

AGENDA

AGENDA for the **SPECIAL MEETING** of **STIRLING COUNCIL** to be held in the **COUNCIL CHAMBERS, VIEWFORTH, STIRLING** on **WEDNESDAY 4 OCTOBER 2017** commencing at **1.00pm**

IAIN STRACHAN
Chief Governance Officer
Clerk to the Council

28 September 2017

BUSINESS

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS AT LAND BETWEEN BANNOCK BURN NEW LINE ROAD AND WEST OF GLASGOW ROAD, WHINS OF MILTON – HALLAM LAND MANAGEMENT – 17/00407/PPP**
Report by Director of Localities & Infrastructure (Pages 1 – 8)

For further information contact David McDougall, Governance Officer – 01786 233068
or
Iain Strachan, Chief Officer - Governance (Clerk) - 01786 233108)

STIRLING COUNCIL**THIS REPORT RELATES
TO ITEM 3
ON THE AGENDA****SPECIAL STIRLING COUNCIL****LOCALITIES &
INFRASTRUCTURE****4 OCTOBER 2017****NOT EXEMPT****PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS AT LAND
BETWEEN BANNOCK BURN NEW LINE ROAD AND WEST OF GLASGOW ROAD,
WHINS OF MILTON – HALLAM LAND MANAGEMENT – 17/00407/PPP****1 SUMMARY**

- 1.1 This proposal, and the issues raised by this proposal, will be discussed at a Pre-Determination Hearing Committee to take place earlier on the same day as this special meeting of Council. The purpose of this meeting is to take the decision on this Planning Application.
- 1.2 The application is brought to Full Council since it is a Major planning application under the terms of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and is significantly contrary to the Development Plan.

2 OFFICER RECOMMENDATION(S)

The Council agrees to Refuse the application for the following reasons:-

- 2.1 The proposal is contrary to Primary Policy 1 (Placemaking) of the Stirling Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016, since this development will encroach onto a greenfield site, will not safeguard or enhance the natural heritage nor respect the Green Belt.
- 2.2 The proposal is contrary to Policy 1.1 (b) (Site Planning) of the Stirling Council Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016, since this development will not respect the surrounding important landmark or view (Bannockburn Monument).
- 2.3 The proposal is contrary to Policy 1.5 (Green Belts) of the Stirling Council Local Plan 2014, the Stirling Local Development Plan: Proposed Plan 2016, and SG03 (Green Belts), since this development will not preserve the openness of the Green Belt and will undermine its core role and function. Moreover, the scale of residential development is beyond that supported by this policy.
- 2.4 The proposal is contrary to Primary Policy 2 of the Proposed Plan, 2016, since it is not consistent with the LDP Vision and Spatial Strategy.

- 2.5 The proposal is contrary to Policy 2.1 of the Proposed Plan, 2016, since it is not consistent with the LDP Vision and Spatial Strategy and it does not meet the provisions of the LDP Overarching Policy, its accompanying Sustainable Development Criteria and all other relevant LDP policies. Furthermore, the proposal could jeopardise the delivery of an allocated site by pre-determining decisions about the scale, location or phasing of new developments that are central to the emerging Plan.
- 2.6 The proposal is contrary to Policy 2.10 (Housing in the Countryside) of the Stirling Council Local Plan 2014, the Stirling Local Development Plan: Proposed Plan 2016 and SG10 (Housing in the Countryside), since this development is beyond that supported by this policy.
- 2.7 The proposal is contrary to Policy 3.1 (Addressing the Travel Demands of New Development) of the Stirling Council Local Plan 2014, the Stirling Local Development Plan: Proposed Plan 2016, and Supplementary Guidance SG14: Ensuring a Choice of Access for New Developments since it has not been demonstrated that this development will be safely and conveniently accessible by walking and public transport. Furthermore, it has not been satisfactorily demonstrated that the traffic impact from the proposal will be appropriately mitigated.
- 2.8 The proposal is contrary to Primary Policy 7 (Historic Environment) of the Stirling Council Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016, since this development will not safeguard, preserve or enhance the historic environment and the setting of its component features. It is considered that the proposal will have a negative impact on these assets.
- 2.9 The proposal is contrary to Policy 7.1 (Archaeology & Historic Building Recording) of the Stirling Council Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016, since this development will impact physically upon a nationally important monument (Bannockburn Monument/Monument Hill) and significantly detract from its setting.
- 2.10 The proposal is contrary to Policy 7.3 (Development affecting Listed Buildings) of the Stirling Council Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016 since this development will not preserve the character of nearby category 'A' listed buildings/structures (Rotunda, Memorial cairn, flagpole and statue of King Robert I) or their setting. Moreover, it is considered that the proposed development will adversely affect the special interest of these structures and their setting.
- 2.11 The proposal is contrary to Policy 7.8 (Development affecting Battlefields, Gardens and Designed Landscapes) of the Stirling Council Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016 since this development would have a significant adverse effect upon the archaeology, landscape features, character and setting of a site listed in the Inventory of Historic Battlefields (Bannockburn Inventory Battlefield, 1314) and it is considered that the overall integrity and character of the battlefield area will be compromised as a result of this proposal.
- 2.12 The proposal is contrary to Scottish Planning Policy since it is considered that the proposal will not protect or enhance cultural heritage which is one of its guiding principles (para 29).

- 2.13 The proposal is significantly contrary to the Development Plan and cannot be supported through Scottish Planning Policy since granting permission for the proposed development of 250 homes would undermine the plan-making process by pre-determining decisions about the location of new development and would be premature in relation to the outcome of the local development Plan Examination contrary to paragraph 34 of Scottish Planning Policy. The proposal is contrary to Historic Environment Scotland's 'Managing Change in the Historic Environment – Historic Battlefields', Aug 2016 document since it will not protect, conserve nor enhance the historic battlefield (Bannockburn Battlefield). Moreover, it is considered that the proposal will significantly detract from the importance of the battle site. The proposal is also contrary to Historic Environment Scotland's 'Managing Change in the Historic Environment – Setting', June 2016 since it is considered that this proposal will have an adverse effect on the setting of category A listed buildings and a historic battlefield.

3 CONSIDERATIONS

- 3.1 All considerations were presented and discussed at the Pre-Determination Hearing.

4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

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

Equality Impact Assessment

- 4.1 The contents of this report were assessed using the EqIA Relevance Assessment Form. It was determined that an Equality Impact Assessment was not required as the proposal is not proposed by Stirling Council but is with regard to making a decision on a planning application.

Strategic Environmental Assessment

- 4.2 This report is in a hierarchy of Plans and a full Strategic Environmental Assessment was carried out on the Local Development Plan, 2014 and the Proposed Local Development Plan, 2016 and so a full Strategic Environmental Assessment does not apply for this item.

Serving Stirling

- 4.3 The proposals set out in this report are consistent with the following key priorities:-

L - Adopt a pragmatic approach to sustainability that protects and enhances the local environment

Single Outcome Agreement

- 4.4 Not applicable.

Other Policy Implications

- 4.5 Following consideration of the policy implications of this report no relevant issues have been identified.

Risk

- 4.6 Not applicable.

Resource Implications

- 4.7 Not applicable.

Consultations

- 4.8 All consultation response were summarised in the Report of Handling for the Pre-Determination Hearing.

5 BACKGROUND PAPERS

- 5.1 Planning Application file 17/00407/PPP. File can be viewed online at:

<https://pabs.stirling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OQG51UPIKJF00>


6 APPENDICES

6.1 None

Author(s)

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

Approved by

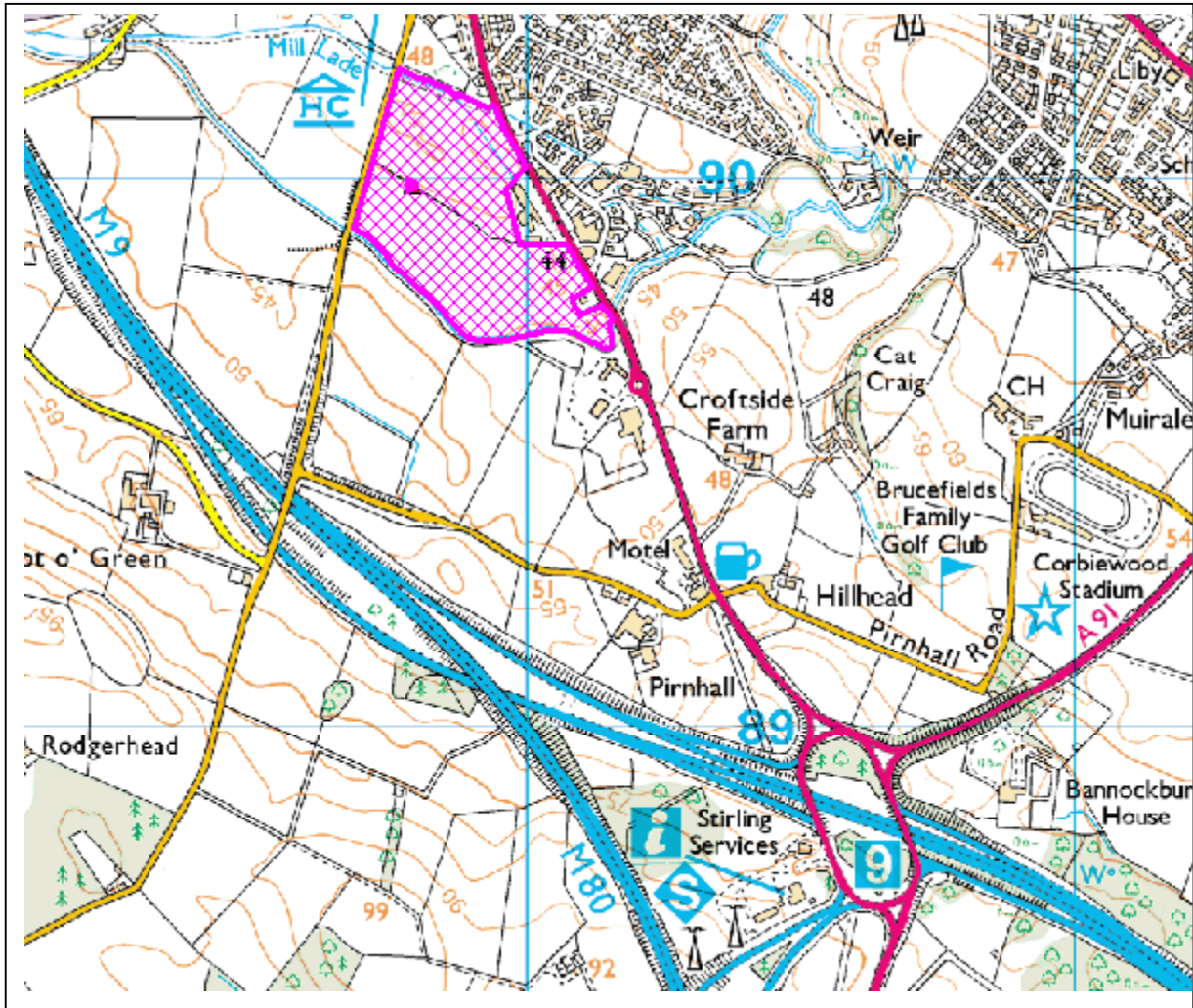
Name	Designation	Signature
Alastair Brown	Director of Localities & Infrastructure	

Date 22 September 2017

Service
Reference

17/00407/PPP

Location of Development



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2017. All rights reserved. Ordnance Survey Licence number 100020780

