (reference CALA Homes representation on housing land in Issue 4).

Disagrees with the proposed phasing as actual development on any housing site would not proceed on this basis. CALA can deliver all of the proposed 100 homes on this site within Phase 1. At a sales rate of 24 homes per annum, this development can be completed in three years from the grant of planning permission, taking account of 25 affordable homes built in that same period. A submitted Site Effectiveness Matrix confirms that this site is effective in accord with PAN 2/2010.

A proposal to amend the Green Belt boundary to accommodate planned growth is in accord with Scottish Planning Policy. A new green belt boundary can be defined as part of the emerging Plan.

David McCormack (SLDP_726/003) - The Council should first look at whether there are deliverable infill sites within the village before releasing Green Belt land. The attractive agricultural landscape provides an important landscape setting for the village and provides a view of the countryside for many residents of the village. The development would be inappropriate for this exposed site on the north side of the village. The site is exposed to views from travellers on the B9124 and the railway line. The development would present a hard and uncompromising urban edge which would have a significant landscape impact. Any screen or structure planting would take many years to mature and would not mitigate against the adverse landscape impacts.

H076 - Ochilview

Ogilvie Homes Ltd (SLDP_321/003) - Welcomes and supports the allocation for housing at Cowiehall Road (H076). Suggests the site be developed over a wider area (submits plan in support of this). The existing hammerheads adjacent to the southwest boundary are proposed as extended into the site to assist in these incurrent localised parking problems. The plan demonstrates how access could be provided to the abandoned play area and how this could be used to provide housing for the elderly. The developable area can logically be extended whilst still maintaining the independent setting of the existing farm steading. The wider area could be more effectively designed while creating a more logical and long term clear defensible settlement boundary. Allocating a site of sufficient scale could provide a catalyst for socio-economic regeneration.

David McCormack (SLDP_726/002) - The attractive agricultural landscape provides an important landscape setting for the village and provides a view of the countryside for many residents of the village. The development would be inappropriate for this exposed site on the north side of the village. The site is exposed to views from the east. The development would present a hard and uncompromising urban edge which would have a significant landscape

impact. Any screen or structure planting would take many years to mature and would not mitigate against the adverse landscape impacts.

B01 - Berryhills Main Street

Omnivale Ltd/Taylor Wimpey plc (SLDP_729/003) - The area within allocation H074 to be used for employment purposes (B01) as shown on the schedule on page 138 should be 0.8 ha rather than 0.9 ha to be consistent with the area set out on the schedule of Employment Sites in Appendix B.

B02 - Main Street, west of units 1-3

David McCormack (SLDP_726/004) - The site, a former contractors' yard, has been cleared and is vacant. Vehicular access is available to Main Street through land controlled by the contributor as shown on a submitted plan. The site is available for residential development. The site will link with the adjacent site which has recently been developed for housing. The site would meet the location and design criteria in Scottish Planning Policy as the site would be:

- An efficient use of previously developed land.
- Accessible to local services and facilities and to employment opportunities by a range of transport options.
- Limited in scale thereby allowing co-ordination of land release with investment in infrastructure and educational investment.
- Deliverable.
- Will not adversely affect the landscape.
- Would help avoid the need to develop greenfield sites such as Station Road and Ochilview and open space sites such as Berryhills Woodland

Disputes the need for more employment land. There are 112 hectares in the employment land supply (Ref: Plan Monitoring Statement) and over 200 hectares has been safeguarded for employment purposes in the Plan. The loss of 0.7 ha of employment land at Main Street Cowie would have an insignificant effect on the land supply. There are other sites allocated in Cowie and Fallin for employment land use which is more than adequate to meet any demand. The site is neither available for employment land use or achievable as the landowner is not willing to release the site for this use. There is insufficient evidence of demand for employment use on the site.

Modifications sought by those submitting representations:

Cowie Settlement Statement

Scottish Water (SLDP_126/010) - Add a statement regarding Cowie's water supply within the Infrastructure Considerations, Cowie is served by the Turret Water Treatment works which has available capacity.

Representations to Allocated Sites

H074 - Berryhills South/North

Omnivale Ltd/Taylor Wimpey plc (SLDP_729/001 & SLDP_729/002) - The site allocation be amended to 450 units phased as follows:

- Period 1: Phase 1 - 125 units, Phase 2 - 125 units

- Period 2: 200 units.

An adjustment to the south eastern corner of the allocation H074/B01 is requested as shown on the submitted Plan.

The Countryside Policy Boundary be modified to follow the external edge of site H074/B01.

Wallace Land Investment & Management (SLDP_48/013) - The scale of the allocation requires to be significantly reduced.

David McCormack (SLDP_726/001) - Remove the allocation (H074) for housing. Retain as open space. Provide strategy for retaining and enhancing the open space in accordance with the Open Space Strategy.

H075 - Station Road

CALA Homes (West) (SLDP_230/011) - Amend the Settlement Statement for Cowie as follows:

"H075 Station Road, Cowie, Phase 1: 100 units, Development Framework/Masterplan approach required in conjunction with other site owners/developers. Developer contributions required to support socio-economic regeneration. Shared access point to B9124 with site H74. Developer contributions may be required for cycle / pedestrian route to Bannockburn. Potential air quality impacts should be assessed. Structure planting, open spaces, footpath system, etc should be designed with external connections and the Green Network in mind; maintain buffer along burn and around copse to west. Archaeological evaluation required for any undisturbed areas. To ensure the maintenance of the integrity of the Firth of Forth SPA, foul and surface water drainage shall be treated to the relevant standards of Scottish Water and SEPA. Flood Risk Assessment required. Development on the functional flood plain should be avoided. Water resistant materials and measures may be required. Buffer strips to be provided (minimum of 6m and up to 12m on either side of the watercourse) to ensure watercourses associated with the site are safeguarded and enhanced".

David McCormack (SLDP_726/003) - Remove the allocation (H075) for housing. Retain as Green Belt.

H076 - Ochilview

Ogilvie Homes Ltd (SLDP_321/003) - The boundary of the allocation should be extended along its east boundary taking the development area to 9.93 Ha with the potential to accommodate an increased number of housing units. An enlarged site will ensure the development meets its full sustainable potential in the interests of the community as a whole. (Note: To assist the response the Council equates this to c. 200 units, based on 20 units per ha, and taking account of the generous open space provision shown on the supporting site layout plan.)

David McCormack (SLDP_726/002) - Remove the allocation (H076) for housing. Retain as countryside.

B01 - Berryhills Main Street

Omnivale Ltd/Taylor Wimpey plc (SLDP_729/003) - Amend the area for proposed allocation B01 to 0.8 ha as shown in the schedule on page 138.

B02 - Main Street, west of units 1-3

David McCormack (SLDP_726/004) - Continue to allocate the site for development but allocate for housing (35 units).

Summary of responses (including reasons) by planning authority:**Cowie Settlement Statement**

The Council is agreeable to modifying the Plan in the manner suggested by Scottish Water (SLDP_126/010) to provide additional clarity. The Council considers this to be a non-notifiable modification.

Representations to Allocated Sites**H074 - Berryhills South/North, H075 - Station Road and H076 - Ochilview**

The Plan identifies the regeneration of Cowie, Fallin, Plean and Throsk, collectively known as the Eastern Villages, as a key element of the Spatial Strategy (Table 1, p16). They are within the Stirling Core Area, are not remote and generally accessible by different modes of transport. In recognition of specific socio-economic issues, the primary objective is the delivery of regeneration benefits. Physical, economic and social improvements could be brought about by new community infrastructure/services and improvements to village centres and public open spaces.

The Settlement Statements in the Plan for the respective Eastern Villages refers to development being allocated at a sufficient scale to support socio-economic regeneration through developer contributions, either directly or in-kind. This approach is consistent with that set out in the Main Issues Report (CD 41). On this basis the Plan identifies 510 houses for the village of Cowie as new greenfield allocations.

The Site Assessment process has indicated that development land can be identified at a sufficient scale to enable regeneration without unacceptable environmental and infrastructure impacts and in accordance with good placemaking criteria. The Vision and Spatial Strategy Background Report (CD 49) sets out in full the reasons behind the finalised land requirements and allocations in the Plan. As discussed in the Report (paras. 8.5 and 8.6), development allocations in the Plan generally reflect those of the Main Issues Report's Medium Growth Option, with account also taken of the Draft Local Housing Strategy and the findings of the Housing Need and Demand Assessment.

The Council has carefully considered the various reasons put forward in support of the proposed modifications with regard to this site, but remains of the view there is insufficient justification to modify the Plan in either of the two ways requested, i.e. increasing or reducing the site capacity.

Increase Site Capacities

The suggested modifications to sites H074, H075 and H076 would increase the number of housing unit to be allocated in Cowie to 750 in total. Currently there are around 1118 dwellings in Cowie. The additional 510 units in the Plan would increase this by 45%. If 750 units were to be allocated this would result in a 67% increase in the number of housing units in the village.

Taking into account the findings of the Site Assessments the Council is of the view that expansion above c.500 units would seriously compromise the Spatial Strategy, have a greater potential for adverse environmental and infrastructure impacts and overwhelm the countryside setting and urban form of the village. Given the scale of allocations in the other Eastern villages and at Durieshill, consideration also has to be given to the increased potential for adverse cumulative impacts associated with requests to further increase house numbers, both at Cowie and at Fallin (see Issue 53). For example, discussions involving the Council, Scottish Water and developers to assess options for waste water treatment for the Eastern Villages and Durieshill are still at an early stage. Scottish Water state: - ‘... a strategic option to deliver the necessary waste water treatment capacity to accommodate all of these developments may be the most suitable overall solution. However this will be the subject of future optioneering studies to investigate all potential solution, leading to identification of a preferred option to be pursued and no firm proposals have to be date identified in this regard’ (CD249). The Plan also promotes a masterplanned approach to regeneration. This has the support of the three principle developers and would help to identify, in detail, both opportunities and constraints associated with expansion of the village in the manner set out in the Plan. Any increase to the number of units in advance could seriously undermine the effectiveness of the masterplanning process.

The appropriateness of increasing the site allocations to 750 units this needs to be considered at both a local and strategic level in terms of transport impacts. At the local level it is likely that subject to appropriate accesses, traffic mitigation measures and ensuring a realistic choice of access by all modes, then development could be accommodated. At a strategic level the proposal would be expected to increase the volume of traffic on the A91 with a consequential impact of each of its junctions. As a significant proportion of traffic arising from the proposed Plan allocations are expected to access the A91, the City Transport Plan proposes phased improvements to the A91. Any increases in development totals in Cowie should be able to be taken into account in the design of solutions along the A91. However additional development could have an impact on the total costs of schemes and/or the need to bring schemes forward.

In addition, the Council considers the Plan allocates sufficient land for residential development, as demonstrated in the Housing Land Requirement Background Report (CD 61), and addressed in Issue 4 – Housing Land Requirement.

Furthermore the Council is not persuaded that any other of the supporting circumstances set out in the representations, such as improved sustainability and enhanced regeneration, have sufficient weight to justify any of the proposed increases to the Plan’s housing allocations. The Council therefore does not agree to modifying the Plan to increase the housing unit allocations at H074, H075 or H076.

Reduce Site Capacities

It is also suggested that either:

- H074, H075 and H076 be entirely deleted David McCormack (SLDP_726); or
- The scale of residential development on site H074 be reduced (Wallace Land Investment & Management (SLDP_48) and Story Homes (SLDP_1178).

Cowie is allocated for 510 units over the 20 year period of the Plan, 265 in Period 1 and 245 in Period 2. When averaged out over 20 years, this equates to a build-out rate of 25 units per annum, which is not considered to be excessive, or overly-optimistic, as suggested by Wallace Land Investment and Management (SLDP_48/014) in respect of site H074. As allocations stretch over a 20 year period, the predicted build-out rates cannot be considered

simply through the prism of current economic conditions. An examination of build-out rates on similar types of sites in the Eastern Villages (CD 67) shows that prior to and during the economic recession, the rates varied widely year on year, and therefore taking 25 as an average is not considered to be unreasonable. The sites included in the table in (CD 67) (now developed) are in Cowie, Fallin and Plean, which it is assumed would be included within Wallace Land's definition of places that are 'secondary locations' with regard to marketability.

A letter from Homes for Scotland in 2012 (CD 217) states that their agreed position is that on strategic sites (which is considered to include the H074, H075 and H076 sites), they will not support predictions of build-out rates of more than 72 units per annum, with a maximum of 3 house builders active on such a site at any time (equates to 24 units/annum/developer). Therefore, it is considered that 25 units per annum is a reasonable assumption.

With regard to the suggestion that the scale of development is disproportionate to the scale and character of the original village, and cannot be justified on the basis that it is required to support the regeneration of the village, it is acknowledged that the development of these sites would represent a significant village expansion. However, as previously stated, the allocations are phased over a 20 year period, giving time for developments to gradually integrate with the village in stages. The regeneration benefits required from the development of the sites are significant, and it is hoped they will bring about marked improvements to the village - therefore the allocations must be a substantial one; a significant reduction in the number of units allocated or outright site deletion would seriously undermine the deliverability of the desired regeneration benefits.

Taking these arguments, and the Council's view that the Plan allocates sufficient land for residential development and on this basis it is not considered that the capacity of the sites should be reduced.

With reference to the reasons put forward by David McCormack (SLDP_726) to remove sites H074, H075 and H076:

Site H074

The Updated Site Assessments (October 2012) for Sites COWE01 and COWE02 (CD45) acknowledges the potential loss of an area of considerable biodiversity value comprising of semi-natural and regenerating habitats including small wetlands, scrub and trees. The Settlement Statement in the Plan also identifies Berryhills as main open space feature, incorporating semi-natural woodland and a series of path networks. With reference to the larger component of site H074 (i.e. COWE01) other attributes result in the following overall assessment:

"This site is considered to be suitable in that it is mainly regenerating derelict land that can be developed for mixed uses. B01 is part of the wider allocation of H074 for housing and is noted as opportunity for new or relocated businesses in association with housing development. Cowie is considered to be a suitable location for new development and this wider site could relate well to the village and to the rest of Berryhills, also allowing for a through distributor road to be created. This site can consolidate the shape of the village, bringing regeneration and environmental enhancements while improving the tenure mix of the village."

The Key Site Requirements in the Settlement Statements draw attention to more significant environmental and transport issues. In the case of site H074 various site design and layout

criteria are specified such as structure planting, improvements to open spaces, footpath systems, connections to Green Network, and channel restoration to the Polmaise Burn. Further to this the Plan emphasises the importance of placemaking, good design and environmental sustainability. All these considerations will be addressed at the detailed application stage. Overall it is concluded a well designed and laid out residential development will help deliver the regeneration benefits without undue impacts on the local environment and village setting. The Council therefore does not propose to modify the Plan to remove the H074 site.

Site H075

The Updated Site Assessments (October 2012) for Site COWE03 (CD 45) recognises the larger initial 'Expressions of Interest' site as being a prominent greenfield location. The overall assessment concludes that - "If Berryhills is developed, this site would become a satisfactory 'add-on', probably sharing road access point along Bannockburn Road."

As with site H074 the Key Site Requirements specify similar site design and layout criteria such as structure planting, connections to Green Network, etc, and channel restoration to the Polmaise Burn. As noted above the Plan emphasises the importance of placemaking, good design and environmental sustainability and all these considerations will be addressed at the detailed application stage. With respect to loss of Green Belt land, Para.162 of Scottish Planning Policy (CD 1) notes that: "Green belt boundaries identified in local development plans should reflect the long term settlement strategy and ensure that settlements are able to accommodate planned growth." Overall it is concluded a well designed and laid out residential development will help deliver the regeneration benefits without undue impacts on the local environment and village setting. The Council therefore does not propose to modify the Plan to remove the H075 site.

Site H076

The Updated Site Assessment (October 2012) for Site COWE04 (CD 45) recognises the larger initial 'Expressions of Interest' site as being a greenfield location requiring careful consideration of the developed area relative to contours. The overall assessment concludes that - "An opportunity to round off the edge of the village and to add to the variety and scale of housing development to support regeneration of the village. Site is therefore considered suitable for development but the allocated area (H076) is contained to the north and western areas."

As with sites H074 and H075 the Key Site Requirements specify various design and layout criteria and the Plan's placemaking, design and sustainability criteria will ensure a well designed and laid out residential development that will help deliver regeneration benefits without undue impacts on the local environment and village setting. The Council therefore does not propose to modify the Plan to remove the H076 site.

Overall the Council has carefully considered the various reasons put forward in support of the proposed modifications with regard to these sites, but remains of the view there is insufficient justification to modify the Plan in either of the two ways requested, i.e. increasing or reducing the site capacity.

B01 - Berryhills Main Street

The discrepancy highlighted by Omnivale Ltd/Taylor Wimpey plc (SLDP_729) is agreed and 0.8 ha should be allocated, this being the area identified in the Employment Land

Requirement Background Report (CD51). The correction is not considered to be a notifiable modification.

B02 - Main Street, west of units 1-3

This site is allocated for 0.7 hectares of Class 4 Business land within Period 1 of the Plan, and therefore contributes to the employment land supply. The Employment Land Requirement Background Report (CD 51) highlights that compared to the land requirement outlined in the Business Space Strategy 2010 (CD 52) of 25 new hectares of employment land required in Period 1, only 20 hectares of new land is being allocated in the Plan. Although the Background Report acknowledges that this is likely to be appropriate in light of the unforeseen continued poor economic conditions, it is considered essential to have a range and choice of locations and types of employment land available for development, and to protect the sites that have been allocated for employment uses by resisting pressure to allocate them for other (potentially higher value), uses such as residential. The Council recognises the importance of the creation of employment opportunities in Cowie, and considers that allocating this small site, along with 0.8ha of land at B01 (within site H074), is in keeping with the Plan's regeneration objectives for the village.

The Council has also carefully considered the various supporting reasons put forward in support of the proposed modification (e.g. efficient use of previously developed land, better alternative to allocations on open space and greenfields, accessibility and deliverability), but concludes these are not of sufficient weight to justify the B02 site being re-allocated for housing. The Council therefore does not agree to modifying the Plan in the manner requested in the representation.

H074 - Berryhills South/North

The Vision and Spatial Strategy Background Report (CD 49) indicates at Para. 9.32 that Countryside Policy Boundary changes in relation to allocated sites will be altered once the detail of the development is known and a suitable boundary can be determined, with this then confirmed at the next Local Development Plan review. The suggested minor adjustment in the south east corner can also be resolved at the detailed stage. On this basis the Council is of the view there is no need to modify the Plan to amend the Countryside or H074 site allocation boundaries.

H076 – Ochilview

Consideration has been given to the change in phasing proposed by CALA Homes (West) (SLDP_230). This request is made in association with a suggested increase in housing units (50-100). The Vision and Spatial Strategy Background Report (CD 49) states, in para 10.1:- "Phasing of implementation has been indicated on the best information available, but may need to be flexible as circumstances change." Para 10.2 identifies a range of relevant factors, which will be monitored through the Local Development Plan Action programme. With this flexibility and ongoing monitoring in mind, the Council is of the opinion that suggested phasing on all allocations should remain as detailed in the Plan.

Reporter's conclusions:

General matters

1. The planning authority states that it has made non-notifiable pre-examination

modifications to the proposed local development plan (LDP) to address the specific wording change requests made by Scottish Water, Omnivale Ltd and Taylor Wimpey PLC. On that basis, no further action is required in respect of these particular representations.

2. Other representations ask to have the LDP sites in Cowie enlarged, and their capacities increased. Alternatively, the representations want to have the capacities reduced or the sites deleted from the plan. The arguments for the increases are that the resultant developments would suit the character, scale and density of the surroundings and would make the best and most viable use of the sites, including by allowing faster build rates. The contrasting representations argue that the site capacities are based on overly optimistic build rates, that Cowie has insufficient infrastructure, and that the total number of new homes proposed in the LDP exceeds the amount necessary for the regeneration of the village. Fewer homes would better suit the character of the village and would enable the development of suggested site SS51, at Back 'O Muir Farm. This site is considered and rejected in the context of various other issues to this report. Issue 44 in particular rejects it for reasons of visual impact and probable coalescence with Durieshill. It follows that the same conclusions apply to this issue.

3. Concerns about build rates are examined under Issue 4 of this report. Without repeating those conclusions, it should be noted that the rates applied throughout the LDP are accepted as appropriate. Further, Scottish Planning Policy confirms that wider strategic policy objectives can be taken into account in determining the scale and distribution of housing allocations (paragraph 70). In other words, the LDP may direct development to achieve desired policy outcomes and the planned level or direction of growth need not reflect past trends.

4. The LDP text makes absolutely clear in various contexts that an overall priority for the plan is the collective regeneration of all of the Eastern Villages. The scale of development then envisaged across these villages is linked to that wide intention, which is a key element of the Vision and Spatial Strategy. From there, sites in Cowie have been chosen by the planning authority as appropriate and large enough to absorb a proportion of the substantial number of new homes that are needed to make a meaningful contribution towards delivering regeneration as that is envisaged by the plan. It follows that any reduction in housing numbers would prejudice the regeneration aim.

5. The number of homes allocated for the sites in Cowie then takes into account the financial implications of the various constraints that are identified in the Key Site Requirements and the supporting LDP text, as well as the developer contributions that would be needed towards the provision of necessary infrastructure. The LDP text confirms that for Cowie, such contributions will be needed to help finance extra school provision and enhanced social and community facilities. The site capacity figures also take into account the need to address the expectations of the other LDP policies and related supplementary guidance on matters such as vehicular and other forms of access, drainage, and open space provision. It is unlikely that a substantially lower number of homes could deliver all of these requirements, while keeping development economically viable.

6. The planning authority's evidence, which has not been countered, states that accepting the proposed substantial increases across all of the 3 proposed housing sites would amount to a 67% increase in the total number of homes currently in Cowie. That amount compares to the 47% that the LDP represents in total, and to 24% for Period 1 until 2024. Such substantial increase would undoubtedly overwhelm the village to an unacceptable degree. It would also carry infrastructure and traffic implications that have not been factored in to the related calculations that underpin the LDP. These implications relate especially to traffic

flow on the A91 distributor road around the east edge of Stirling.

7. Given all of the above, any significant variation of the LDP site capacity figures is not justified. However, the figures in the “Existing and future land supply” table for Cowie are clearly marked as “Indicative housing units”. Neither the LDP nor the planning authority response to the representations suggests that the numbers must be adhered to rigorously. It is for prospective developers to show an acceptable development scheme, via the normal development management process, that would accord with all of the planning authority’s expectations and requirements. That scheme may enable the development of more homes or it may mean less. Either way, the position remains to be finalised once a precise form of development emerges. At this early stage, it is not for the LDP to predict or restrict the outcome of that design process.

Site B02

8. Mr McCormack’s representation states that it would make better sense for the LDP to promote housing instead of employment on the small B02 site.

9. Site B02 is described in the representation as a former contractor’s yard. I note from my site visit that it is now partially cleared, with mounding and earth moving equipment on site. Aside from the broader housing arguments, which are discussed and rejected above, the representation argues that because the LDP allocates more than enough employment land, this small site is not needed for that use and its loss would not compromise the plan. The amount and the rationale behind the employment land allocations in the LDP are described in Section 6. The process of calculation is set out in the employment land background report (CD51) and it is based on:

- the planning authority’s desired growth and regeneration scenarios for the LDP;
- a take-up rate of 6.2 hectares each year; and
- economic forecasting.

But because current economic conditions mean that even that take-up rate is optimistic in the short-term, a reduced amount of employment land is allocated in the LDP until 2024. No quantifiable evidence has been submitted to indicate that the generally cautious approach taken by the LDP is not appropriate.

10. Site B02 undoubtedly contributes to that overall employment land supply allocated for the whole LDP area. While the loss of 0.7 hectares at B02 may not be significant, as stated above, the Eastern Villages regeneration imperative needs to be supported. In that context, intensely local employment allocations are an appropriate and sustainable response. The allocation of B02 would make an important contribution to the local economy, as well as to the LDP’s regeneration intention. It follows from that, the loss of this site would be significantly and fundamentally detrimental to the LDP Vision and Spatial Strategy.

11. LDP Policy 2.4 safeguards allocated sites such as B02 for employment development and part (b) details circumstances where uses other than those specified for the proposals maps allocations will be supported. These options include where the site is no longer needed to maintain a land supply, and where complementary or mixed uses may be involved. Part (d) then confirms that the allocations that make up the overall supply will be monitored through the annual Employment Land Audit, to determine if an effective land supply is being maintained. In other words, it confirms an annual audit process that would quickly reveal any mismatch around the take-up rate of the allocations. On that basis, and when read as a whole, the LDP offers reasonable flexibility that allows for reconsideration in the event that the B02 development opportunity is not taken up.

Site H074

12. In addition to the housing capacity issues discussed above, Mr McCormack wants to have site H074 kept as semi-natural woodland and public open space, to benefit the character, appearance and setting of Cowie.

13. Because the strategic intention of the LDP is that Cowie should expand, site H074 is a logical contender for consideration. The site is bounded on its outer edge by the railway and it fills a space that is enclosed by the main westerly approach roads into the village. The site also has frontages to both these roads and footpath links into the village, albeit that the link along the B912 Bannockburn Road is mostly an off-road track. The other B9124 road is Main Street, which implies centrality. I confirmed this at my site visit by noting that Main Street carries a bus route, and that it is a focus for a primary school, community centre, café, public house and post office, along with several hot food takeaways and shops. Consequently, site H074 fits within an already clear and defensible countryside boundary, it represents infill and consolidation of the village, and it is well located and integrated with the existing village centre.

14. The eastern part of the Cowie surroundings where sites H074 and H075 are located is not in the existing or proposed green belt, and it is not the subject of any other specific LDP countryside or landscape designation. That said, there is an apparent contradiction between the green network shown on Figure 5 in the LDP and the supporting site assessment sheets (CD45), which state that H074 is not in an allocated green corridor. However, green connections can be maintained in the masterplanning process, which is a stipulated Key Site Requirement for site H074.

15. Site H074 was used for mineral extraction, but clearly has since regenerated and it is used for informal open space, so that the planning authority's description as derelict land is misleading. However, the resulting scrub land is not of particularly high visual amenity or biodiversity value. Given that, with careful protection of trees and watercourses, which the LDP Key Site Requirements expect, there is no reason to suppose that this inherent but limited value need be destroyed entirely by development. Allied to this, the Key Site Requirements also expect that development will take account of the site's informal open space and undoubted local biodiversity value.

16. The general area of sites H074 and H075 is prominent in views from the B912 on approach to Cowie from about Easter Greenyards farm. However, development would form an acceptable new urban edge and H074 would balance the site H075 opposite. In combination, these sites would be seen cohesively with the rest of the existing village in views from across the wider surroundings. Against the above benefits, the prominence of H074 would not justify preventing development. In any event, the visual impact would be softened by the existing scrub trees and vegetation along the steep sided watercourse channel at the site's western extremity, and it could be further minimised by carefully designed and distributed development.

17. The requested site boundary change appears to relate to a very small triangle of land behind the houses that front the B9124 Main Street, beside the above B02 LDP allocation. The revision would appear to cut into private garden ground, as opposed to the boundary shown on the LDP proposals map for Cowie, which seems to follow a property boundary. The extra area was considered in the planning authority's site assessment sheets as part of site COWE02 (CD45). No clear reason has been given for its eventual exclusion from H074. However, the area of ground involved is so small that the implications for development must be extremely limited. Given that, the matter ought to be capable of easy

resolution via the development management process, without any need for this examination to make such a tiny and detailed change to the terms of the LDP.

Site H075

18. The representation for Cala Homes (West) Ltd wants to have a bigger site allocated, to accommodate more homes than are envisaged in the LDP, along with of the necessary sustainable drainage facilities and open space. A Development Concept plan is submitted with the representation that shows how this might all be achieved. Mr McCormack wants site H075 deleted from the plan and kept in the green belt/countryside, as an attractive area of agricultural land that is important to the character and landscape setting of Cowie. Mr McCormack also regards the site as visually exposed, so that development would create a hard urban edge where the current lack of screening would take a considerable time to have any beneficial effect.

19. The above discussion for site H074 confirms that the area is not in the green belt. Further, amenity issues are considered above, with the conclusion that the loss of countryside and the visual impact are justifiable in the context of expanding and regenerating Cowie.

20. The planning authority would appear to have determined the size and shape of site H075 on the basis of the assessment sheet for COWE03, which matches the full site promoted in Cala's representation (CD45). Some of the details from that assessment sheet do not reconcile with the representations, or with my site inspection. For example, the overall assessment comments describe the site as derelict, underused land, and the ground conditions comments state that the west part has steep slopes. Cala's submitted Site Effectiveness Matrix describes the site as greenfield arable land and Mr McCormack describes an attractive, agricultural landscape. From my site visit, I find that the site is a green field in active agricultural use, which forms part of an open, gently rolling landscape. That said, I agree with the outcome of the assessment that development on H075 would represent a logical extension of the village that would balance development on the opposite site H074.

21. As proposed in the LDP, site H075 has no obvious or clearly defined existing edge along its north and west boundaries. The lack of this is especially significant to the west, where the allocation would leave an awkwardly shaped and potentially unviable section of the field. The matter would be resolved by extending the allocated site westwards to stop at the watercourse, which would more than likely be affected by development anyway. However, this expansion should not be taken to imply substantial extra capacity for housing on the site. Instead, the change is justified by the need to create a more logical, sustainable and permanently defensible urban edge, while at the same time addressing aspects of Cala's concerns by allowing more space inside the site to form the necessary sustainable drainage facilities and an effective landscaped buffer zone along the water course.

Site H076

22. The representations for site H076 are similar again, in that Ogilvie Homes Ltd wants to have a bigger site allocated to add green space for the village, plus enhanced parking and vehicular access to the mix of a proposed housing development. Mr McCormack's opposite position is as per the above, for sites H074 and H075. The planning authority has not explained or justified how the boundaries were derived for site H076, referring only to the site assessment sheets (CD45).

23. While the assessment sheets reveal that site COWE04 was considered, that site only matches part of the Ogilvie Homes representation site and it only incorporates about a third of H076. In other words, it covers a large area that is not part of H076, much of H076 has not been assessed, and the process cannot justify the size or shape of H076 as it appears in the LDP. COWE04 would also expand the allocation substantially. That said, the assessment sheet describes COWE04 as: an opportunity to round off the village along what is currently a visually poor edge; a site that is contained to the north by crest line as well as to the west; and a site that is suitable for development with good links to the rest of the village. My site visit supports this assessment and reveals that it applies equally to the northerly balance of site H076.

24. Site H076 as shown in the plan again has no logical, clear or easily defensible edge. The proposed north boundary would cut across a green space. The south boundary would take an irregularly shaped chunk from a field, leaving the suitability and viability of the remainder for continued agricultural use very much in doubt. To that extent the site boundaries should be modified, so as not to leave an awkward and unusable corner behind the houses at Easterton Crescent, Easterton Grove, and along Ochilview.

25. The site assessment sheet and my site visit could justify resolving the boundary issue by incorporating the whole of COWE04 into the allocation. However, such a sizeable amount of extra development space would over-expand the village as described above. In turn, that could also prejudice the wider LDP development strategy for other parts of the plan area and especially the Eastern Villages regeneration. On that basis, site H076 should only be expanded to address the corner issue discussed above. Again, this should not be taken to endorse a substantial increase in development capacity. That said, the balance of COWE04 may well have merit for consideration in future.

Overall conclusions

26. Drawing all of this together, for the reasons explained above, no modification is justified to the LDP in relation to the housing land issues or the suggested alternative site arising from these particular representations. Site B02 should be kept for employment uses and site H074 should be kept for housing, both as shown on the Cowie proposals map in the LDP. That said, the planning authority may agree to make the small eastern boundary adjustment detailed above for site H074. Sites H075 and H076 should also both be kept as proposed in the LDP, albeit with the described boundary adjustments that are justified by the need to make the sites more logical and defensible, not to offer a substantially increased capacity for housing development.

Reporter's recommendations:

The local development plan should be modified by:

1. Extending the boundary of site H075 westwards to stop at the watercourse.
2. Expanding the boundary of site H076 to include the corner behind the existing houses at Easterton Crescent, Easterton Grove, and Ochilview, along to the terrace at about numbers 13 to 16.

Issue 52	Durieshill	
Development plan reference:	Chapter 10: Durieshill Settlement Statement (page 156 – 159) H057, B09, R10 - Durieshill	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Water (SLDP_126) Scottish Government (SLDP_188) Walker Group (Scotland) Ltd (SLDP_103) Scottish National Party Group (00711) BDW Trading Ltd/Elphinstone Land Ltd (01172) Kippendavie Development Company (SLDP_723)		John Brisbane & Son (SLDP_1139) Story Homes (SLDP_1178) Kippendavie Group Trust (SLDP_70) Kippendavie Group Trust (SLDP_1314) Nicola Coffin & Beth McLeod (01296) Janice Roy (01194) Plean Regeneration Association (SLDP_791) Cycle Stirling (01039)
Provision of the development plan to which the issue relates:	The Durieshill Settlement Statement is the section of the Plan that sets out the approach to development in Durieshill. All of the sites and designations considered under this Issue are contained within the Durieshill Settlement Statement.	
Planning authority's summary of the representation(s):		
<p>Scottish Water (SLDP_126/012) - The studies and outcomes for drainage must be investigated and a preferred option is still to be identified - a potential new Waste Water Treatment Works has not been confirmed as a preferred option; no firm proposals have been put forward at present. With regards to Water Supply for Durieshill, the settlement would be supplied by Turret Water Treatment Works, which has available capacity.</p> <p>Scottish Government (SLDP_188/007) – No reference is made to the requirement to contribute to improvements at M9 Junction 9 Pirnhall which is inconsistent with the Council's Transport and Access: Background Report (CD 71). The traffic modelling work undertaken by the Council demonstrates that the traffic generated by the development will require mitigation at Pirnhall to ensure the trunk road continues to operate safely and efficiently. For accuracy, consistency and clarity it is recommended that reference is included within the Durieshill Key Site Requirements.</p> <p>Walker Group (Scotland) Ltd (SLDP_103/005) – Objects to the requirement for a new Health Centre to be provided. This is not a matter for the development industry, but a function of the NHS and the Scottish Government. Notwithstanding the objection in principle, neither SG06 nor SG16, provide any clarity over the level of contribution. Land within developments may be identified and made available at market value to the NHS. If land is required, it is a matter for the planning process to identify suitable sites, however any costs to develop infrastructure will not, and cannot be funded by private house builders.</p> <p>Walker Group (Scotland) Ltd (SLDP_103/002) - Durieshill was allocated in the currently adopted Stirling Local Plan Alteration No.2, 2006 (CD 39). This site has not therefore been identified as part of the Plan or indeed in the context of the Council's Spatial Strategy but rather the principles set out in the Clackmannanshire & Stirling Structure Plan - Proposal HP3 (CD 34). As a committed allocation, it has been the subject of previous examination and legal challenge and should have been rolled forward into the Local Development Plan</p>		

as other smaller sites as yet undeveloped or without the benefit of planning permission. This view is consistent with Strategic Environmental Assessment for the Plan.

The preferred development area should be amended to include land adjacent to the A872 (plan submitted). In accordance with Scottish Government's Designing Places guidance, the built form for the Major Growth Area should be determined by assessment and design and there is no reason to exclude this area from consideration for development at this stage.

Scottish National Party Group (00711/002) - 150 houses for this site have been advanced into Period 1 from that shown in the Draft Proposed Plan (CD 44b) which now total 1100 houses. Raises serious concerns over the deliverability of so many houses under one developer and the reliance on this site to deliver almost 50% of the total allocation in Urban and Regeneration areas.

BDW Trading Ltd/Elphinstone Land Ltd (01172/004); Kippendavie Development Company (SLDP_723/002); Kippendavie Group Trust (SLDP_1314/006) – The 1100 units programmed to 2024 are not supported by the developer of the site and do not reflect the 2012 Housing Land Audit (CD 64). To date, no application has been submitted (nor indeed has formal pre-application consultation commenced) on this site and given the timescales involved and the need for a Masterplan, significant upfront infrastructure provision and a Section 75 Agreement to be in place, there is no reasonable prospect of development progressing in the foreseeable future.

John Brisbane & Son (SLDP_1139/001) - Objects to the continued strategy of supporting Durieshill on the grounds of the considerable level of infrastructure required prior to its effective programming and that its remote location from Stirling and its hinterland, will not support existing communities or services. The changed programming is a clear indication of its non-effectiveness throughout the Plan Period as in 4 years it has gone from a 10/11 start to a 15/16 start. Alternative sites and strategies are required to fill in the clear gap in effective housing land. The proposed development at the South Stirling Gateway (H055, R09, B10) will further reduce the prospects for Durieshill being delivered.

Story Homes (SLDP_1178/007) - Given ongoing delays with the development, compounded by a downturn in the economy, Durieshill is considered unlikely to deliver 1,100 units in Period 1 due to funding, market demand and infrastructure requirements. The levels of infrastructure required to move this volume of housebuilding forward in addition to market demand should surely render the effectiveness of this site in Period 1 of the Plan doubtful.

Kippendavie Group Trust (SLDP_70/011) – Objects on the grounds that the site does not fall within the Core Area for development nor reflects the City Vision underpinning the Plan. The location, scale and infrastructure requirements necessary to service the development are considered unsustainable within the Plan period.

Nicola Coffin & Beth McLeod (01296/001) - Lives beside the A872 and objects to the allocation of the grounds of increased traffic volume, leading to increased noise and impact on infrastructure and road. Considers that the A872 is already a very busy road that is dangerous to turn on to - development will create a huge amount of traffic and noise, that will impact upon the value of their property.

Janice Roy (01194/001) - Owns 'The Meadows' nursery school located on the Roman Road. Concerned that the 80 place nursery proposed as part of Durieshill would have a serious impact on the business.

Plean Regeneration Association (SLDP_791/001) - Objects to the increase in land detailed for Durieshill from previous plans submitted - it has now moved closer towards the village of Plean. Given the fact that 500 houses could be built at Pleanbank (H069) that borders the site, one large development such as this will in time separate the identity of Plean, which we understand is against Council policy.

Scottish National Party Group (00711/001) - The employment allocation for this site (B09) has been reduced by 46% with no reasoning behind this reduction. Also has further concerns that the 5.8ha removed will be considered by the Developer as "available" for housing.

Walker Group (Scotland) Ltd (SLDP_103/004) - With regards retail provision (R10), as a Tier 2 settlement (as suggested by the Walker Group), Durieshill could support a significantly increased level of retail provision in addition to meeting the shortfall. The retail element of Durieshill could be increased to 4000sqm (net) to enhance the Neighbourhood Centre.

Cycle Stirling (01039/012) - Requests additions to the key site requirements.

Modifications sought by those submitting representations:

Scottish Water (SLDP_126/012) – The Settlement Statement should be amended to reflect that the drainage options for Durieshill still require studies to be carried out.

Scottish Government (SLDP_188/007) - Include the text "M9 Junction 9 Pirnhall Interchange improvements" in the Key Site Requirements for Durieshill.

Walker Group (Scotland) Ltd (SLDP_103/005) – Delete the reference to "a new Health Centre to be provided" (pg156 of the Settlement Statement).

Walker Group (Scotland) Ltd (SLDP_103/002) - Change the description of Durieshill to acknowledge its previous inclusion in the adopted Local Plan. Amend the preferred development area as suggested.

Scottish National Party Group (00711/002) – Re-assess the housing land allocation for Durieshill.

BDW Trading Ltd/Elphinstone Land Ltd (01172/004) – The phasing for the site set out in the Plan and that shown in the 2012 Housing Land Audit, is entirely unrealistic.

John Brisbane & Son (SLDP_1139/001) - Durieshill is considered non effective and should be deleted and replaced with South Stirling Gateway and land to the east including Gartclush.

Story Homes (SLDP_1178/007) - Period 1 housing allocation of 1,100 units requires to be re-allocated across both the current proposed Local Development Plan and the next Plan (Period 2 2024-34).

Kippendavie Group Trust (SLDP_70/011) – The housing allocation for this site in Phase 1 of the Plan should be removed and resultant housing provision be directed towards the City Corridor and allocations proposed elsewhere at Kippendavie, Dunblane.

Janice Roy (01194/001) - Wants the location of the new nursery to be carefully located and the Council to work in partnership with The Meadows to ensure that the existing service is not compromised.

Plean Regeneration Association (SLDP_791/001) - The boundaries of Durieshill should be moved back or the site at Pleanbank Farm (H069) removed from the Plan as an area for housing development.

Scottish National Party Group (00711/001) - The employment allocation (B09) should remain at 10.8ha and a review carried out at 5 years to determine if it needs adjusted.

Walker Group (Scotland) Ltd (SLDP_103/004) - The retail element of Durieshill should be increased to 4000sqm (net).

Cycle Stirling (01039/012) - Add to the Key Site Requirements for Durieshill, "Safe, direct cycle routes north into Stirling and south to Denny, Larbert hospital. Safe cycle routes beside and across major roads and junctions in the area."

Summary of responses (including reasons) by planning authority:

Scottish Water (SLDP_126/012) – The Council has no objection to the addition of appropriate wording to highlight that the drainage options for Durieshill still require studies to be carried out. This will provide clarity on this matter and is considered to be a non-notifiable modification.

Scottish Government (SLDP_188/007) – The Council has no objection to the addition of the text: "M9 Junction 9 Pirnhall Interchange improvements" in the Key Site Requirements, in order to be consistent with the Council's Transport and Access: Background Report. This is considered to be a non-notifiable modification.

Walker Group (Scotland) Ltd (SLDP_103/005) – The need for a new health centre to be built within Durieshill is discussed in the Supplementary Guidance SG06 Health Care Facilities (CD 162). Reserving the potential for a site at Durieshill allows for flexibility until the detailed timing of the developments at Plean, Bannockburn and Durieshill coming forward can be confirmed. The matter of securing developer contributions to health care facilities is responded to under Issue 11 Infrastructure and Developers Contributions. The Council does not agree to modify the Plan in response to this representation.

Walker Group (Scotland) Ltd (SLDP_103/002) – The Vision and Spatial Strategy Background Report (CD 49) Section 2 describes why a new vision has been considered for the new Local Development Plan and why a change in circumstances led the Council to reconsider its development strategy. The appropriateness of continuing to promote a new settlement in the Plan was raised in the City Visioning report (CD 50) and was one of the questions asked in the consultation on the Main Issues Report (see Figure 5 of CD 49). The large scale of Durieshill relative to the overall emerging strategy meant that it was appropriate to consider it in the Main Issues Report, including putting forward Option (2), where Durieshill was not to be planned for. The preferred option reflected in the Plan's Vision and Spatial Strategy recognises the need to continue to allocate Durieshill in order to help deliver on the emerging levels of housing need and demand for the area over the longer term. The Council does not agree therefore to change the description of Durieshill to acknowledge its previous inclusion in the adopted Local Plan. As the new Local Development Plan will supercede the previous Local Plan such a reference would not be

appropriate. The Council does not therefore to agree to modify the Plan in response to this representation.

The map of Durieshill at page 157 of the Plan is incorrect and has been taken from Figure 1 of the Supplementary Guidance SG08A Durieshill (CD 174). The correct plan is that shown on Page 159 of the Plan – this is consistent with the allocated area in the adopted Local Plan Alteration 2 (CD 39). The Council therefore agrees to correct the Plan shown on page 157 and in Figure 1 of SG08A and considers this to be an error and therefore a non-notifiable modification.

Scottish National Party Group (00711/002); BDW Trading Ltd/Elphinstone Land Ltd (01172/004); Kippendavie Development Company (SLDP_723/002); Kippendavie Group Trust (SLDP_1314/006); John Brisbane & Son (SLDP_1139/001); Story Homes (SLDP_1178/007); Kippendavie Group Trust (SLDP_70/011) – All object to the proposed phasing for housing (H057) at Durieshill. Homes for Scotland estimate that 100 units per annum (including an allowance for 25% affordable housing) is reasonable to plan for on sites of this size. The agreed 2012 Housing Land Audit (CD64 – *Audit Ref:SC074*) therefore programmes 825 units in Durieshill for completion by 2024. This is a revision to the 1,100 units programmed in the Proposed Plan, but is considered to reflect a more accurate position for the proposed development. The site is supported by a house builder and its proposed programming is considered to be effective in the period under consideration. Although the Council supports the 2012 Housing Land Audit position with regard to Durieshill, no modification is proposed to the Plan. The Council does not therefore to agree to modify the Plan in response to these representations.

Nicola Coffin & Beth McLeod (01296/001) – Impact on property value is not a valid planning consideration. The preferred option reflected in the Plan's Vision and Spatial Strategy recognises the need to continue to allocate Durieshill in order to help deliver on the emerging levels of housing need and demand for the area over the longer term. Concerns over traffic impact are detailed matters that can be dealt with through the Masterplan and planning application stage at which point there will be further consultation. The Settlement Statement for Durieshill recognises that there will need to be significant investment in roads infrastructure and the City Transport Strategy package, to help mitigate against the impact of the development on the transport networks in the area. The Council does not therefore to agree to modify the Plan in response to this representation.

Janice Roy (01194/001) – The location of the new nursery is a detailed matter more appropriate for the Masterplanning and planning application stage of the proposed development which will be subject to consultation.

Plean Regeneration Association (SLDP_791/001) - The boundaries of Durieshill have not altered from that approved in the adopted Local Plan Alteration 2 (CD 39). A response regarding Pleanbank (H069) is dealt with under Issue 54.

Scottish National Party Group (00711/001) - The employment allocation of 5ha (B09) has been reduced from 10.8ha shown in the Draft Proposed Plan (CD44b) as this is considered to be more realistic in terms of delivery, it relates more appropriately to the scale of the new settlement and other employment allocations to the south of Stirling. The Council does not therefore to agree to modify the Plan in response to this representation.

Walker Group (Scotland) Ltd (SLDP_103/004) - The Council does not agree that Durieshill should be a Tier 2 settlement in terms of the Settlement Hierarchy (see Issue 3) and therefore does not support an increase in the retail floorspace allocation (R10) to 4000sqm

(net). Such an allocation would introduce the potential for the new superstore required for Stirling City, to be sited within Durieshill, compromising the delivery of the store on the other preferred sites at South Stirling Gateway (R09) and Crookbridge (R12). This would not be consistent with the proposed retail strategy of the Plan (Para.6.25) or the role of Durieshill in the Network of Centres as defined within Supplementary Guidance SG09 (CD 176). The Council does not therefore to agree to modify the Plan in response to this representation.

Cycle Stirling (01039/012) – The Council agrees to the suggestions made in the representation which are about ensuring useful links through the site and would need to be taken account in site design. For this reason, the Council agrees to modify the Plan and considers this to be non-notifiable modification.

Reporter's conclusions:

1. Representations concerning the nearby allocation H069 for housing in Plean are examined under Issue 54.

Settlement statement and Key Site Requirements

2. Several representations seek explicit detailed changes to the above for the proposed new village at Durieshill. These are:

- flexibility over the eventual preferred option for the treatment of drainage and waste water from the site;
- mitigation for the impact of development traffic on Junction 9 of the M9 motorway; and
- enhanced cycle provision.

In addition, the proposed local development plan (LDP) text incorporates a map extract from the planning authority's proposed supplementary guidance for Durieshill (SG08A, CD174). That map should match the LDP proposals map, but it shows a smaller site. While this error needs to be corrected, it should be noted that the LDP proposals map matches and does not expand the allocation in the current adopted local plan.

3. The planning authority states that it has made each of these changes as a non-notifiable pre-examination modification to the LDP. On that basis, no further action is required.

Site H057

4. Other representations argue that the LDP overall housing strategy relies too heavily on one allocation at site H057, which is in any event too ambitious, especially in terms of the numbers of homes allocated to each phase. In addition, the site is not effective because delivery has already been delayed, and other LDP allocations, such as at South Stirling Gateway, further reduce that prospect. There is also no reasonable chance that the required masterplan, section 75 agreement, planning permission and necessary infrastructure can all be put in place soon enough to deliver the programming set out in the LDP.

5. The principle of the Durieshill new village allocation is described and endorsed in the conclusions for Issue 2 of this examination. Suffice to repeat here that the intention to develop Durieshill for this total number of 2500 homes has been brought forward from the current development plan, where it is well-established. However, because the LDP will in due course replace the current development plan entirely, there is no need or advantage in noting that historic link explicitly in the LDP.

6. The current development plan did not schedule development on the site until 2008. As it has transpired, that date coincided with the current downturn in house building. Because of that downturn, the delays that have affected the site since are understandable. That said, preparatory work has been on-going. For example, the planning authority has been negotiating with a prospective developer and has prepared supplementary guidance to set out the main development principles for the new village (SG08A, CD174). In producing the LDP, the planning authority has also consulted on the continued suitability of the new village strategy and has updated the timescales and numbers of homes to be built in each phase based on the outcome of that process and on more up to date housing land figures. The general suitability of the figures is endorsed in Issue 4 to this examination.

7. Hindsight has shown that the indicative phasing in the current development plan was ambitious. That plan envisaged that all of the 2500 homes would be delivered in the 10 years from 2008 to 2017 inclusive, which would have amounted to a build rate of 250 homes on the site each year. The planning authority has reduced that rate in the LDP and has allowed for a lead in time to overcome the concerns in the representations. Detailed conclusions confirming the acceptability of this approach are set out in Issue 4. That said, the subsequent LDP expectation of 700 homes from Phase 2 of Period 1 seems optimistic in view of current market conditions. But the greater Phase 2 rate reflects the LDP expectation that by then, many of the Phase 1 allocations throughout the whole LDP will have been used up, bringing Durieshill forward as a main focus for continued growth in that subsequent period. Scottish Planning Policy (SPP) confirms that wider strategic policy objectives can be taken into account in this way in determining the scale and distribution of housing allocations. In other words, development may be directed to achieve desired policy outcomes and the planned level or direction of growth need not reflect past trends (paragraph 70).

8. The planning authority has also referred to the lower build rates in the subsequent agreed Housing Land Audit for 2012 (CD64) as likely to reflect current conditions even more accurately. But market conditions may change again in future and to an extent that might make that higher rate more achievable. In any event, the difference is not so significant that it justifies reducing the aspirations of the LDP, especially given the above comments from SPP.

9. Based on all of the above, site H057 should remain in the LDP and the plan may pursue the more optimistic growth scenario and apply the higher build rate. In any event and given the established development plan background, no firm, quantifiable evidence has been supplied to demonstrate that the LDP approach is fundamentally wrong. As a result, no compensatory housing site allocations are needed. That said, 2 specific replacement sites have been suggested at SS38 Kippendavie and SS52 Gartclush. The specific merits of these sites are assessed in Issues 42 and 44 respectively.

Health centre provision

10. The LDP text for H057 includes a list of infrastructure considerations. Bullet point number 8 on that list states “Land to be safeguarded and new Health Centre to be provided (Subject to development at Plean see SG06)”. The Key Site Requirements include bullet point number 11, which mentions amongst various things, a village centre incorporating “health provision”. Other specific requirements include the preparation of a masterplan that conforms to SG08A (CD174). SG08A sets out the planning authority’s proposed supplementary guidance for the development of Durieshill and it matches the LDP Key Site Requirements with reference to health provision and local health care provision (paragraph 2.10, page 7 and paragraph 3.67, page 32 respectively). One representation interprets this

as an inappropriate overall requirement for a developer contribution towards the provision of a new health centre at Durieshill.

11. Developer contributions in general are the subject of LDP Policy 3.3. Part (d)(v) of that policy expects that while specific requirements are identified in the various lists of Key Site Requirements, necessary and proportionate contributions related to the scale and nature of development will be required towards the cost of meeting new or expanded local health service infrastructure. The requirement only applies where that necessary infrastructure results from new development in pressured locations as set out in proposed Supplementary Guidance SG06: Health Care Facilities (CD162). SG06 states that in particular locations, the scale of impact and the lack of capacity to expand existing healthcare facilities, is enough to warrant the provision of new facilities. Specifically, land should be safeguarded for this provision within Plean (H069, H072), because “This settlement is best placed to provide GP services for both residential development at Plean and Bannockburn (South Stirling Gateway H055). It may also be capable of serving the new development at Durieshill (H057) although that requires further assessment” (paragraph 2.6, page 5).

12. Taken together, the above represents considerable uncertainty for prospective developers, which must be rectified. On the one hand the available evidence is clear that the population product of a new village at Durieshill will require health provision, but on the other, the LDP does not specify exactly or consistently how that need should be addressed, or what form the provision should take. For example, would it be at a location in Durieshill or Plean, and would it comprise:

- land or buildings;
- a health centre, health provision or local health care provision, what ever these might comprise; or
- financial contributions to any of the above.

13. The LDP Key Site Requirements and SG08A refer to land, which contradicts the supporting LDP text that mentions a new health centre. The LDP text and SG06 link that requirement to development in Plean, which is a longer term option and an additional uncertainty, especially for the early phases of development at Durieshill. Policy 3.3 then expects that developers will contribute to the cost of meeting new or expanded health infrastructure, but for development in Plean as a specific pressured area. SG06 also casts doubt on whether Durieshill would be adequately served by development in Plean.

14. While SG06 and SG08A are part of the development plan, the above shows that their terms do not enhance or clarify the LDP position. But they are not part of this examination and their terms cannot be altered as an outcome of it. However, the examination can rectify the LDP. Under all of the above circumstances, and bearing in mind that the Key Site Requirements would normally take precedence over text in the LDP, the text ought to be amended to match the Key Site Requirements. In part this is because the Key Site Requirements match SG08A, but in the main, that wording is preferable because it leaves specification aside for subsequent consideration as matters unfold across Durieshill and Plean, while also avoiding being too prescriptive and potentially wrong.

Retail provision

15. Another representation suggests that Durieshill merits recategorisation as a Tier 2 settlement in the overall hierarchy and argues that it could support a significantly larger amount of retail provision. The given floorspace figure in the representation is 4000 square metres net.

16. Durieshill appears in the overall LDP settlement hierarchy as Tier 3, which is the lowest. The potential to raise that to Tier 2 is considered in Issue 3 of this examination, with the conclusion that the change cannot be justified. In the main, this is because Durieshill does not have the size of population or the range of facilities that would suit Tier 2, as that is envisaged by the LDP.

17. Durieshill is also a local centre as that is categorised in the network of retail centres. Local centres are defined as larger villages in proposed supplementary guidance SG09 (CD176) and Durieshill is described as a new village in the LDP. Development in the local centres is intended to strengthen their local function and not to challenge retailing elsewhere in the hierarchy. Their retail function is to serve the everyday convenience needs of the local resident population (Section 6, CD176). Accordingly, LDP allocation R10 is for 2500 square metres gross of retail floorspace and bullet point number 12 from the related Key Site Requirements describes it as a local supermarket to be located within the village centre.

18. Issues 6, 46, 48 and 49 are amongst those other issues that cover the wider aspects of retailing around Stirling. Suffice to repeat here that the LDP retail strategy stems from capacity studies that take account of the LDP growth scenario, which includes development at Durieshill. That said, Durieshill is referred to throughout the retail studies as containing a supermarket, to serve the convenience needs of the new village. In other words, not to serve the population of the wider Stirling retail catchment. The studies conclude that there is limited capacity for additional convenience floorspace in the catchment area and the LDP allocates enough sites to address that requirement. In choosing those sites, the LDP also takes account of the settlement hierarchy and the network of centres mentioned above. If the allocated sites proceed, as must be supposed subject to the outcome of this examination, the studies show that there is no spare expenditure capacity for more. No firm, quantifiable evidence has been provided in support of the representation to justify a different approach.

19. Based on all of the above, it would not be appropriate for the LDP to allocate more convenience retail floorspace at Durieshill.

Site B09

20. The amount of employment land covered by allocation B09 from the LDP has reduced substantially from earlier versions of the plan. The representations are concerned that this reduction has not been justified and that it might imply more housing in the overall new village development mix.

21. The amount and the rationale behind the employment land allocations in the LDP are described in Section 6. From that, the amount of additional employment land that is required for Period 1, which is 2010 to 2024, comes out as 25 hectares. Allocation B09 as now proposed, amounts to 5 hectares from the latter part of Period 1, which is 2019/24. The basis of this calculation is set out in the employment land background report (CD51) and it stems from:

- the planning authority's desired growth scenarios for the LDP;
- a take-up rate of 6.2 hectares each year; and
- economic forecasting.

However, because current economic conditions mean that even that take-up rate is optimistic, a reduced amount of some 20 hectares of employment land is allocated in the LDP until 2024.

22. No evidence has been submitted to indicate that this generally cautious approach to the amount of employment land allocated is not appropriate. Equally, there is also no evidence that growth is likely to be stronger than has been anticipated, whereby the probable take-up rate would accelerate. Next, the above shows that housing numbers for the new village have not increased despite the reduced amount of employment land now envisaged by allocation B09.

23. Policy 2.4(d) confirms that the allocations that make up the overall supply will be monitored through the annual Employment Land Audit, to determine if an effective land supply is being maintained. Primary Policy 2(a) states that if “existing sites and allocations prove ineffective, this will be addressed in the first instance through consideration of advancing alternate developments from later Plan phases”. Therefore, Policy 2.4 confirms an annual audit process that would quickly reveal any shortfall and help to justify an earlier release of more land in terms of Primary Policy 2(a).

24. Given the above, it is reasonable to conclude that:

- enough employment land has been allocated throughout the LDP;
- the reduction in the amount for B09 from earlier versions of the plan has been adequately justified;
- there is no justification for the release of more employment land at Durieshill; and
- no additional housing numbers are envisaged as a result of the change.

Other shortcomings

25. The final group of representations consider that development at Durieshill is not appropriate because of a range of specific shortcomings that include:

- impact on residential property values and commercial viability;
- road and traffic impacts; and
- noise and impact on residential amenity.

26. The protection of individual residential property values and commercial viability are not valid planning considerations. Next, other LDP policies would be applied to the consideration of specific development proposals arising for the new village. It is reasonable to assume that compliance with these policies would resolve the above concerns about traffic and amenity. For example, traffic implications would be addressed under Primary Policy 3 and related Policies 3.1 and 3.2. But in the main, these very localised and site specific issues, such as potential loss of privacy for individual existing residents, cannot reasonably be assessed or addressed properly before the precise form of development is known. At that much later application stage, residents would have another opportunity to raise their detailed concerns.

Reporter’s recommendations:

The local development plan should be modified by:

1. Deleting the text in bullet point number 8 (page 156) and substituting bullet point number 11 from the Key Site Requirements (page 158), which reads “A pedestrian friendly, accessible village centre incorporating a community centre, library, sports and health provision, local shopping units, local employment and other commercial activities to ensure that the community is self-sustaining in terms of a full range of local facilities.”

Issue 53	Fallin	
Development plan reference:	Chapter 10: Fallin Settlement Statement (pages 160 to 165) H077 – East Fallin B03 – Fallin Polmaise Park	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Ogilvie Homes Ltd (SLDP_586) SDA Ltd (SLDP_732) Wallace Land Investment & Management (SLDP_48)		
Provision of the development plan to which the issue relates:	The Fallin Settlement Statement is the section of the Plan that sets out the approach to development in the village of Fallin. All of the sites and designations considered under this Issue are contained within the Fallin Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Representations to Allocated Sites</u>		
<u>H077 – East Fallin</u>		
<p>Ogilvie Homes (SLDP_586/001) - supports the allocation of the site, and is the site's promoter. However, objects to the identified site capacity of 400 units, stating that is too low and would not make full and effective use of the site. Requests the site capacity be increased to 600 units for the following reasons: to reflect the scale and densities of surrounding development; to better reflect the guidance contained within Scottish Planning Policy's 'Designing Streets' (CD 7) and 'Designing Places' (CD 6) documents, and within Scottish Planning Policy (CD 1) itself; to recognise the accessibility of the site and its proximity to existing facilities and services; to recognise the requirement for the development of the site to deliver a significant level of developer contributions - increasing the site capacity would allow greater regeneration benefits to be derived; to address any shortfalls in the housing land requirement in the Core Area; to improve housing choice; to promote environmental enhancement; to increase the local population in order to sustain local facilities.</p>		
<p>Wallace Land Investment & Management (SLDP_48/014) - objects to the scale of development proposed for this site, which they consider should be reduced. States that it is being promoted on the basis of the regeneration benefits that the development of the site would bring to Fallin. Accepts that the regeneration of an existing town/village can be a legitimate reason for bringing forward an allocation, but considers that the scale of development proposed is wholly disproportionate when compared with the scale and character of the original village, and significantly exceeds that which can be reasonably justified as being required to support the regeneration of the village. Considers the anticipated build out rates are overly optimistic and not reflective of the rates that are likely to be achieved within secondary locations such as Fallin. If a more reasonable view were to be taken as to the expected build-out rate, scope would exist for additional sites to come forward in the short term, such as their client's site at Back O' Muir Farm (SS51), which would help to ensure that the overall housing land requirement in both Plan Periods can be met in full.</p>		

<p><u>B03 – Fallin Polmaise Park</u></p> <p>Valad (SLDP_732/001) - is the promoter of this site and objects to its allocation for Class 4 Business Use only. Considers that there is insufficient demand for Class 4 Business Use in this location to make development viable. Requests that the site is allocated for a mix of uses including retail, which they consider is needed in Fallin, or residential use alone, which would fit with the adjacent Wallace Grange residential development, or given a flexible allocation to allow Class 4, 5, 6 (business uses) and/or 8 and 9 (residential/residential institution uses).</p>
<p>Modifications sought by those submitting representations:</p>
<p><u>Representations to Allocated Sites</u></p> <p><u>H077 – East Fallin</u></p> <p>Ogilvie Homes (SLDP_586/001) - requests the site capacity is increased to 600 units.</p> <p>Wallace Land Investment & Management (SLDP_48/014) - requests the scale of the allocation be significantly reduced – extent of reduction unspecified.</p> <p><u>B03 – Fallin Polmaise Park</u></p> <p>Valad (SLDP_732/001) - requests the allocation from Class 4 Business Use only to allocation for a mix of uses including retail, or, residential use alone, or given a flexible allocation to allow Class 4, 5, 6 (business uses) and/or 8 and 9 (residential institution/residential uses).</p>
<p>Summary of responses (including reasons) by planning authority:</p>
<p><u>Representations to Allocated Sites</u></p> <p><u>H077 – East Fallin</u></p> <p>The Plan identifies the regeneration of Cowie, Fallin, Plean and Throsk, collectively known as the Eastern Villages, as a key element of the Spatial Strategy (Table 1). They are within the Stirling Core Area, are not remote, and are generally accessible by different modes of transport. In recognition of specific socio-economic issues in these villages, the primary objective is the delivery of regeneration benefits. Physical, economic and social improvements could be brought about by new community infrastructure/services and improvements to village centres and public open spaces.</p> <p>The Settlement Statements in the Plan for the respective Eastern Villages refer to development being allocated at a sufficient scale to support socio-economic regeneration through developer contributions, either directly or in-kind. This approach is consistent with that set out in the Main Issues Report. On this basis the Plan identifies 400 houses for the village of Fallin as new greenfield allocations.</p> <p>The Site Assessment process has indicated that development land can be identified at a sufficient scale to enable regeneration without unacceptable environmental and infrastructure impacts and in accordance with good placemaking criteria. The Vision and Spatial Strategy Background Report (CD 49) sets out in full the reasons behind the land</p>

requirements and allocations in the Plan. As discussed in the Report (Paras. 8.5 and 8.6), development allocations in the Plan generally reflect those of the Main Issues Report's Medium Growth Option, with account also taken of the Local Housing Strategy and the findings of the Housing Need and Demand Assessment.

The Council has carefully considered the various reasons put forward in support of the proposed modifications with regard to this site, but remains of the view there is insufficient justification to modify the Plan in either of the two ways requested, i.e. increasing or reducing the site capacity.

Increase site capacity

H077 is proposed for 400 units, which the Council considers to be an acceptable number of houses to allocate in the village within the 20-year Plan period; the number is large enough to be able to derive the required regeneration benefits from the development of the site, while at the same time is of a scale that will not overwhelm the village and its facilities when phased over the Plan period. Currently, there are around 1200 dwellings in Fallin. When this site is developed, it will increase that figure by around 33%. Further, the site density makes an allowance for the provision of a number of other land uses that must feature in a site of this size, including areas of open space, access roads, Sustainable Urban Drainage features, and the provision of improved access to the River Forth, all of which is likely to require a significant amount of land-take. The proposed increase by Ogilvie Homes (SLDP_586/001) to 600 dwellings would represent a 50% increase in both the allocation as currently proposed, and in the number of dwellings in the village. This raises concerns over the increased pressure on village infrastructure.

The Council considers the Plan allocates sufficient land for residential development, as demonstrated in the Housing Land Requirement Background Report (CD 61), and addressed in Issue 4. There is not considered to be sufficient weight to justify the proposed increase and therefore the Council does not agree to modify the Plan in response to this representation.

Reduce site capacity

This site is allocated for 400 units over the 20 year period of the Plan, split equally over the two Periods. When averaged out over 20 years, this equates to a build-out rate of 20 units per annum, which is not considered to be excessive, or overly-optimistic as suggested by Wallace Land Investment and Management (SLDP_48/014), particularly given that it is a major strategic site, and therefore may be developed by more than one house-builder at a time. As the allocation stretches over a 20 year period, the predicted build-out rate cannot be considered simply through the prism of current economic conditions. An examination of build-out rates on similar types of sites in the Eastern Villages (CD 67) shows that prior to and during the economic recession, build-out rates varied widely year on year, and therefore taking 20 as an average is not considered to be unreasonable. The sites in the Table (CD 67 - now developed) are in Fallin, Cowie and Plean, which it is assumed would be included within Wallace Land's definition of places that are 'secondary locations' with regard to marketability.

A letter from Homes for Scotland in 2012 (CD 217) states that their agreed position on strategic sites (which it is considered includes H077), is that they will not support predictions of build-out rates of more than 72 units per annum, with a maximum of 3 house builders active on such a site at any time (equates to 24 units/annum/developer). Therefore, it is considered that 20 units per annum is a reasonable assumption.

With regard to the suggestion that the scale of development on the site is disproportionate to the scale and character of the original village, it is acknowledged that the development of the site would represent a significant village expansion. However, as previously stated, the allocation is phased over a 20 year period, giving time for the development to gradually integrate with the village in stages; 200 new houses in the first 10 years of the Plan is not considered to be excessive. The regeneration benefits required from the development of the site are significant, and it is hoped they will bring about marked improvements to the village - therefore the allocation must be a substantial one; a significant reduction in the number of units allocated would seriously undermine the deliverability of the desired regeneration benefits.

Taking these arguments, and the Council's view that the Plan allocates sufficient land for residential development, as discussed above and under Issue 4, into account, it is not considered that the capacity of the site should be reduced, or that the site being promoted by Wallace Land (SS51) should be allocated (see Issue 44).

Therefore the Council does not agree that the Plan should not be modified in respect of any of the issues raised in the representations to this site.

B03 – Fallin Polmaise Park

This site is allocated for 0.8 hectares of Class 4 Business land within Period 1 of the Plan, and therefore contributes to the employment land supply. The Employment Land Background Report (CD 51) highlights that compared to the land requirement outlined in the Business Space Strategy 2010, only 20 hectares of new land is being allocated in the Plan. Although the Employment Land Background Report acknowledges that this is likely to be appropriate in light of the unforeseen continued poor economic conditions, it is considered essential to have a range and choice of locations and types of employment land available for development, and to protect the sites that have been allocated for employment uses by resisting pressure to allocate them for other (potentially higher value), uses such as retail. With regard to the site's physical characteristics, it is considered that it would make a logical extension to the existing row of business units to the west, and that other uses, such as residential (Class 9) or residential institutions (Class 8), would not be appropriate because of this existing adjoining business use. For similar reasons, the allocation of the site for Class 5 or 6 uses would not be appropriate given the site's proximity to the adjoining Wallace Grange residential development. The Council recognises the importance of the creation of employment opportunities in Fallin, and considers that allocating a small site to allow the expansion of the existing business park is in keeping with the Plan's regeneration objectives for the village.

Therefore the Council does not agree that the Plan should not be modified in respect of any of the issues raised in this representation.

Reporter's conclusions:

Site H077

1. For H077 the representations either want to have the site capacity increased to 600 homes, or reduced by an unspecified amount. The arguments for the increase are that it would produce a development that would better reflect the scale and density of the surroundings, and that it would make the best and most efficient use of the site. The contrasting representation argues that the proposed local development plan (LDP) site

capacity is based on overly optimistic build rates, and that it exceeds the amount necessary for the regeneration of Fallin village. Further, fewer homes would better suit the scale and character of the original village and would enable development of suggested site SS51, at Back 'O Muir Farm.

2. Concerns about build rates are examined under Issue 4 of this report. Without repeating those conclusions, it should be noted that the rates that have been applied throughout the LDP are accepted as appropriate. Further, Scottish Planning Policy confirms that wider strategic policy objectives can be taken into account in determining the scale and distribution of housing allocations (paragraph 70). In other words, the LDP may direct development to achieve desired policy outcomes and the planned level or direction of growth need not reflect past trends.

3. The LDP text makes absolutely clear in various contexts that a priority is the collective regeneration of all of the Eastern Villages. In other words, this intention incorporates but does not only relate to Fallin. The scale of development then envisaged across all of these villages is linked to that wide intention, which is a key element of the Vision and Spatial Strategy. From there, site H077 has been chosen by the planning authority as appropriate and large enough to absorb some of the substantial number of new homes that are needed to make a meaningful contribution towards delivering the overall and widespread regeneration envisaged by the plan.

4. The number of homes allocated for H077 specifically then takes into account the spatial and financial implications of the various constraints that are identified in the Key Site Requirements and the supporting LDP text, as well as the developer contributions that would be needed towards the provision of necessary infrastructure. For example, the H077 Key Site Requirements include structure planting, a 20 metre wide buffer strip and recreational access along the River Forth, as well as the need to address flood risk. Contributions may be needed to help finance extra school provision, more capacity for waste water treatment plant, and enhanced social and community facilities. The site capacity figure also takes into account the need to address the expectations of the other LDP policies and related supplementary guidance on matters such as vehicular and other forms of access and open space provision to serve the new housing. The land take and costs involved in all this are likely to be substantial, and they will affect development viability. No quantifiable evidence has been submitted to show that a lesser number of homes could deliver a viable development with all of these requirements, or indeed that more would be justified in similar terms.

5. The figures in the “Existing and future land supply” table are clearly marked as “Indicative housing units”. Neither the LDP nor the planning authority response to the representations suggests that the figures must be adhered to rigorously. Further, it seems highly unlikely that a different number of homes would necessarily be refused planning permission just because of a variation from the amount specified in the LDP. It is for prospective developers to show an acceptable scheme for development of the site that accords with all of the planning authority’s expectations and requirements, which may enable the development of more homes or it may mean less. Either way, the position remains to be finalised once a precise form of development emerges and, at this early stage, it is not for the LDP to predict or restrict the outcome of that design process.

6. Given all of the above, any variation of the LDP figures is not justified.

Site B03

7. The amount and the rationale behind the employment land allocations in the LDP are described in Section 6 (paragraphs 6.15 to 6.21). The process of calculation is set out in the employment land background report (CD51) and it is based on:

- the planning authority's desired growth and regeneration scenarios for the LDP;
- a take-up rate of 6.2 hectares each year; and
- economic forecasting.

But because current economic conditions mean that even that take-up rate is optimistic in the short-term, a reduced amount of employment land is allocated in the LDP until 2024. Allocation B03, Polmaise Park, undoubtedly contributes to that overall land supply and no quantifiable evidence has been submitted to indicate that the generally cautious approach taken by the LDP is not appropriate. Further, my site visit revealed that the supply of employment sites in Fallin is currently very limited and there is only one obvious vacancy, so the allocation of B03 would make an important contribution to the local economy, as well as to the LDP's Eastern Villages regeneration intention that is described above.

8. LDP Policy 2.4 safeguards allocated sites such as B03 for employment type development and part (b) details circumstances where uses other than those specified for the proposals maps allocations will be supported. These options include where the site is no longer needed to maintain a land supply, and where complementary or mixed uses may be involved. Part (d) then confirms that the allocations that make up the overall supply will be monitored through the annual Employment Land Audit, to determine if an effective land supply is being maintained. In other words, it confirms an annual audit process that would quickly reveal any mismatch around the take-up rate of the allocations. On that basis, and when read as a whole, the LDP offers reasonable flexibility to accommodate variations around the use types specified in allocations such as B03.

9. That said, to be acceptable, development must always take account of site context. Site B03 adjoins a row of 4 business units to the west, new housing along the east boundary and a restored former bing open space to the south. Opposite, lies a mixture of housing, a miners' welfare social club, a public house and a bowling green. Therefore, while the general location has no predominant single character, Class 4 uses would suit the entire context because by definition, they could be carried on in a residential area without generating noise, vibration, smell, fumes, smoke, soot, ash, dust or grit that might harm the amenity of that area. However, Class 5 general industrial uses would not suit the context because they could encompass a wide range of offensive processes that would not be compatible with the adjacent housing. Some forms of Class 6 uses may be less harmful to residential amenity than others, but equally some may generate disturbing volumes of vehicular activity. In any event, Policy 2.4 as described above offers an opportunity for different uses to be considered on merit.

10. Against the overall employment land supply allocated for the whole LDP area, the loss of 0.8 hectares at B03 may not be significant. However, as stated above, Fallin and the regeneration imperative needs to be supported by such employment allocations and, on that basis, the loss to another kind of use entirely would be significantly and fundamentally detrimental to the LDP Vision and Spatial Strategy. That said, new housing development would match that to the east. However, in view of the large H077 housing allocation nearby and the current lack of employment potential in Fallin, the village is clearly in need of more employment land. In any event, the LDP again offers flexibility in the event that the B03 opportunity is not taken up for development.

11. Retail use might also suit the character of the site context, given the social facilities opposite and it could serve the convenience needs of the nearby housing. But B03 is not in the defined local centre, which the LDP intends as the focus for retailing and community facilities in Fallin village. There is also no quantifiable evidence of any need for additional new retail space.

12. Accordingly, a change to the terms of allocation B03 in the LDP is not justified.

Suggested site SS51

13. The merits of suggested site SS51 are considered elsewhere in this examination, including under Issue 44 and in part under Issue 50. However, in view of the above conclusion that the capacity of H077 need not be reduced, development of that suggested site would not be justified by a need to absorb any overspill.

Reporter's recommendations:

No modifications.

Issue 54	Plean	
Development plan reference:	Chapter 10: Plean Settlement Statement (page 184-187) H069 – West Plean/East Plean H072 – Touchill Farm	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Environment Protection Agency (SLDP_175) Walker Group (Scotland) Ltd (SLDP_103) Wallace Land Investment & Management (SLDP_48)		Plean Regeneration Association (SLDP_791) Waveband Properties Ltd (SLDP_1176) Story Homes (SLDP_1178) Scottish Wildlife Trust (SLDP_1186)
Provision of the development plan to which the issue relates:	The Plean Settlement Statement is the section of the Plan that sets out the approach to development in Plean. All of the sites and designations considered under this Issue are contained within the Plean Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>H069 - West Plean/East Plean</u> Scottish Environment Protection Agency (SLDP_175/062) - Recommend that the requirement for a buffer strip adjacent to the watercourse is included in the key site requirements as this measure would also help protect and improve the water environment and is in keeping with your authority's duties under Water and Environment and Water Services (Scotland) Act 2003. Walker Group (Scotland) Ltd (SLDP_103/006) - The Plan should remove all references to development at Pleanbank. The fact of a 'minded to approve' decision by the Council in 2009 is irrelevant to the Plan process. In the 3.5 yrs since the minded to approve decision, which was acknowledged as being contrary to the development plan, there has been no progress towards completion of the legal agreement. Documentation dated April 2010, released under Freedom of Information, confirms that the developer behind the Pleanbank Farm proposal is unable to comply with the Terms of the Section 75 required by the Planning Committee when they issued their decision. The uncertainty of this proposal should be recognised and the Plan should acknowledge that the site may not secure consent and no longer form part of the established land supply. Given that the site forms no part of the extant statutory adopted Local Plan and that the Main Issues Report and Interim Strategic Environmental Assessment have proceeded on the basis that its inclusion was a given, it has not therefore been the subject of appropriate assessment or SEA and without the benefit of an approved planning consent should not be included in the Plan even as having potential beyond 2024. Indeed, the text of the Plan does not even acknowledge its potential which confirms the unusual circumstances behind its identification in the first place. More recently, it was not disputed by Council officers, at the Housing Land Audit meeting with Homes for Scotland, that the site should be removed from the established land supply. There is no education infrastructure available within Plean to accommodate an additional 500 units. Wallace Land Investment And Management (SLDP_48/011) - Whilst this site is not scheduled to be developed until the period 2024-2034, questions the merits of including this		

site even as part of this longer term period. It is well known that the backers of the Pleanbank site have significant issues to overcome and which to date, despite the site having had a resolution the grant planning permission for quite some time, have prevented them from concluding the required Section 75 Agreement, this being largely on the basis that they are not able to commit to the level of planning gain that they originally offered in support of the proposed development.

Plean Regeneration Association (SLDP_791/002) - Objects to the site at Pleanbank Farm from being chosen as the main development area for 500 houses in the village of Plean. This proposal would not fit well and integrate with the main part of the village of Plean. Given its proximity to Durieshill (H057), it will remove the separate identity of Plean which goes against Council policy. Considers the alternative area at East Plean should be considered as the main area for development for the village of Plean in preference to Pleanbank Farm. The East Plean site is a far better site than Pleanbank Farm. It is a more logical extension to the village, has far better transport links with a direct access to the A9 (and existing public transport links) and the M9 motorway – it would be possible to have direct motorway access from the site. much nearer the newly built Plean Primary School and would facilitate easier forms of access by encouraging children to walk to school as opposed to Pleanbank which would encourage transportation by car. The sewage works is also much close to the East Plean site.

Waveband Properties Limited (SLDP_1176/001) - Supports the inclusion of Plean within the Stirling Core Area and its identification as a Regeneration Priority Area. Considers Pleanbank Farm site should be allocated in the initial Plan period for housing development, with a capacity of 500 houses. Plean Settlement Statement notes that housing allocations have been made in the Eastern Villages at a scale which will support socio-economic regeneration through developer contributions. The inherent benefits therefore of new development in Plean are not in themselves considered sufficient to drive meaningful regeneration in the village. This approach to regeneration is supported, however, the Plan proposals for Plean will not achieve the desired results.

Site H072 delivers no significant additional developer contributions supporting socio-economic regeneration at Plean and does not provide affordable housing at the standard level (19 homes only). The remaining smaller housing sites are not of sufficient size to deliver additional socioeconomic regeneration benefits beyond typical developer contributions. In contrast, the scale of investment at H069 can achieve additional socio-economic regeneration benefits. However, the Plan does not propose development at either of these sites before 2024 which is inconsistent with the designation of Plean as a Regeneration Priority Area.

The Pleanbank application offers a meaningful, short term opportunity to drive forward socio-economic regeneration in Plean, with additional developer contributions beyond standard expectations. Yet the Plan does not allocate the site. This threatens the delivery of regeneration at Plean. If the opportunity to conclude the planning permission is not possible within the terms of the current application, then it should be allocated in the Plan. The alternative scenario of development beyond 2024, as currently proposed in the Plan, will fail to deliver priority regeneration.

Story Homes (SLDP_1178/009) - Supports the approach to Plean in terms of having the potential to accommodate a variety of types and scales of new development, a more balanced approach to the types of housing delivered in the area, and being identified as a new Regeneration Priority Area. The approach of utilising developer contributions to support socio-economic regeneration either directly or in kind, and in addition to other developer

contributions towards education, affordable housing etc is also supported. The Council must however ensure that such contributions are attached to sites which are wholly deliverable in a timely manner and free of constraints.

Does not consider the site development package put forward for Pleanbank is deliverable. The remaining applicant has so far declined to sign the S75 Agreement. The economic viability of the Pleanbank site is clearly in doubt with it being unable to deliver the economic benefits that were essential for the Council in 2009 to overrule significant environmental and location concerns about the suitability of this site.

At the last Local Plan Inquiry it was established that land at East Plean/Cushenquarter offers a far more appropriate and less intrusive alternative to any others proposed within or around Plean. Development in this location will not adversely impact on the character or setting of the village, nor affect the residential amenity of existing residents. The proposed site could deliver regeneration benefits sought by the Council in a realistic timescale. The site is fully effective (in accordance with PAN 2/2010) and can be brought forward ensuring a 5-year effective land supply is maintained. At least 25% of any future housing development on this site would be affordable. The development will ensure the delivery of a community/village centre facility within the village. The site is located close to the existing Primary School and playing fields and sports facilities and proposes upgrade such facilities.

Scottish Wildlife Trust Stirling Member's Centre (SLDP_1186/001) - In relation to Pleanbank, concerned that this is an area which we believe from anecdotal sources may be rich in biodiversity but not aware of any surveys having been done. Taken together with the proposed new village at Durieshill considers this will constitute over-development. In particular Pleanbank Wood which at the moment enjoys an isolated location will be squeezed between major housing developments to the detriment of the animals, birds and plants which live there. Would like to see comprehensive wildlife surveys done of the area at an early stage of planning and these should include Pleanbank Wood.

H072 - Touchill Farm

Wallace Land Investment And Management (SLDP_48/012) - Objection is made to the inclusion of the output from this site within the period 2010-2019. Whilst this site benefits from the terms of a detailed planning permission, this fact alone provides insufficient justification for this site to be considered to be effective in the short term. The site is the subject of an ongoing marketing exercise and the agents acting in the sales process have indicated to date that there has been very little interest expressed in the site from the house building sector, this being due mainly to the sites secondary location.

Modifications sought by those submitting representations:

H069 - West Plean/East Plean

SEPA (SLDP_175/062) - Include the requirement for a buffer strip at the watercourse to safeguard riparian habitats.

Walker Group (Scotland) Ltd (SLDP_103/006) - Remove all references to an allocation at West Plean/East Plean (H069) throughout the Plan.

Wallace Land Investment And Management (SLDP_48/011) - The Pleanbank site should be deleted from the Plan. If the Section 75 Agreement is ever concluded, the absence of an

allocation for the site would not prevent the release of the planning permission and the output from the site could thereafter be picked up within the first available housing land audit.

Plean Regeneration Association (SLDP_791/002) - The site at Pleanbank Farm (H069) be removed from the Plan as an area for housing development. The site at East Plean to be chosen as the preferred site for 500 houses in the village of Plean.

Waveband Properties Limited (SLDP_1176/001) - The Pleanbank site should be allocated in the Plan for the development of up to 500 houses, with a requirement to deliver additional regeneration benefits (which should be identified and prioritised to ensure clarity). The delivery of development at this site should be programmed for Period 1, weighted towards the 2010-2019 Phase 1, with development concluding in the 2019-2024 Phase 2. The requirements for developer contributions should meet the terms of Circular 1/2010.

Story Homes (SLDP_1178/009) - The reference to H069 Pleanbank requires to be removed from the Plan as it has failed to prove effective and the timescales involved in the conclusion of the Section 75 Agreement indicate that no resolution to the satisfaction of all those involved - especially the local community - is forthcoming. Land at East Plean/Cushenquarter requires to be included in the Plan as land suited to residential development, free from constraints, and capable of delivering in either Period 1 or 2 of the Plan's strategy.

H072 - Touchill Farm

Wallace Land Investment And Management (SLDP_48/012) - This site should not be considered to be effective until such time as a named developer has secured the site with the intention of bringing it forward for development. Remove the site from the effective housing land supply and push its output back to the period 2019-2024.

Summary of responses (including reasons) by planning authority:

H069 - West Plean/East Plean

The Plan identifies the regeneration of Cowie, Fallin, Plean and Throsk, collectively known as the Eastern Villages, as a key element of the Spatial Strategy (Table 1, p16). They are within the Stirling Core Area, are not remote and generally accessible by different modes of transport. In recognition of specific socio-economic issues, the primary objective is the delivery of regeneration benefits. Physical, economic and social improvements could be brought about by new community infrastructure/services and improvements to village centres and public open spaces.

The Settlement Statements in the Plan for the respective Eastern Villages refers to development being allocated at a sufficient scale to support socio-economic regeneration through developer contributions, either directly or in-kind. This approach is consistent with that set out in the Main Issues Report (CD 41).

With respect to Plean the Main Issues Report identifies 500 housing units for all growth options. It is specifically noted (p71) that the site at Pleanbank Farm (500 units) already forms part of the established land supply but requires to be reflected in the Local Development Plan. This is based on the decision of Stirling Council's Planning Panel on 22 January 2009 to indicate to the Applicants (Waveband Properties) that the Council is

mind to approve an application in principle (ref. no. 07/01005/PPP – CD 113) for 500 houses at Pleanbank Farm (subject to the negotiation of a robust Section 75 legal agreement; that in addition to the £6m regeneration package for Plean Village to also include, Education, Regeneration and Affordable Housing elements. (See (CD 79) for background information).

There have been no substantive discussions with the developers of Pleanbank (Waveband Properties) since the autumn of 2011. It is accepted that the proposed developer contributions are now significantly less than those which underpinned the “mind to grant” decision of Stirling Council’s Planning Panel on 22 January 2009 with a consequent impact on the socio-economic regenerative benefits claimed for the proposed development.

The Plean Settlement Statement in the Plan thus states: - “Following from this, the longer term potential of H069 allocation (*Note:- i.e. West Plean*) remains uncertain and may lead to alternative sites being considered, for example at East Plean. Further detailed assessment as part of the future review of the Local Development Plan will be required.”

Any further development in Plean (whether H069 or elsewhere) will require to address the lack of capacity at East Plean Primary School.

Identifying c.500 housing units for Plean supports the Spatial Strategy’s regeneration objectives for the eastern villages. The envisaged benefits are significant and are intended to bring about marked improvements to the village. The allocation therefore must be a substantial one and deletion of this capacity would seriously undermine the deliverability of the desired regeneration benefits.

With reference to Section 10 of the Vision and Spatial Strategy Background Report (CD 49) it is noted in para. 10.1 that: “The Plan has been prepared during a period of economic recession with both public sector budgets and sources of development finance severely affected. Nevertheless, the Scottish Government urges that development plans should have a forward Vision that anticipates economic recovery”. Para 10.2 specifically states: - “Residential-led regeneration may encounter initial problems due to the current economic climate and the lack of investors and risk aversion amongst the developer industry. A combined physical, social and economic approach to regeneration will be required, which will require the participation of the business community, landowners, developers, community planning partners and local communities.”

While deliverability of the desired regeneration benefits at this point in the economic cycle is problematic the Council believes that, in the longer term and with a return to more buoyant market conditions, the 500 unit housing allocation at Plean will support wider regeneration of the village that, in turn, will fully accord with the regeneration objectives of the Spatial Strategy for Plean and the other Eastern Villages.

The Plean Settlement statement does though acknowledge the present uncertainties. A second site option to the east is therefore provisionally identified thereby providing flexibility regarding the final location of the 500 units. With reference to the 2012 Site Assessments (CD 45) for Plean - Site Ref: PLEA03, whilst there are issues with flood risk and drainage, the site is on a bus route and reasonably close to village facilities and provides an opportunity to consolidate 2 parts of the village.

The Council concludes therefore that there is no justification for the outright deletion of a 500 unit housing allocation for the village, whether solely at Pleanbank Farm/West Plean or on land in the locality of Cushenquarter Farm (East Plean).

In response to the representation made by Waveband Properties Limited (SLDP_1176/001) regarding phasing the Stirling Local Development Plan. The Vision and Spatial Strategy Background Report (CD 49) states, in para 10.1: - "Phasing of implementation has been indicated on the best information available, but may need to be flexible as circumstances change." Para 10.2 identifies a range of relevant factors, which will be monitored through the Plan's Action Programme. In light of this flexibility and ongoing monitoring, and bearing in mind also (a) uncertainties over the Section 75 Agreement, (b) the current lack of capacity at East Plean Primary School, and (c) the deliverability of the desired regeneration benefits at this point in the economic cycle, the Council is of the opinion that the suggested phasings on the sites should remain as detailed in the Plan.

The Council considers the concerns raised by the Scottish Environment Protection Agency (SLDP_175/062) and Scottish Wildlife Trust (SLDP_1186/001) can be addressed through the development management stage by applying the Plan's relevant Policies and Supplementary Guidance that seek to protect and enhance the water environment and biodiversity.

H072 - Touchill Farm

Regarding the representations from Wallace Land Investment & Management (SLDP_48/012), the Council has already referred to the necessity for the Plan to have a forward Vision that anticipates economic recovery. Recent activity by developers to secure approval for matters referred to in a 2009 outline planning permission (CD112) and market the site (CD241) indicates a degree of commercial confidence regarding the site's development potential. The Council therefore remains of the view this in an 'effective' housing site and, bearing in mind also the recent planning permission, there is no justification to modify the Plan to adjusting the phasing of the development.

Reporter's conclusions:

Site H072

1. This site is allocated for 167 homes in the proposed local development plan (LDP), to be developed during Phase 1 of Period 1, i.e. before 2019. The LDP records simply that the site had planning permission at June 2011. The examination documents confirm that reserved matters following an outline permission were approved in June 2012 (reference 11/00806/MSC, CD112), subject to a condition that limits the period of consent to 3 years "from the date of the final approval of the matter(s) specified by this permission for later approval". The representations want H072 taken out of this early LDP phase because the site has no named developer and there is believed to be little market interest. They consider that the lack of each indicates that the site is not effective in the short-term, even with planning permission.

2. The glossaries in Scottish Planning Policy (SPP) and Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits (PAN) both define effective housing land as part of the established supply "which is free or expected to be free of development constraints in the period under consideration, and will therefore be available for the construction of housing". Against this definition, the lack of a named developer is of no consequence and no quantifiable evidence has been provided to show that the site is affected by any significant or insurmountable constraints that would impede development. Accordingly, it is reasonable to conclude that H072 satisfies the definition.

3. Next, PAN 2/2010 lists 7 criteria for establishing effectiveness and again, none look for a named developer. Marketability is mentioned and the examination evidence includes sales particulars dated September 2012, which show that the site is being marketed actively (CD214). No quantifiable evidence has been provided to support the belief expressed about a lack of market interest arising from that process. The current 'live' planning permission also shows that housing is a preferred use in planning terms for site H072, which satisfies another PAN 2/2010 criterion.

4. PAN 2/2010 also states that "The effectiveness of sites should be determined by the planning authority through discussion with the housing providers" (paragraph 55). General housing land issues are examined detail under Issue 4 of this report, but the conclusions there confirm that such agreement has been reached.

5. Based on all of the above, site H072 should be kept in Phase 1, Period 1 as envisaged in the LDP and no modification is justified.

Sites H069

6. Longer term, the LDP aims to expand Plean significantly. That approach would supply housing land for future development and it accords with the LDP Vision and Spatial Strategy that focuses growth on the Eastern Villages, towards their regeneration. Currently, this growth potential is constrained by a lack of infrastructure capacity and uncertainties about how best to resolve this. For example, enhanced education and health services would be needed to facilitate and support growth, and doubt remains over how the wider village regeneration should ultimately take shape. Health provision in particular overlaps with Issue 54, Durieshill, where it is identified as a requirement that might be shared with Plean. The conclusions for Issue 54 state that the LDP is unacceptably imprecise in specifying the detail for these health requirements. The matching references for Plean do not clarify the position. More widely though, until these important issues are resolved, there is no prospect of bringing site H069 forward for development earlier than is envisaged by the LDP. It would also not be appropriate to allocate more land for housing in Plean beyond those sites that are already in Period 1, and the LDP is justified in delaying more housing growth and development until Period 2.

7. SPP says that LDPs should "provide an indication of the possible scale and location of housing land up to year 20" (paragraph 73). The "Existing and future land supply" table for Plean in the LDP quotes 500 homes as an indicative scale of long term growth, but the proposals map then identifies 2 potential housing sites that are located on opposite east and west edges of Plean. Both sites are annotated as H069, so that the intended location is doubtful and SPP is not entirely satisfied. Further, leaving both of these sites in the LDP, as the planning authority suggests, presents local residents and prospective developers with a lack of certainty and clarity, and it encourages potentially abortive interest in the development of conflicting candidate sites. That said, the LDP Key Site Requirements state that the west site, which is Pleanbank, is subject to an unconcluded legal agreement. The text adds that because of the continuing uncertainty around that agreement, alternative development sites such as at east Plean, may need to be considered as part of a future review of the LDP, although further detailed assessment will be required.

8. The legal agreement relates to the authority's decision on January 2009 that it was 'minded to grant' planning application 07/01005/PPP for 500 homes (CD113). The agreement was to secure a range of matters, including education provision and a village regeneration package (CD79). The examination evidence and the planning authority's reply to a further information request confirm that 5 years have elapsed since that decision was

taken and there has been no activity towards conclusion of the agreement since 2011. Even the representation submitted on behalf of the site owner gives no indication of when, or even if, the agreement has any prospect of being concluded. In short, there is no evidence to suggest that agreement remains probable, or to show that even if the agreement were now to be concluded, it would still encompass the full range of requirements from the 'minded to grant' decision. These circumstances leave no justification for further delay in reaching a final decision on the application. In addition, Stirling Council has a clear indication of how to proceed and what outcome the owner should expect. Importantly, refusing the planning permission now would undermine the authority's justification for the LDP approach to Pleanbank, which the above and the further information reply indicate is based heavily on the 'minded to grant' decision.

9. Given that the Pleanbank portion of H069 stems from the planning application, it is strange that the LDP annotation does not match the application site boundary. The LDP specifically avoids showing boundaries for either part of H069, but the annotation on the proposals map omits the school surroundings, the playing fields off Main Street, and vacant ground east of Parkside Court, all of which are on the application location plan supplied to the examination (CD113). While leaving the school and the playing fields out is understandable for the LDP, the lack of an allocation or other reference to the vacant ground is not explained. That site matches PLEA05 in the planning authority's site assessment, where it is described as an infill and brownfield site, with no obvious impediment to development (CD45). Given that, the site very probably has strong potential that the LDP seems to overlook.

10. My site visits confirmed the concerns expressed in the representations that Pleanbank raises significant visual impact issues. The site sits high on a sloping hillside where development would be conspicuous and intrusive. The hillside is seen above the village, so that it currently enhances the attractive greenfield, rural setting of Plean, and the site is obvious in views from the eastern approaches to Stirling along the nearby M9 motorway and the A9 main through road. Because of the slope, the site would require substantial engineering to accommodate development. That work would include excavating for building foundations and roads, as well as constructing substantial foundations, underbuilding and retaining walls, all of which would worsen the inevitable degree of harmful visual intrusion. As a result, development on the site is unlikely to fit easily into the landscape or make a positive contribution to visual amenity and the setting of Plean.

11. If site H057 Durieshill and the above planning permission were to proceed, the existing and planned new settlements would abut and be seen to merge in the wider countryside. That kind of urban sprawl is unattractive, it leads to a loss of identity for Plean, and it does not represent good planning. The authority's further information request reply describes steps that could be specified in a subsequent masterplanning process to introduce some separation. The potential effectiveness of that is constrained by the site topography described above, and by the very close proximity of the adjacent development areas. Structure planting would also take time to establish, to then improve integration and soften the visual harm described above, to an appreciable and beneficial degree. Further, the Key Site Requirements for H069 make no mention of this necessity.

12. The site at east Plean adjoins the group of buildings that make up the William Simpson's Residential Care Home. At Main Issues Report stage, the planning authority assessed a potential development area around the care home as PLEA03. The relevant site assessment sheet then confirms that the scale of PLEA03 is similar to Pleanbank and that its development potential would be constrained by flooding and drainage issues, as well as by a nearby Tree Preservation Order and the care home complex, which contains listed

buildings (CD45). The representation from the Scottish Environment Protection Agency confirms that its sole addition to the LDP Key Site Requirements would be a buffer strip along the riverside. The planning authority envisages above that could be addressed at application stage and through compliance with generic LDP policies and supplementary guidance. However, the subsequent further information request reply adds drainage impact and flood risk assessments as extra suggested Key Site Requirements. Either way, none of these constraints appear to be especially unusual, onerous or insurmountable.

13. The site assessment sheet then goes on to comment favourably on the accessibility of the east Plean site, its potential to integrate with and form a gateway at the village edge, and that it represents an opportunity to consolidate the village. Other LDP representations, including locally derived public opinion from the Plean Regeneration Association, also support the development of this east portion of H069 instead of Pleanbank because the site is low-lying, so that new development would be more discreet. The site is also a logical extension to the village, with better accessibility and the prospect of a direct access onto the A9. From my site visit, I agree with these assessments.

14. Accordingly, for all these reasons, I am satisfied that east Plean offers strong potential and advantage as a candidate development site, albeit that the opportunity must be delayed because of the overriding infrastructure issues discussed above. Pleanbank on the other hand suffers major shortcomings, to an extent that the LDP should not encourage development, even at this very early stage and irrespective of what may happen with the planning application.

Reporter's recommendations:

The local development plan should be modified by:

1. Removing all indication of possible future development at West Plean/Pleanbank from H069 and annotating a future development site at east Plean that accords broadly with PLEA03.
2. Altering the Key Site Requirements for the new H069 as follows:
 - "Development Framework/Masterplan approach required.
 - Developer contribution required to support socio-economic regeneration of Plean.
 - Structure planting, open spaces and footpath systems should be designed with external connections and the Green Network in mind.
 - Biodiversity audit required.
 - Buffer strip required beside the watercourse to help protect and improve the water environment and in keeping with duties imposed by the Water Environment and Water Services (Scotland) Act 2003.
 - Archaeological evaluation required of any undisturbed areas.
 - Provision of an acceptable solution and costs for schools infrastructure relating to a development of this scale.
 - Drainage impact assessment required.
 - Flood risk assessment required. Development on the functional flood plain should be avoided. Water resistant building materials and measures may be required.
 - Early contact with Scottish Water advised regarding foul drainage and capacity.
 - To ensure the maintenance of the integrity of the Firth of Forth SPA, foul and surface water drainage shall be treated to the relevant standards of Scottish Water and SEPA."

Issue 55	Throsk	
Development plan reference:	Throsk Settlement Statement (pages 236 to 241 of the Plan) B15 - Bandeath East B17 - West of Throsk House B22 - Throsk C (part 4) B15 - Bandeath East B17 - West of Throsk House B21 - Bandeath West B22 - Throsk C (part 4)	Reporter: Iain Urquhart
Body or person(s) submitting a representation raising the issue (including reference number):		
Powercrofters (Scotland) Ltd (01315) Scottish Environment Protection Agency (SLDP_175)		Scottish Water (SLDP_126) Stirling Development Agency Ltd. (SLDP_108)
Provision of the development plan to which the issue relates:	The Throsk Settlement Statement is the section of the Plan that sets out the approach to development in the village of Throsk. All of the sites and designations considered under this Issue are contained within the Throsk Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Text of Throsk Settlement Statement</u> Scottish Water (SLDP_126/018) - comments that within the 'Infrastructure Considerations' section (paragraph 1, page 237) of the Throsk Settlement Statement that no reference is made to water supply, and that the statement on waste water needs to be corrected to reflect the current position with regard to capacity at Bandeath Waste Water Treatment Works. <u>B15 – Bandeath East and B21- Bandeath West</u> Stirling Development Agency Ltd. (SLDP_108/001) - objects to the non-inclusion within the boundaries of these sites of areas of land within the Stirling Development Agency's ownership (map supplied). <u>B17- West of Throsk House</u> Stirling Development Agency Ltd. (SLDP_108/002) - objects to the non-inclusion within the boundaries of this site of areas of land within the Stirling Development Agency's ownership (map supplied). Scottish Environment Protection Agency (SLDP_175/029) - supports the inclusion in the Key Site Requirement for a Flood Risk Assessment to be undertaken, development on the functional flood plain to be avoided and the identification that water resilient materials and measures may be required.		

B22 – Throsk C (part 4)

Powercrofters (Scotland) Ltd. (01315/001) - requests that this site, currently allocated as an Employment site, should be allocated for a small-scale waste-to-energy plant. The site was the subject of a recent planning application (refused – see Application Decision Notice CD 91), and subsequent appeal (dismissed – see Appeal Decision Notice CD 92), for such a development. Considers that the appeal reporter's findings suggest that the site could be made suitable if visual amenity issues can be addressed with regard to neighbouring properties. Considers that allocating the site for such uses would be in line with the Scottish Government's Zero Waste Plan (CD 26).

Modifications sought by those submitting representations:**Text of Throsk Settlement Statement**

Scottish Water (SLDP_126/018) - requests 'Infrastructure Considerations' section (paragraph 1, page 237) of the Throsk Settlement Statement is amended to state that Throsk is supplied from Turret Water Treatment Works, which has available capacity, and that text is amended to state that Bandeath Waste Water Treatment Works has "available" capacity for accommodating new development, and not "limited" capacity as currently stated.

B15 – Bandeath East

Stirling Development Agency Ltd. (SLDP_108/001) - requests the inclusion of their areas of land within the site's boundaries.

B17- West of Throsk House

Stirling Development Agency Ltd. (SLDP_108/002) - requests the inclusion of their areas of land within the site's boundaries.

B21 – Bandeath West

Stirling Development Agency Ltd. (SLDP_108/003) - requests the inclusion of their areas of land within the site's boundaries.

B22 – Throsk C (part 4)

Powercrofters (Scotland) Ltd. (01315/001) - requests the allocation of this site for a small-scale waste-to-energy plant.

Summary of responses (including reasons) by planning authority:**Text of Throsk Settlement Statement**

The Council is agreeable to the text being modified in this way in line with that suggested by Scottish Water (SLDP_126/018) to provide additional clarity on drainage capacity at Throsk. The Council considers this to be a non-notifiable modification.

B15 – Bandeath East and B17 - West of Throsk House and B21 – Bandeath West

The areas of land suggested for inclusion by Stirling Development Agency Ltd within the boundaries of these three sites are approximately 0.2 and 0.09 hectares in size respectively. Inclusion of these areas of land within the boundaries of the sites would go some way towards meeting the shortfall of employment land identified in the Employment Background Report (CD 51). The sites themselves are affected by potential flood risk (the Scottish Environment Protection Agency has stated support for the inclusion in the Key Site Requirements for site B17 on matters related to flood risk), and loss of woodland. Both these factors make these areas unsuitable for future development. Without a pressing need for additional employment land (which these additions would do little to address), there is little need to include these areas of land within the boundaries of the sites. Therefore the Council does not agree to modify the Plan in respect of these representations.

B22 – Throsk C (part 4)

This site is allocated in the Plan for employment uses. Paragraph 215 of Scottish Planning Policy (CD 1) states that, “All development plans must identify appropriate locations for required waste management facilities, where possible allocating specific sites, and provide a policy framework which facilitates the development of these facilities.” The Plan, through Policy 6.1, safeguards the Lower Polmaise site for waste management facilities (page 165 of Plan). Policy 6.1 also provides a policy framework to assess waste management proposals that come forward on land, “designated for employment development or safeguarded for employment use”.

Therefore, it is considered that there is no requirement to allocate this site for a small-scale waste-to-energy plant, as an adequate framework exists to assess any proposals that come forward through the Development Management process. Further, the merits of this particular site with regard to its suitability for a waste-to-energy plant have been tested recently through both the planning application and appeals process, with the conclusion of the Reporter in the determination of the appeal being that this is the wrong location for a waste to energy facility of the type proposed, as it is close to houses and a play area, and the plant would be visually dominant in the village (CD 92). The Council therefore considers that the Plan should not be modified in respect of this representation. A Proposal of Application Notice has recently been submitted for this site (CD 93) for a proposal similar to the one considered under the previous planning application, i.e. a materials recycling facility sorting over 25,000 tonnes per annum of waste, with the potential to generate energy in the form of electricity or steam.

Reporter’s conclusions:**Throsk Settlement Statement**

1. The planning authority agrees that mention should be made of water supply in the plan and that Throsk is served by Turret Water Treatment Works which has available capacity. In addition, it accepts the representation from Scottish Water that the plan reference to ‘very limited capacity’ at the Bandheath Waste Water Treatment Works should be amended to read ‘available capacity’.
2. I am content that Scottish Water’s concerns appear to have been resolved by the planning authority’s non-notifiable pre-examination modification. No further action is therefore required.

B15 – Bandeath East; B17 - West of Throsk House; B21 – Bandeath West

3. The areas of land proposed for employment use in the representation from Stirling Development Agency Ltd (SDA) are small, irregularly shaped, and undeveloped pieces of land which are ancillary to the main development areas in Bandeath Industrial Estate. It appears that the primary reason for the representation is to ensure that the areas covered by the employment use allocations are coterminous with the SDA's land ownership boundaries.

4. However, it is not the purpose of plan allocations to match exactly detailed land ownership boundaries. Rather, employment land allocations should be based upon local environmental, amenity and infrastructure considerations and reflect wider plan policy guidance on matters such as settlement strategy and employment land supply.

5. It is clear that the areas of ground involved are subject to development constraints including potential flood risk and loss of woodland. It is likely that these factors would make the areas unsuitable for built development. The SDA representation does not cite any particular development intentions for the areas. In these circumstances, there are no good reasons to depart from the plan allocations. It would be open for the landowners to bring forward detailed development proposals for the areas in the future through the development management process and, at that time, set out a detailed justification for development. Any proposals would need to be assessed against concerns about flood risk, already expressed by the Scottish Environment Protection Agency (SEPA), and woodland loss as well as other relevant development policies contained in the plan.

6. I find that there is no justification for modifying the plan in respect of the representation from Stirling Development Agency Ltd.

B22 – Throsk C (part 4)

7. Scottish Planning Policy (SPP) (paragraph 215) requires development plans to identify appropriate locations for waste management facilities and, where possible, allocate specific sites and provide a policy framework to facilitate the development of such schemes. Equally, SPP and Scotland's Zero Waste Plan (2010) envisage a significant role for energy from waste schemes in recovering value from waste products; in achieving municipal waste targets and, in meeting renewable heat targets. This clearly establishes national policy support in principle for provision of the type of project envisaged in the representation from Powercrofters (Scotland) Ltd.

8. The site subject of the representation is around 2.8 hectares and is allocated for employment use in the plan. It forms part of a larger Employment Safeguarding Area covered by plan Policy 2.4. This policy seeks to safeguard the site for business, general industry and storage and distribution uses (Use Classes 4, 5 and 6), and/or waste management purposes. A small scale waste to energy neighbourhood plant, as proposed in the representation, could well be consistent in principle with this safeguarding policy.

9. Policy 6.1: Provision and Management of Waste Management Infrastructure sets out a number of policy criteria to assess new waste management proposals on employment land and, again, there is support in principle for waste management infrastructure located on safeguarded employment sites and with the potential to generate energy from waste.

10. Wider policy support for waste to energy projects must be balanced against more detailed and local environmental and amenity considerations. A proposal for a waste to

energy facility on the Throsk site was refused planning permission on appeal in November 2012 (CD92). Although the appeal proposal was for planning permission in principle, an Environmental Statement and indicative building drawings were lodged and considered by the reporter. He concluded that the site was the wrong location for a waste to energy facility of the type proposed and that it was unnecessarily close to houses and a childrens' play area. He also found that the plant would be a dominant presence when viewed from those receptors and from the A905 road entering the village. He found that the proposal was contrary to the locational advice contained in SPP, Planning Advice Note PAN 63: Waste Management Planning, and Scotland's Zero Waste Plan (2010). All this advice states that waste management facilities should be located on sites where potential impacts on the human, built and natural environment can be minimised.

11. Despite the above fundamental difficulties, potential developers could bring forward new proposals for the site in the future through the development management process. However, there has been no further evidence submitted in the representation that would justify modifying the plan now and allocating the site specifically for a waste to energy facility. On this basis, I consider that the recent decision by the reporter should be given significant weight and, accordingly, I recommend that no modification is made to the plan in relation to the representation from Powercrofters (Scotland) Ltd.

Reporter's recommendations:

No modifications.

Issue 56	Stirling Settlement Statement	
Development plan reference:	Stirling Settlement Statement (pages 188 to 225 of the Plan)	Reporter: Jill Moody
Body or person(s) submitting a representation raising the issue (including reference number):		
Allan Water Developments (01197) Scottish Water (SLDP_126) Scottish Environment Protection Agency (SLDP_175) Ogilvie Homes Ltd (SLDP_321)		
Provision of the development plan to which the issue relates:	The Stirling Settlement Statement is the section of the Plan that sets out the approach to development in the City. All of the sites and designations considered under this Issue are contained within the Stirling Settlement Statement.	
Planning authority's summary of the representation(s):		
<u>Water, Waste Water and Drainage</u> Scottish Water (SLDP_126/016) - objects that no reference is made in the text of the Settlement Statement to the water supply for Stirling city, and also states that references to capacity at Stirling Waste Water Treatment Works need amended. Scottish Environment Protection Agency (SLDP_175/086) - supports the statement under the 'Water and Drainage' section (page 195) which states that early contact is required with Scottish Water regarding actual capacity and possible solutions, and that a Drainage Impact Assessment is required for larger sites as this informs developers that there may be a need for additional expenditure to achieve a sewer connection at this location, however, recommends that clarification is provided as to what scale of development constitutes 'larger' and therefore requires a Drainage Impact Assessment. <u>Local Centres</u> Allan Water Developments (01197/005) - requests that under the 'Spatial Strategy Considerations' section of the Settlement Statement (page 192) there should be explicit recognition of the need to regenerate existing centres, in particular Local Centres. <u>Representations to non-allocated sites</u> <u>SS53 – Skeoch Farm, Stirling</u> Ogilvie Homes Ltd (SLDP_321/004) - welcomes the inclusion of references to a 'rail halt' and 'rail park and ride' in the Plan which is also referred to in the City Transport Strategy (CD 72) as a medium term priority (M1 - 5-10 year) at a cost of 12 million pounds along with other rail improvement works. The recognition of having an integrated, sustainable transport option along this section of the railway is supported. However, considers the Plan should go further and make a firm commitment and identify a suitable location for the rail halt and park and ride. The site at Skeoch Farm would be ideal for a transport interchange adjacent to the local distributor road and the railway line, which is easily accessible on the edge of Stirling.		

This could provide a hub for visitors and commuters travelling to and from Stirling to the central belt, provide a sustainable alternative in part to the existing station, and reduce traffic congestion in and around the City's existing station car park. It could become part of a network of park and ride facilities around Stirling meeting the needs of all transport users. The site would also provide an alternative to the proposed Stabling Yard for trains.

Modifications sought by those submitting representations:

Water, Waste Water and Drainage

Scottish Water (SLDP_126/016) - requests that text is amended in the 'Spatial Strategy Considerations' section to state that Stirling is served by Turret Water Treatment Works, which currently has available capacity, and change the text from 'sufficient capacity' to 'limited capacity' in relation to Stirling Waste Water Treatment Works.

Scottish Environment Protection Agency (SLDP_175/086) - requests that clarification is provided in the text as to what scale of development constitutes 'larger' and therefore requires a Drainage Impact Assessment.

Local Centres

Allan Water Developments (01197/005) - requests the addition of text on page 192 of the Settlement Statement as follows: after, "it is prioritised within the city", add the text, "together with the regeneration of local centres including Raploch, Cornton and St Ninian's."

Representations to non-allocated sites

SS53 – Skeoch Farm, Stirling

Ogilvie Homes Ltd (SLDP_321/004) - The identification of Skeoch Farm as a rail halt and rail park and ride.

Summary of responses (including reasons) by planning authority:

Water, Waste Water and Drainage

Scottish Water (SLDP_126/016) - the Council is agreeable to the text being modified in this way to provide additional clarity. The Council considers this to be a non-notifiable modification.

Scottish Environment Protection Agency (SLDP_175/086) - it is considered that this text has been wrongly inserted into the Stirling Settlement Statement. It is considered that for consistency, the paragraph should be amended to remove the following text: "although specific Drainage Impact Assessments will be required for larger sites". This is because it is acknowledged that it is likely that Drainage Impact Assessments may also be required for smaller sites, and also because this issue is covered in Proposed Supplementary Guidance SG18 Planning, Development and Flood Risk (CD 181). The Council considers this to be a non-notifiable modification.

Local Centres

The regeneration priority areas in the Plan are Cowie, Fallin, Throsk, Plean, Raploch,

Cornton and Cultenhove, and the regeneration of these areas is to be delivered through the development of sites that are allocated in the Plan. Whilst the Council recognises that it is desirable to seek to regenerate these Local Centres, no specific development is being proposed in these centres that would achieve this objective, and it would not be appropriate to direct limited resources to vacant sites and premises located in existing centres, including Local Centres, that are outwith the recognised regeneration areas such as St Ninian's. Therefore, to include this statement in the text, while a desirable sentiment, would be meaningless, and would not change the Plan's approach to development in these Centres. The Council therefore considers that the Plan should not be modified in respect of this representation. This issue is also responded to in relation to the Spatial Strategy (Issue 3).

Representations to non-allocated sites

SS53 – Skeoch Farm, Stirling

The Council does not agree to modify the Plan to show Skeoch as the location for the rail park and ride. The location for the rail park and ride cannot be confirmed at this time and could be sited anywhere between Cowie and Bannockburn. It does therefore require to be further investigated including exploring the business case for the proposal. This prevents the Council from safeguarding any land for this purpose at this time.

Reporter's conclusions:

Water, Waste Water and Drainage

1. The planning authority accepts the requests from Scottish Water and the Scottish Environment Protection Agency to alter the wording of the Stirling settlement specific section on 'Infrastructure considerations: Water and Drainage'. The authority also states that the changes have already been made as non-notifiable pre-examination modifications to the local development plan (LDP). On that basis, no further action is required.

Rail halt/park and ride

2. Site SS53 is on the eastern edge of Bannockburn, beside Skeoch Farm. The site is between the railway and the A91. The representation argues that SS53 should be allocated specifically for the rail halt and park and ride facility, which has for so long been an important element of the development plan and of various transport strategies. The representation adds that the site has good accessibility, it offers enough space to function as a major transport interchange, and the nearby Station Road confirms that there was once a station nearby.

3. Fully detailed conclusions regarding this rail halt/park and ride proposal are set out in Issue 3 with a summary of the lengthy history of the proposal. Relevant matters arising from that for site SS53 are as follows. Firstly, the annotation on proposals map 3 for Stirling South for the 'Rail P&R' is shown to the south-east of SS53, by Greenyards Roundabout. Clearly that annotation must be regarded as indicative at this stage, but it is not at site SS53. Secondly, the history clearly shows that the planning authority is fully committed to the proposal. However, Issue 3 describes the current lack of progress in delivering the project as well as the opposition from TACTRAN and the Scottish Government. Given these significant hurdles, the intended rail halt/park and ride proposals can be regarded as no more than an aspiration at this stage. Thirdly, no specification, design framework or masterplan type information is yet available to detail what the component parts of the

proposal might be, how much space they might need, or where would best suit the operational efficiency of the rail network. That information is fundamental to identification of the best location and, without it, it is not possible to know whether SS53 would have enough capacity or be best placed. As a result, the suitability of site SS53 to absorb the rail halt/park and ride proposal is currently in doubt.

4. Site SS53 is clearly in the general area, and it could have merit and scope for development, but at this stage and given all of the above, it is not possible to be more definitive. Further, it would be premature to constrain the full range of development options for the proposal by allocating a specific site in the LDP, no matter how suitable that site may seem at the moment.

Regeneration

5. This aspect of Issue 56 cross-refers with Issues 3, 6 and 49, but especially with Issue 3.

6. The Stirling settlement specific section of the LDP clearly embraces the objective of making the best use of vacant and brownfield land and property. The same section also refers to the regeneration of existing communities as a plan priority and the list of these includes Culterhove, not St Ninians. Culterhove is then the subject of several housing land allocations that are shown on the LDP Key Diagram - Core Area and on proposals map Stirling South Map 3.

7. The conclusions for Issues 3 and 6 confirm that the designation of St Ninians as a local centre in the Network of Centres serves a different purpose to the designation of Culterhove as a regeneration area. Given that, it is not appropriate to mix these designations up, which would result from incorporating reference to St Ninians into the plan text. The conclusions for these other issues also describe the generally favourable and appropriate attitude to regeneration that permeates the whole LDP, which the Stirling settlement section mentioned above exemplifies.

8. The vacant site mentioned in the representation as being inside the local network centre and much in need of redevelopment, is shown on the Stirling South Map 3 as retail allocation R07. That allocation promotes 4650 square metres of gross retail floorspace, which is to be developed in phase 1 of the plan period from 2010 to 2019. The Key Site Requirements for the allocation also record that the site had planning permission at June 2011. This allocation shows that the LDP also views development of this site as an immediate priority. The representations note the allocation, but consider that it is not enough to secure the regeneration of the local centre, which has suffered from too much competition. For that, convenience retail land supply elsewhere must be controlled to make sure that R07 is delivered, and the allocation of convenience retail at R12 Crookbridge and R09 Bannockburn acts against that.

9. The LDP Spatial Strategy, as that is set out in the first part of the LDP and in the Stirling specific settlement section, has an important role in stimulating regeneration through development. The above shows that the overall Spatial Strategy with the Stirling specific part of the LDP would achieve as much as it reasonably can in delivering that aspiration. The purpose of the Spatial Strategy is not to respond to individual developer pressure or commercial desire. The allocation for R12 Crookbridge is examined under Issue 49. Suffice to say here, that the report recommends that convenience retail should not be permitted on that site. R09 Bannockburn is supported under Issue 50, and it follows that the same conclusions also apply to the consideration of this issue.

Reporter's recommendations:
No modifications.