

# NOTICE OF MEETING

**A MEETING** of the **PLANNING & REGULATION PANEL** will be held in the **COUNCIL CHAMBERS, OLD VIEWFORTH, STIRLING** on **TUESDAY 7 NOVEMBER 2017** at **10.00 a.m.**

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

1 November 2017

## A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**
2. **DECLARATIONS OF INTEREST**
3. **URGENT BUSINESS BROUGHT FORWARD BY THE CHAIR**
4. **MINUTES – PLANNING & REGULATION PANEL**
  - (a) [29 August 2017 \(Special Meeting\)](#) (Pages 1 - 6)
  - (b) [22 September 2017 \(Special Meeting\)](#) (Pages 7 - 12)
  - (c) [26 September 2017](#) (Pages 13 - 20)
  - (d) [3 October 2017 \(Special Meeting\)](#) (Pages 21 - 26)

## PLANNING

5. **PROPOSED RESIDENTIAL DEVELOPMENT AND CEMETERY WITH ASSOCIATED ENGINEERING WORKS AND LANDSCAPING AT LAND 160 METRES SOUTH OF BROADGATE HOUSE, CAMPSIE ROAD, STRATHBLANE - GLADMAN DEVELOPMENTS LTD – 17/00434/PPP**  
Report by Senior Manager, Infrastructure, Localities & Infrastructure (Pages 27 - 50)
6. **PROPOSED VARIATION TO CONDITION 7 TO PERMISSION 17/00002/FUL, OVERBRIDGE TO NORTHWEST OF KERSE ROAD ROUNDABOUT, KERSE ROAD, STIRLING – NETWORK RAIL – 17/00744/FUL**  
Report by Senior Manager, Infrastructure, Localities & Infrastructure (Pages 51 - 58)

## **REGULATION**

### **7. TAXI FARE REVIEW**

Report by Chief Officer – Governance (Localities & Infrastructure) (Pages 59 - 92)

(For further information contact Mary Love, Committee Officer on 01786 233078 or  
David McDougall, Governance Officer on 01786 233068)

**STIRLING COUNCIL**

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

**PLANNING & REGULATION PANEL**

**LOCALITIES &  
INFRASTRUCTURE**

**7 NOVEMBER 2017**

**NOT EXEMPT**

**PROPOSED RESIDENTIAL DEVELOPMENT AND CEMETERY WITH ASSOCIATED  
ENGINEERING WORKS AND LANDSCAPING AT LAND 160 METRES SOUTH OF  
BROADGATE HOUSE, CAMPSIE ROAD, STRATHBLANE - GLADMAN DEVELOPMENTS  
LTD - 17/00434/PPP**

**1 SUMMARY**

- 1.1 The application has been referred to the Planning & Regulation Panel by the Council's Planning and Building Standards Manager since the application proposes a 'Major' development as defined in The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.

**2 OFFICER RECOMMENDATION(S)**

The Panel agrees to refuse the planning 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 green field site, and will not respect the Green Belt within which it is situated.
- 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 complement its surroundings and the application has failed to demonstrate that the development will successfully integrate the Scheduled Monument (Broadgate Mound).
- 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 Stirling Council Local Plan 2014, and Stirling Local Development Plan: Proposed Plan 2016 since it is not consistent with the LDP Vision and Spatial Strategy and it will not provide significant economic and social support to the rural area.

- 2.5 The proposal is contrary to Policy 2.1 of the Stirling Local Development Plan: 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.
- 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 Primary Policy 7 (Historic Environment) and Policy 7.1 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, namely the Scheduled Monument (Broadgate Mound). It is considered that the proposal will have a negative impact on the historic environment.
- 2.8 The proposal is contrary to Primary Policy 9 (Managing Landscape Change) of the Stirling Council Local Plan 2014 and the Stirling Local Development Plan: Proposed Plan 2016, since it has not been demonstrated that the local landscape has capacity to accommodate the scale of development envisaged, and it would result in adverse cumulative impacts on landscape character and visual amenity when viewed in association with the adjacent, Braidgate development.
- 2.9 The proposal is contrary to the guiding principles of sustainable development of Scottish Planning Policy since it is considered that the proposal will result in over-development of the settlement edge; and it will not protect or enhance the historic environment which are listed as guiding sustainable development principles (paragraph 29).

### **3 CONSIDERATIONS**

#### **The Site**

- 3.1 The proposed site extends to approximately 11 hectares in area, is roughly rectangular in shape and currently comprises open well managed pasture land. It has a frontage of 420 metres onto the A891 Campsie Road, which also marks the northern boundary. The depth varies from 180 metres to 250 metres and falls gently north east to south west to a boundary defined by a stock proof fence and hedging beyond which is a dismantled railway line, now the Strathkelvin Railway Walkway and part of the John Muir Way. The western boundary is defined, in part, by the fence lines and tree planting of the recently completed Braidgate residential development then runs alongside a small conifer plantation. A stock proof fence and the remains of a dry stane wall define the eastern boundary. The Blane Water, with occasional bankside trees, runs through the site close to the southern boundary. The site is divided into two fields by an access track and associated fencing and hedging, leading to a bridge over the Walkway. A stand of trees nearby also mark the position of a Neolithic burial mound, Scheduled Monument (Broadgate Mound).

- 3.2 The site is immediately east of the aforementioned residential development, whilst to the north west, across the A891, is the Dunglass View residential estate. To the north lies Broadgate House and Broadgate Farm (a converted steading), both with substantial curtilages, and lying within the designated Green Belt. Fields of pasture lie to the east, north and south. The Strathblane Hills, part of the Southern Hills Local Landscape Area, are prominent features to the north, whilst to the south lies the rising land of the Muirhouse Muir.
- 3.3 The conjoined villages of Strathblane and Blanefield lie in valley of the Blane Water around 4 miles from the Glasgow conurbation and about 26 miles from Stirling and straddle the A81 Glasgow - Aberfoyle Road. The settlement has a population of approximately 2000.

### **The Proposal**

- 3.4 The proposal seeks planning permission in principle for residential development and associated works, and new cemetery. The information submitted in support of the application (Development Concept Plan) indicates a target development of 70 units, including associated infrastructure, open space provision, landscaping, SUDS, and cemetery extension. The illustrative Masterplan shows a single access to the west of the site onto Campsie Road.
- 3.5 The application is a 'Major' development and as such was subject to the Pre-Application Notification (PAN) procedure. A PAN notice was submitted to the Council on 5 October 2016. A public event was held in the Village Club in Strathblane on 31 October 2016 in line with legislative requirements and a report on comments received as part of the Pre-Application Consultation process is included in a Pre-Application Consultation Report submitted with the application.

### **Previous History**

- 3.6 There are no applications within recent years of relevance to this proposal.
- 3.7 The allocation, in the Local Development Plan, of 2.0 hectares land, immediately east of Braidgate for the purposes of a cemetery, was the outcome of discussions with the Council's Land Services Division. The Service had undertaken a search of the local area to identify a new cemetery location, the main requirement being proximity to the church and suitable ground condition. The cemetery would also prevent any further development to the east. Additionally there is community support for the cemetery to be developed at this location.
- 3.8 The applicants/landowner have sought to promote the site for mixed residential development and cemetery provision through the Development Plan, including:-
- 3.8.1 a representation to the Proposed Plan preceding the Local Development Plan (December 2012);
  - 3.8.2 submissions to the 'call for sites' stage (December 2014) and Main Issues Report (October 2015) for the Proposed Stirling Local Development Plan; and

- 3.8.3 a representation to the Proposed Stirling Local Development Plan (October 2016).
- 3.9 The December 2012 representation requested the Plan be modified by relocating the cemetery extension to the H106 housing allocation and therefore closer to Strathblane Parish Church, then re-positioning the housing allocation to the east. It also asserted the delivery of the required cemetery and landscape elements required to provide a robust Green Belt boundary and site specific design solution could only be achieved through delivery of 50 housing units rather than 30 units.
- 3.10 The Council declined to modify the Plan. The unresolved representation was subsequently considered at examination, the report of which was published in March 2014. The Reporter noted 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 met this requirement. The Reporter also agreed the disposition of Site H106 and the cemetery extension would permit the formation of a strong Green Belt boundary and that further residential development would have unacceptable impacts.

### **Development Plan Policy**

- 3.11 The adopted Local Development Plan is the Stirling Council Local Development Plan 2014. Policies of relevance to this application are as follows.
- 3.12 The Overarching Policy supports good quality development, in the right place, that meets the community's needs, in order to contribute positively to the creation of vibrant, mixed and healthy communities. All developments will require to demonstrate the following:
- 3.12.1 Compatibility with the Spatial Strategy and conformity with the relevant Sustainable Development Criteria.
- 3.12.2 A design-led approach, including high standards of design, reinforcement of sense of place, integration with neighbouring areas and the wider community.
- 3.12.3 Appropriate measures for mitigation of and adaption of climate change.
- 3.12.4 Appropriate measures for safeguarding, conservation and enhancement of the historic and natural environment.
- 3.13 Primary Policy 1: Placemaking objectives, development of all scales must: -
- 3.13.1 be designed and sited, not only with reference to their own specifications and requirements, but also in relation to the character and amenity of the place, urban or rural, where they are located;
- 3.13.2 be of quality, having regard to any relevant design guidance, landscape character guidance, Conservation Area Character Assessments and Settlement Statements;

- 3.13.3 be located so as to reduce the need to encroach onto greenfield sites and to maximise sustainability benefits. Developments should utilise vacant and under-used land and buildings within settlements at higher densities where appropriate; and
- 3.13.4 safeguard and enhance built and natural heritage, contribute to the implementation of the Council's Open Space Strategy and Green Network objectives, and respect the Green Belts.
- 3.14 Policy 1.1 states all new development is required to contribute, in a positive manner, to quality of the surrounding built and natural environment and sets out seven criterion that must be met relating to site planning and design. This policy is supported by supplementary guidance.
- 3.15 Policy 1.5 applies to development within the Green Belt. It states development in the Green Belt will only be supported where it supports diversification of the rural economy and is for the purposes of agriculture, forestry or horticulture; recreational uses compatible with an agricultural or countryside setting; essential infrastructure; or the re-use of certain buildings. Policy 1.5 is supported by Supplementary Guidance, SG03: Green Belts.
- 3.16 Primary Policy 2: Supporting the Vision and Spatial Strategy, states that, in support of the Local Development Plan's Vision and Spatial Strategy, sufficient land is allocated to provide a range and choice of sites but, should existing sites and allocations prove ineffective, this will be addressed in the first instance through consideration of advancing identified alternatives from Phase 2 (2019-24) or Period 2 (2024-34). Outwith allocated sites, Primary Policy 2, part (b) states the Core Area will be the preferred location for new build development.
- 3.17 Policy 2.1: Housing Land Requirement, states that new housing will be supported in principle where land is allocated for housing purposes in the Plan.
- 3.18 Policy 2.2: Planning for Mixed Communities and Affordable Housing, requires new residential development consisting of 20 units or more to provide a range of housing of different types and sizes and, where required, tenures and affordability to meet the needs of smaller households, older people and lower income households consistent with local housing need. In Strathblane (Rural Villages area), 33% of the units should be affordable.
- 3.19 Policy 2.10: Housing in the Countryside, establishes the circumstances where new housing in the countryside will be supported. The policy is supported by Supplementary Guidance, SG10: Housing in the Countryside.
- 3.20 Primary Policy 3: Provision of Infrastructure, highlights that if no further infrastructure is provided, there will be significant infrastructure deficiencies as a result of the scale and location of development within the Local Development Plan. Where a development (or combination of developments) creates a need for new, extended or improved public infrastructure, facilities or services – including schools – developer contributions will be sought in accordance with Policy 3.3, taking account of existing capacity and cumulative development pressure.

- 3.21 Policy 3.1: Addressing the Travel Demands of New Development, relates to the travel demands of new development and states new development should be located where safely and conveniently accessible by walking, cycling and public transport, as well as by motor vehicles.
- 3.22 Policy 3.2: Site Drainage, establishes the requirements for foul drainage and surface water drainage.
- 3.23 Policy 3.3: Developer Contributions, states that contributions will be sought where a development creates a need for new, extended or improved public infrastructure, facilities or services. Developers will be required to make a fair and reasonable contribution (financial or 'in kind'), relative to: transport infrastructure, primary and secondary provision, regeneration, open space and green corridors, health service infrastructure, household waste facilities.
- 3.24 Primary Policy 5: Flood Risk Management, states that development proposals on areas shown to be at risk of flooding on Scottish Environment Protection Agency (SEPA) Flood Maps (fluvial, coastal and surface water), should be avoided.
- 3.25 Primary Policy 7: Historic Environment, states that the historic environment and the settings of its component features will be safeguarded, preserved and enhanced.
- 3.26 Policy 7.1: Archaeology & Historic Building Recording, states that there will be presumption against development that impacts physically upon a Scheduled Monument or significantly detracts from the setting of such monuments.
- 3.27 Primary Policy 9: Managing Landscape Change, states that development proposals should, outwith designated landscape areas, demonstrate that the capacity of the local landscape to accommodate new development of the type and scale envisaged has been taken into account; avoid cumulative impacts on landscape character and visual amenity, and include appropriate provision for landscape and planting works to maintain or enhance landscape quality.
- 3.28 Policy 9.2 states that development should incorporate new landscape and planting works appropriate to the local context and to the scale and nature of the development.
- 3.29 The site is safeguarded for a cemetery extension (2ha, Period 2). The key site requirements include, parking; extension of footways, and protection of the setting of the Scheduled Monument (Broadgate).

#### Other Material Policy Considerations

- 3.30 Local Development Plan Review: Stirling Council has commenced an early review of the adopted Local Development Plan focused on the housing land requirement for the Stirling Core Area. This is in response to an acknowledged shortfall in the housing land requirement arising from the Reporter's recommendation and the fact that Scottish Planning Policy states the housing supply target should be increased by a margin of 10 - 20% to the established housing land requirement to ensure a generous supply of land for housing is provided.



- 3.31 Stirling Local Development Plan: Proposed Plan, June 2016 - The Proposed Plan represents the settled view of the Council on the sites which should – and should not – be developed during the Local Development Plan period of 2015-2027 to provide a generous supply of land for housing.
- 3.32 The relevant policies of the Plan remain substantively unchanged, with the exception of Primary Policy 2 and Policy 2.1. Primary Policy 2 no longer states that should allocated sites prove ineffective, this will be addressed in the first instance through consideration of advancing identified alternatives from Phase 2 (2019-24) or Period 2 (2024-34). Instead, circumstances where a shortfall in the housing land supply are addressed by Policy 2.1 of the Proposed Plan.
- 3.33 National Policy: Scottish Planning Policy, 2014 (SPP), sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. As a statement of Ministers' priorities it carries significant weight in the determination of planning applications. Relevant to this application, is the presumption in favour of development that contributes to sustainable development. The guiding principles of sustainable development are set out in paragraph 29 of SPP, and are listed as follows:
- e) Giving due weight to net economic benefit;
  - f) Responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
  - g) Supporting good design and the six qualities of successful places;
  - h) Making efficient use of existing capacities of land, buildings and infrastructure;
  - i) Supporting town centre and regeneration priorities;
  - j) Supporting delivery of accessible housing, business, retailing and leisure development;
  - k) Supporting delivery of infrastructure, for example transport, education, energy, digital and water;
  - l) Supporting climate change mitigation and adaptation including taking account of flood risk;
  - m) Improving health and well-being by offering opportunities for social interaction and physical;
  - n) Activity, including sport and recreation;
  - o) Having regard to the principles for sustainable land use set out in the Land Use Strategy;
  - p) Protecting, enhancing and promoting access to cultural heritage, including the historic environment;

- q) Protecting, enhancing and promoting access to natural heritage, including green
- r) Infrastructure, landscape and the wider environment;
- s) Reducing waste, facilitating its management and promoting resource recovery;
- t) Avoiding over-development, protecting the amenity of new and existing development; and
- u) Considering the implications of development for water, air and soil quality.

### **Assessment**

- 3.34 The application is for Planning Permission in Principle to establish the principle of residential development and proposed cemetery extension on this site. The assessment focuses mainly on the proposed housing development, however, the assessment of the cemetery proposal is addressed below, in paragraphs 3.78-3.82.
- 3.35 The housing development is supported by a conceptual Masterplan illustrating how the application site could accommodate up to 70 new homes. The precise type and mix of housing will be determined at a later Matters Specified in Condition stage, should this application be approved. The total site area extends to 11 hectares.
- 3.36 Section 37 of the Town and Country Planning (Scotland) Act, 1997 requires that planning applications must be assessed against the development plan taking into account material considerations. In this case the adopted development plan is the Stirling Council Local Development Plan, 2014 (LDP). Due to the status of the 2014 Plan, the Stirling Local Development Plan: Proposed Plan 2016 (Proposed Plan) and Scottish Planning Policy (SPP) are also material considerations; the assessment relating to the Proposed Plan and SPP is considered further below under the 'Other Material Considerations' section.
- 3.37 Stirling Council adopted its Stirling Local Development Plan in September 2014. The proposed application site is located on the edge of, but outwith, the settlement boundary, and therefore lies within the countryside designation (Policy 2.10: Housing in the Countryside). The site is designated as Green Belt (Policy 1.5: Green Belts) and part of the site is shown to be at risk of flooding in that it falls within SEPA's 1 in 200 year flood extent (Primary Policy 5: Flood Risk Management). The site also completely surrounds the Scheduled Monument: Broadgate Burial Mound (Historic Environment Scotland reference SM 4765) (Primary Policy 7: Historic Environment and Policy 7.1: Archaeology and Historic Building Recording).
- 3.38 The adopted LDP position in respect of the principle of development at this site for housing is clear: the proposal is contrary to the Development Plan as the site is within the Green Belt and does not accord with Policy 1.5 (Green Belts) or Policy 2.10 (Housing in the Countryside).

- 3.39 The applicant acknowledges that the development proposal does not conform to the Spatial Strategy of both the adopted and proposed Local Development Plans (paragraph 5.3.1, Planning Statement). The proposal is being brought forward for consideration through the planning application process as a 'windfall' development. Windfall sites are defined in the Local Development Plan as "non-allocated sites that come forward for development and contribute to the land supply". The applicant contends that the development proposal should be considered favourably on the grounds that the Council does not have an effective 5-year housing land supply, and the development contributes to sustainable development and the site can be developed without harm to the Green Belt.

### Background

- 3.40 **Local Development Plan Review:** Stirling Council commenced an early review of the adopted Local Development Plan in 2014, focusing on the housing land requirement for the Stirling Core Area. This is in response to an acknowledged shortfall in the housing land requirement arising from the Scottish Government Reporters' recommendation, and the fact that Scottish Planning Policy states that the housing supply target should be increased by a margin of 10 - 20% to establish the housing land requirement to ensure a generous supply of land for housing is provided.
- 3.41 **Main Issues Report:** A 'call for sites' exercise was undertaken in late 2014 as the first step in preparing the new Local Development Plan, and the applicant submitted the site that is subject to this application for consideration under this process. Following a detailed site assessment, the application site was not deemed consistent with the Plan's Vision and Spatial Strategy and it was therefore not identified as an additional housing allocation option in the Council's Main Issues Report (MIR).
- 3.42 **Proposed Plan:** Stirling Council approved the Stirling Local Development Plan: Proposed Plan on 30 June 2016. The Proposed Plan represents the settled view of the Council on the sites which should – and should not – be developed during the Local Development Plan period of 2017-2027 to provide a generous supply of land for housing. In line with the Main Issues Report, the Proposed Plan does not allocate the application site as a housing site. Consequently, the site is retained as a cemetery allocation and Green Belt.
- 3.43 **Five-year effective Housing Land Supply:** Paragraph 110 of SPP requires at least a 5-year supply of effective housing land to be maintained at all times, and paragraph 125 states that where a shortfall emerges, Development Plan policies for the supply of housing land will not be considered up-to-date and paragraphs 32-35 of SPP will be relevant.
- 3.44 The latest agreed land supply position for the Stirling area is set out in the 2016 Housing Land Audit. The Audit indicates that there exists either a 3.9 or a 4.9 year supply of housing, depending on the method of calculating the land supply target. Regardless, of method, it is acknowledged that the Local Development Plan area does not have a five-year effective land supply based on the 2016 Housing Land Audit and, in accordance with Scottish Planning Policy, the Development Plan policies for the supply of housing land are not up-to-date. It should be noted that a draft Housing Land Audit 2017 has been prepared in conjunction with Homes for Scotland. Once this is published in

late 2017, the Local Development Plan area will have a 5.3 year effective land supply. However, for the time being, the 2016 Audit applies.

- 3.45 Scottish Planning Policy (paragraph 33) states that where relevant policies in a Development Plan are out-of-date, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the wider policies in SPP must also be taken into account. Thus, a presumption in favour of development is a significant material consideration in the determination of this application, however, it is also incumbent upon the Council to take into account any adverse impacts that would outweigh the benefits of development. This matter is addressed further under Other Material Considerations, below (paragraph 3.76).
- 3.46 Scottish Planning Policy (paragraph 32) states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. The primacy of the Development Plan is addressed as follows:

#### Local Development Plan

- 3.47 **The Vision and Spatial Strategy:** The development is submitted as an extension to the conjoined settlement of Strathblane and Blanefield, which is identified in the Spatial Strategy as a Tier 4 settlement within the Rural Villages Area. The Plan's Vision supports small to medium sized infill peripheral housing developments within and adjoining settlements located within the Rural Villages Area. The Spatial Strategy provides support for 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 and local business space.
- 3.48 **Housing Land Supply and the Spatial Strategy:** Policy 2.1 of the Local Development Plan states that at all times, a 5-year supply of housing land that is effective will be maintained. It is acknowledged that (at the date of compiling this report) there is a shortfall in the 5-year effective land supply. As mentioned in paragraph 3.44, this position is expected to change in late 2017. In the meantime, working with the 2016 Audit means that the policies for the supply of housing are considered out of date. Primary Policy 2 states that where allocated sites prove ineffective, this will be addressed in the first instance through consideration of advancing alternatives identified within Phase 2 (2019-24) or Period 2 (2024-34) of the Plan, and failing that, sites in the Core Area located close to, and easily accessible by, major public transport routes will be the preferred locations for new development as opposed to sites within the Rural Villages Area and areas of countryside. Thus, the development site, as far as its location within the Rural Villages Area is concerned, is not strategically preferable. Moreover, it has not been demonstrated, through the undertaking of something akin to a sequential exercise, that the proposed development in this particular location represents the most appropriate solution to the housing land supply shortfall.
- 3.49 The difficulty, according to the Local Development Plan is that within the Rural Villages Area development is constrained by accessibility and landscape considerations. The landscape considerations are addressed in paragraph 3.55-3.63 below. Turning to accessibility constraints, public

transport is restricted to a local bus service with regular, albeit limited services to and from Glasgow, Balfron and Milngavie. The nearest bus stop to the site, being the south bound bus stop, is located close to the Kirkhouse Inn on Glasgow Road, some 375 metres away at its shortest point; the north bound bus stop is 430 metres away. This places the majority of the development site beyond the recommended maximum distance of 400 metres from housing to bus services in Annex B of Planning Advice Note (PAN) 75 (Planning for Transport, 2005). Paragraph 287 of SPP also advises against permitting significant travel-generating uses that would increase the reliance on the car and where access to local facilities via public transport would involve walking more than 400 metres.

- 3.50 To that end, whilst it is considered that the settlement is well served by a variety of café/restaurants and local services, including Post Office, it has a limited convenience retail offering compared to neighbouring settlements of Milngavie and, to a lesser extent, Killearn and Balfron, which are accessible via the local bus service. Therefore, it is reasonable to expect the development to generate a travel demand for access to services within neighbouring settlements. The difficulty here is that this demand is unlikely to be met by the public bus service as the majority of the site is more than 400 metres away from the nearest bus stop, and so emphasising the reliance on the private car. This issue would be addressed with an expansion of the bus service in order to accommodate Campsie Road residents, however, this is inconceivable when considering the logistical problems that are likely to arise due to nature of the road relative to the bus routes.
- 3.51 The less than satisfactory public transport accessibility serves to add weight to the difficulties with facilitating large scale expansion of settlements in the Rural Villages Area, in comparison to the Core Area where there is greater choice and accessibility to major public transport routes. Scottish Planning Policy, para 76, highlights the importance of protecting against unsustainable growth in car-based commuting and the suburbanisation of the countryside in pressurised areas easily accessible from Scotland's cities and main towns, where ongoing development pressures are likely to continue. This advice is relevant here given the proximity of the site to Glasgow and Stirling; the Spatial Strategy is also consistent with this advice. The overall conclusion is that the development proposal is in conflict with the aims of SPP in regard to promoting sustainable transport and active travel.
- 3.52 Turning to the last part of Primary Policy 2, it is stated that new employment development, and other developments that will provide significant economic and social support to the rural area, will be encouraged in appropriate circumstances. The application is accompanied by a Socio Economic Assessment, highlighting the economic value of direct and indirect/induced jobs during the construction phase; gross value added during the construction period; post-construction increases in Council tax revenue and retail spend, increase in numbers of economically active residents and consequential increases to public sector and retailing jobs.
- 3.53 The weight which the Council and Scottish Ministers attach to the achievement of sustainable economic development is acknowledged. It is accepted that there would be certain economic benefits to the local and regional economy. However, for the greater part, the type of economic benefit associated with the development of houses is likely to be temporary. Moreover, it has not been shown that the benefits on offer are not equally

achievable from the construction of similar development that is in accordance with the Spatial Strategy. The economic benefits therefore carry limited weight and are insufficient to justify setting aside the provisions of the development plan. Overall the development proposal is in conflict with Primary Policy 2 of the Local Development Plan.

- 3.54 In such instances where development proposals are not specifically dealt with in the Spatial Strategy, the Local Development Plan refers proposals to the relevant Plan policies and Supplementary Guidance for assessment. This is addressed as follows:
- 3.55 **Green Belt and Landscape and Visual Impact:** Policy 1.5 and SG03 provide information on the objectives of Green Belt designation and outline their core role and function. Policy 1.5 says development should preserve the openness of Green Belts and should not undermine their core role and function by individual or cumulative impacts. The same policy does not place a prohibition on development in the Green Belt but only certain types of development that support the diversification of the rural economy are supported; housing development is severely restricted here. To that end, the proposed housing development would not serve to support the diversification of the rural economy, and does not fall within one of the purposes listed in Policy 1.5 as being acceptable in the Green Belt. The proposal is therefore contrary to Policy 1.5.
- 3.56 Furthermore, the development proposal would conflict with the core role and function of the designated Green Belt which seeks to direct planning growth to the most appropriate locations and support regeneration; protect and enhance the quality, character, landscape setting and identity of town and cities; and protect and give access to open space within and around towns and cities. According to SG03 the principal purpose of the Green Belt at Strathblane is its role in relation to the Glasgow and Clyde Valley Green Belt, where it prevents development in the countryside between Strathblane and Milngavie to the south eroding these settlements' separate identities. A secondary function of the Green Belt is to protect the more immediate setting of Strathblane itself.
- 3.57 Primary Policy 1 requires new development to safeguard and enhance built and natural heritage, and respect the Green Belts. Primary Policy 9 requires the capacity of the landscape to accommodate new development proposals to be demonstrated. The Council's landscape character assessment (SG28) identifies the site as falling within the Strathblane Rolling Valley Farmland local landscape character area. Among the particular sensitivities listed in the guidance are the cumulative effects of small developments in eroding distinctive landscape character and quality.
- 3.58 The submitted Landscape and Visual Impact Assessment (LVA Design, May 2017), includes zone of theoretical visibility maps and viewpoints 1-6 which demonstrate that the development will be particularly visible from the north, east and west. In views from the east (Dunglass and Ballagan Nature Reserve) and the south (Strathkelvin Railway Path), the development would be viewed in association with the adjacent Braidgate development, comprising 28 houses, and it would result in a further 200 metre run of built up frontage development, along with associated boundary treatments, street lights, and roads and footways, seriously undermining the recognised function of the Green Belt to protect the setting and identity of the village from the

east. It is also considered that the potential visual impacts are likely to be much greater at times when trees are without their leaves.

- 3.59 The cumulative impacts arising from the proposed and existing development could potentially amount to approximately 100 dwellings sited within a densely grouped development pattern as indicated in the illustrative Masterplan. It is apparent that the density of development will go against the established transitional development pattern at the eastern settlement edge which becomes more sporadic and irregular beyond the junction of Dunglass View and Campsie Road when heading east. Furthermore, the development proposal represents a significant urban expansion into the open countryside which would be widely prominent, and it would have the effect of visual sprawl. Thus, it is reasonably considered that the development would threaten the openness of the Green Belt and the setting of Strathblane; allowing development of this scale would be a significant step beyond the point at which the balance, between accommodating further development and protecting the landscape setting, would be tipped.
- 3.60 The Planning Statement refers to the recently completed Braidgate development, and contends the planting has not sufficiently mitigated the visual impacts of this development (and the proposed site for the new cemetery), and does not represent a robust settlement edge.
- 3.61 In response to this, it is reasonably considered that so recent is its completion (early 2017) that planting around the edge is just starting to establish. Over time this will mature and, as a consequence, a greater degree of mitigation of any visual impacts and views of the housing and boundary treatments will occur. Furthermore, the inherent openness of a cemetery combined with sympathetic tree/shrub planting and boundary treatments, along with the sporadic configuration of housing on the opposite, north side, of Campsie Road will result in an attractive landscaped 'gateway' when approaching the village from the east and, heading in the opposite direction, a transitional feature between the built up limits of the village to the south of Campsie Road, as defined by the new housing on the H106 site, and the pasture land beyond.
- 3.62 The applicant refers to the design of the development, specifically how it will ensure no harm to the character or setting of the settlement and will be in keeping with the character of Strathblane and the local area. In this respect, whilst a Design and Access Statement has been submitted, which includes an indicative 'Masterplan', this is relatively schematic. Whilst it is acknowledged this is an application in principle, there is, nevertheless, not the robust level of information as regards issues such as topography, site levels, detailed design of buildings, open space, planting, boundary treatments, etc. which would allow such claims to be fully assessed, validated and supported.
- 3.63 Consequently, it is contended the submission has not adequately demonstrated the proposals will be capable of successful assimilation into the landscape, and accordingly it is considered that the proposals do not accord with the requirement provisions contained within Primary Policy 1: Placemaking, Policy 1.1: Site Planning and Primary Policy 9: Managing Landscape Change.

- 3.64 **Impacts on Historic Environment:** The application site includes a Scheduled Monument: Broadgate Mound (reference SM 4765) a 4-6000 year old burial monument. The monument is 50 metres long, 25 metres broad and 3 metres high, aligned northeast-southwest. The monument is regarded as a rare example of a long mound in western Scotland. The immediate environs around the mound contain standing stones and other potential mounds; indicating both the wider potential of the landscape for previously unrecorded archaeological remains and the connection of the Broadgate Mound to the wider setting.
- 3.65 Historic Environment Scotland (HES) object to the proposal on the grounds that the development would cause a significant adverse impact on the setting of the scheduled monument. It is considered that the housing development could potentially block views to the monument from the west. It is also considered that the proposed housing would represent a significant visual intrusion in the area surrounding the mound, and would dominate the mound. There is also a concern that the proposal would change the landscape character from rural to urban which would detract from the setting, in terms of how the monument is read and understood in its context. HES have indicated that a more limited extent of housing would have a less significant impact on the setting of the monument. This objection is unresolved and as such, the application is considered contrary to Primary Policy 7 and Policy 7.1.
- 3.66 **Flood Risk:** Part of the site is shown to be at risk of flooding in that it falls within the Scottish Environment Protection Agency (SEPA)'s 1 in 200 years flood zone. SEPA have no objection on the basis that the revised Masterplan places built development outwith the functional floodplain. However, objections have been raised on the grounds of lack of information on groundwater, waste and surface water although these concerns are not deemed to be a barrier to development. The proposed cemetery site is also located partially within the floodplain where it is identified to be at risk of surface water flooding, however, SEPA have no objection to this proposal as long as it does not have a detrimental impact on floodplain conveyance.
- 3.67 **Transport Impact:** The Council's Roads Authority has advised that operational analysis shows no junction capacity issues on the local road network resulting from traffic generated from the housing development. It is therefore considered that there will be no adverse impact on the safety and efficiency of the local transport network as a result of this development.
- 3.68 **Education Capacity:** The Education Authority consultation response confirms that the development sites falls within the catchment areas of Strathblane Primary School and Balfron High School, situated outwith the Education Core Area. By applying a pupil product average ratio of 0.344 primary school pupils per housing unit (70 total), it is calculated that the development proposal would yield 24 pupils. School roll projections indicate that the pupil product can be accommodated within Strathblane Primary School from 2022/23 onwards, and Balfron High School roll projections have identified no current capacity issues. Thus, there is space within the catchment schools to accommodate the development, provided that it is carefully phased, and as such, there is no requirement for developer contributions in this particular case.



- 3.69 **Affordable Housing:** The Planning Statement sets out a willingness to work with the Council to deliver affordable housing for local people on the site. The Council's Housing Service response confirms that the site is appropriate for the provision of affordable housing and, subject to Scottish Government funding, there is a requirement for 33% on-site provision (approximately 23 units) in accordance with Policy 2.2 of the LDP. There is nothing within the application submissions to suggest that this requirement could not be met.

#### Other Material Considerations

- 3.70 As stated in the preceding paragraphs, the Stirling Local Development Plan: Proposed Plan, June 2016, and Scottish Planning Policy are important material considerations in the assessment of this application. Of particular relevance are the provisions which address the requirement to maintain an effective 5-year Housing Land Supply.
- 3.71 **Proposed Plan – Housing Land Supply and the Spatial Strategy:** In circumstances where there is a shortfall in the housing land supply, the Council's most up-to-date, and preferred, approach is that this will be addressed by Policy 2.1 of the Proposed Plan (2016). This policy states where a shortfall in the five-year effective housing land supply is identified, proposals to extend the supply of land under Scottish Planning Policy's 'presumption in favour of development which contributes to sustainable development' on sites not identified for housing development will require to:
- (a) be consistent with the LDP Vision and Spatial Strategy;
  - (b) meet with the provisions of the Local Development Plan Overarching Policy, its accompanying Sustainable Development Criteria and all other relevant Local Development Plan policies;
  - (c) be proven, through detailed supporting information, to be effective and capable of delivery within the 5-year period under consideration;
  - (d) be over 30 units in size in order to make a reasonable contribution to the overall identified shortfall; and
  - (e) demonstrate that development of the proposed site will not compromise delivery of necessary infrastructure supported by the Local Development Plan strategy or jeopardise the delivery of an allocated site.
- 3.72 It is accepted that the development proposal is in compliance with criterion (c) and (d), and that there would be no conflict with criterion (e). However, the development is considered to be in conflict with the first two criteria, (a) and (b), and is assessed as follows:
- 3.73 (a) *be consistent with the LDP Vision and Spatial strategy:* The Proposed Plan Vision includes "A place that respects its special landscapes" and "A place where rural communities are thriving...with new homes...which respect built, natural, and landscape features". It is considered that the proposal will not respect the strategic aims and objectives of the Green Belt designation (as addressed in paragraphs 3.55-3.63) nor will it protect the setting of the Scheduled Monument, Broadgate Mound, as is evidenced by the objection from Historic Environment Scotland (as addressed in paragraphs 3.64-3.65).

- 3.74 The Spatial Strategy of the Proposed Plan sets two different development approaches within the Rural Villages Area, which include ‘Sustainable Expansion’ and ‘Rural Development’. In this particular case, both approaches could reasonably be applied, however, ‘Sustainable Expansion’ is considered to be the most relevant given that the proposal is submitted as expansion to the settlement of Strathblane & Blanefield. The Spatial Strategy of the Proposed Plan is largely consistent with the adopted Local Development Plan in that the development approach for the Rural Villages Area provides for “Sustainable Expansion” involving small scale development. In accordance with this approach, the Proposed Plan sets out the development sites that contribute to sustainable expansion (H106 & H153), from which this site is excluded. It is considered that since this site is not an allocation within the Rural Villages Area, this development would be inconsistent the Spatial Strategy.
- 3.75 (b) *meet with the provisions of the Local Development Plan Overarching Policy, its accompanying Sustainable Development Criteria and all other relevant Local Development Plan policies:* The Overarching Policy of the Proposed Plan seeks to support good quality development, in the right place. The Overarching Policy provides a list of criteria that all development will be required to demonstrate. This list includes compatibility with the Spatial Strategy and conformity with the relevant Sustainable Development Criteria and appropriate measures for the safeguarding, conservation and enhancement of the historic and natural environment. As outlined in the preceding paragraphs, it is considered that this proposal is not supported by the Spatial Strategy. Furthermore, due to the impact that this proposal will have on the Green Belt designation and Scheduled Monument, it is considered that it will not safeguard, conserve or enhance the historic and natural environment, and is therefore, contrary to sustainable development criteria and Plan policies. Overall, the development proposal is not supported by the Local Development Plan Overarching Policy, its accompanying Sustainable Development Criteria and all other relevant Local Development Plan policies.
- 3.76 ***Scottish Planning Policy and Housing Land Supply:*** Paragraph 110 of SPP requires at least a 5-year supply of effective housing land to be maintained at all times. Paragraphs 32-35 of SPP set out the development management approach to the principal policy on sustainability. Where relevant policies are out-of-date, as considered to the case here, it is stated that a presumption in favour of development that contributes to sustainable development will be a material consideration. However, SPP is clear that the aim is to support the right development in the right place, and not to allow development at any cost.
- 3.77 The guiding principles of sustainable development are listed above under the ‘Development Plan Policy’ of the report (paragraph 3.33). As assessed in the preceding paragraphs, it is considered that the proposal would not contribute to a number of the dimensions of sustainable development, including delivery of accessible housing; protecting, enhancing and promoting access to the historic environment; avoiding over-development; supporting climate change mitigation, and providing economic benefit. It is therefore concluded that the negative aspects of the development, in particular its harm to the Green Belt designation, the landscape setting of Strathblane and Blanefield, and the adverse impacts on the historic environment, suggest that the proposal would

not contribute overall to sustainable development, which tips the balance in favour of opposing the application in accordance with the Development Plan.

Cemetery Proposal:

- 3.78 The adopted Local Development Plan and Proposed Plan includes the allocation of land for a new cemetery extension forming part of Strathblane Parish Church. The site allocation is in response to an identified need for additional cemetery capacity in Strathblane and Blanefield, and represents the most suitable location given the proximity of the Church and favourable ground conditions.
- 3.79 In order to facilitate the proposed housing development, the application proposes a new site for the cemetery on the land adjacent to and east of its planned location within the Development Plan. The applicant proposes to gift to the Council the land identified for the new cemetery in the application, and suggests that this will put the Council in a more favourable position to deliver the development due to the cost savings associated with acquiring control of the land “with little or no cost”. It is important to note, that it is not for this authority to consider any benefits to the public purse, and as such, this offer is afforded no weight in the assessment of this proposal as it is not regarded as a valid material consideration.
- 3.80 Turning to the relevant provisions of the Development Plan, namely Policy 1.5, it is accepted that the new cemetery proposal is in accordance with the requirement to preserve the openness of the Green Belt, and it would not threaten its core role and function, which includes the protection and enhancement of the landscape setting, and the protection of open space within and around settlements. The proposal represents an appropriate green belt use which would benefit from an attractive environment and landscape setting. It is therefore, considered that the proposed cemetery is likely to produce some benefit.
- 3.81 However, moving the new cemetery further from the existing settlement boundary and, in particular, Strathblane Parish Church raises accessibility concerns that do not currently exist on the allocated site. The proposed cemetery site introduces a minimum 200 metres increase in the walking distance to the church building when compared with the shortest distance between the allocated cemetery site and the church. This is significant as the development proposal places the new cemetery some 450 metres away from the church, and beyond the well-established and widely used maximum 400 metres distance that is reasonable to expect people to walk to access facilities, as suggested in SPP (paragraph 287). Whilst it is accepted that the proposal, in the main, is not a significant travel-generating use, the distances identified are likely to place a constraint on accessibility, particularly those who are less mobile as raised within a number of objections to the proposal. The Council’s Cemeteries Service have also expressed concerns about the location of the proposed cemetery relative to the church and the suitability of the ground conditions associated with the surface water flood risk as identified on the SEPA surface water hazard map.
- 3.82 On balance, the negative aspects of the proposal are sufficient to outweigh the positive aspects, which leads to the conclusion that the proposed cemetery is significantly less favourable than the cemetery site allocated in the adopted Development Plan and the Proposed Plan.

### Conclusion

- 3.83 The site lies within an area designated as countryside and Green Belt, and part of the site includes a Scheduled Monument (Broadgate Mound). It is considered that the proposal will have a negative impact on all of these designations.
- 3.84 On balance, it is considered that the proposed development is contrary to the Local Development Plan and, acknowledging the weight that should be afforded the Proposed Plan and SPP given the shortfall in the housing land requirement, it is also contrary to the Proposed Plan and SPP. There are no other substantial material considerations that would offset these objections therefore the recommendation is to oppose this application.

### **Objections**

- 3.85 92 contributions have been received which includes 87 objections, 3 representations and 2 in support.

The comments of objection are summarised below:

- (a) The proposal is contrary to the Local Development Plan Vision and Spatial Strategy.
- (b) The proposal is contrary to the Local Development Plan Green Belt policy.
- (c) The proposal would have harm the setting of Strathblane.
- (d) Concerns raised about the impact of the development on highway safety.
- (e) Concerns raised that the proposal to move the cemetery further east would inconvenience people with mobility problems.
- (f) Concerns raised that the development of up to 70 houses would put pressure on local services.
- (g) Concerns raised that the development will place pressure on local infrastructure.
- (h) Concerns raised that the development would be out of keeping with the rural setting.
- (i) Concerns raised that the development would not contribute to the village or the Stirling area as it would provide for commuters to Glasgow.

#### 4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

<b>Policy Implications</b>	
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	No
Risk	No
<b>Resource Implications</b>	
Financial	No
People	No
Land and Property or IT Systems	No
<b>Consultations</b>	
Internal or External Consultations	Yes

##### Equality Impact Assessment

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

##### Strategic Environmental Assessment

4.2 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 Not applicable.

##### Single Outcome Agreement

4.4 The contents of this report are for noting only.

##### Other Policy Implications

4.5 Over and above planning policy, there are no other policy implications.

##### Risk

4.6 Not applicable.

### Resource Implications

4.7 Not applicable.

### Consultations

- 4.8 **Planning & Policy (Archaeology):** Recommend that a programme of management and interpretation of the mound be agreed in advance with Stirling Council and should include the following:
- (a) The design, construction and erection of an interpretation board, explaining the context and nature of the mound;
  - (b) An agreement to management and maintain the board;
  - (c) A programme of tree felling, reseeded and planting;
  - (d) A programme of grass cutting and vegetation management on the mound;
- 4.9 **Roads Development Control:** The Transport Development Team has no objection to this development proposal subject to conditions on any planning approval given relating to, travel planning, pedestrian connection, core path, bus improvement plan, roads design, vehicular access, parking requirements, swept path, and surface water management.
- 4.10 **Service Manager (Environmental Health):** Recommend inclusion of conditions addressing noise mitigation, construction phase noise, lighting, and contaminated land.
- 4.11 **Strathblane Community Council:** Object to the application on grounds of green belt protection, flooding, landscape and visual impacts, historic environment, social infrastructure, roads and public transport, biodiversity, and cemetery provision.
- 4.12 **Housing Strategy & Development:** Site's location is appropriate for the provision of affordable housing: 33% if Scottish Government funding available or approximately 12% if funding were not available (jointly funded by developer - 60% - and the Council or a local housing association – 40%).
- 4.13 **Children's Services:** No objection. There is capacity in Strathblane Primary School and Balfron High School to accommodate the public product from the proposed development.
- 4.14 **Scottish Water:** No objection. There is currently capacity in the Balmore Water Treatment Works to service the development.
- 4.15 **Historic Environment Scotland – initial response:** Object on grounds that the development would cause a significant adverse impact on the setting of the scheduled monument. Indicated that the removal of the proposed housing might allow withdrawal of their objection.
- 4.16 **Historic Environment Scotland – Follow-up response:** Maintain objection on grounds that the development would cause a significant adverse impact on the setting of the scheduled monument.

- 4.17 **Scottish Environment Protection Agency (East)** – Initial Response: Object on grounds that the proposed development may place buildings and persons at flood risk contrary to Scottish Planning Policy.
- 4.18 **Scottish Environment Protection Agency (East)** – Follow-up Response: Consultation response confirming withdrawal of initial objection on grounds of flood risk contrary. However, objection on the grounds of lack of information on groundwater, waste and surface water remain in place.

## 5 BACKGROUND PAPERS

- 5.1 **Planning Application file 17/00434/PPP**. File can be viewed online at:

<https://pabs.stirling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OQRTOLP IKMH00>

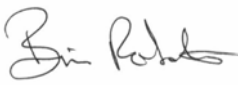
## 6 APPENDICES

- 6.1 None.

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## Approved by

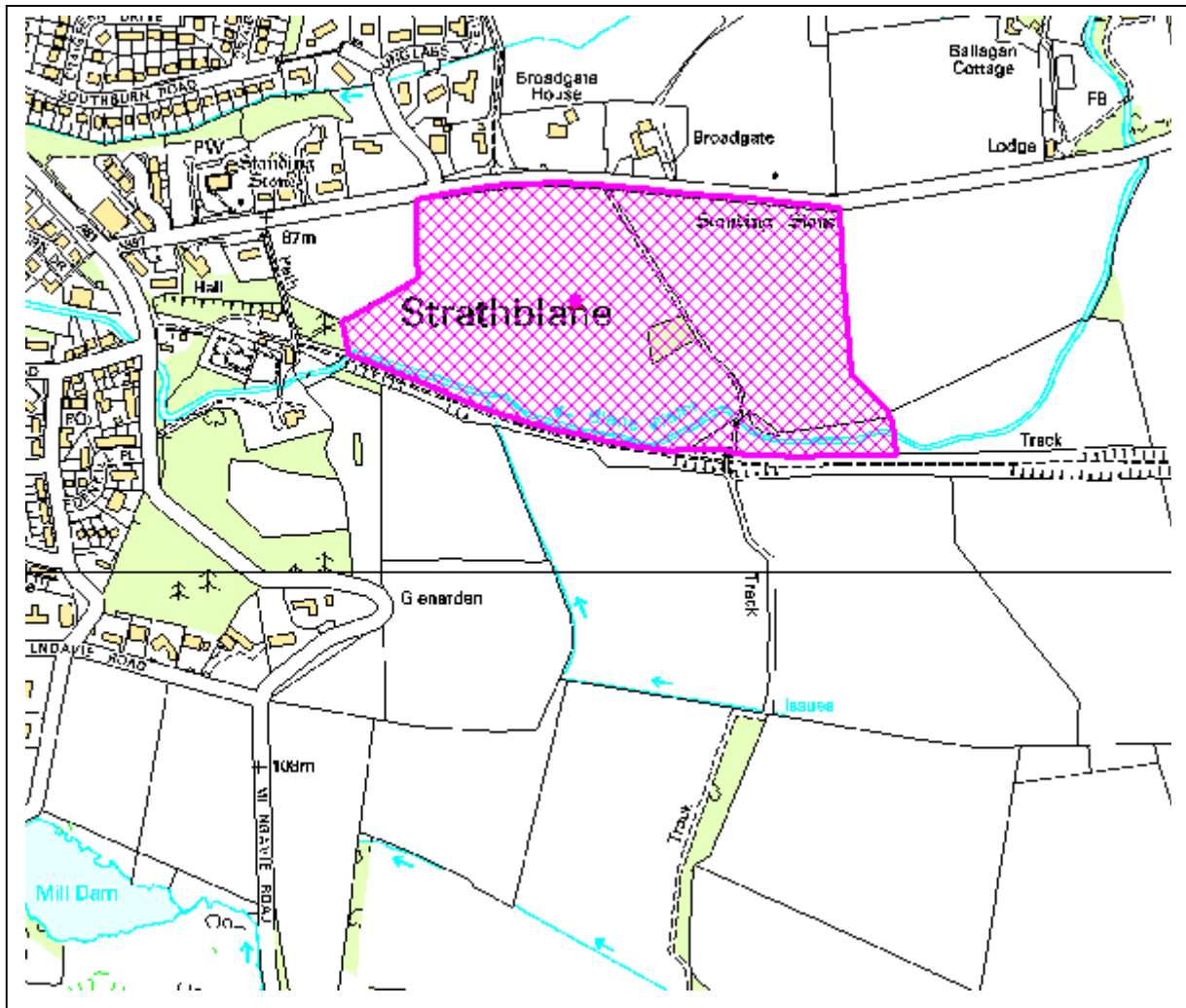
Name	Designation	Signature
Brian Roberts	Senior Manager - Infrastructure	

Date 30 October 2017

Service Reference 17/00434/PPP



## Location of Development



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