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By email: cherie.chrystal@gov.scot; dpea@gov.scot

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Dear Ms Chrystal

PPA-390-2060-1 (Planning Authority ref:17/00434/PPP)

PLANNING PERMISSION APPEAL: LAND 160 METRES SOUTH OF BROADGATE HOUSE CAMPSIE ROAD STRATHBLANE G63 9AB

Strathblane Community Council thanks you for your letter inviting comments on the fresh appeal that is to be determined by the Reporter. We answer first the two questions raised in your letter, and then provide some more background and concluding observations.

Does the proposed housing development comply with the Stirling Local Development Plan 2018?

No it does not. For example:

- The proposal is plainly contrary to Green Belt designation confirmed in adopted LDP 2018 Primary Policy 1 (Placemaking). Policy 1.5 in more detail is against the development both by individual and cumulative impact. None of the exceptions in Policy 1.5 applies to this proposal. The LDP establishes the Green Belt boundary by the allocating land for a cemetery extension, where the present appellant intends to build up to 70 houses. Approval in this case would create a precedent for the same and other developers to force development all over the Green Belt¹.
- The proposal conflicts with Primary Policy 3 (Provision of Infrastructure), by removing the site presently designated for the essential cemetery extension.

¹ See pages 4 & 5 of Strathblane Community Council submission against application 17/00434/PPP dated 17 August 2017 (item CR011 in the appeal documents). The draft Aug 2015 MIR showed a number of sites seeking inclusion in the latest LDP see <https://my.stirling.gov.uk/media/3666/strathblane.pdf> and Mugdock & Carbeth sites here <https://my.stirling.gov.uk/media/3662/rural-sites.pdf>. These sites would be only the tip of the iceberg, if the present application were allowed.

- Policy 3.1 addresses travel demands in detail. The proposed dwellings would be almost all occupied by commuters for Glasgow or elsewhere, which would only be served by private vehicle traffic. The lack of public transport within 400m of the dwellings means that proposal is plainly contrary to Primary Policy 4 (Greenhouse Gas Reduction) part (b), as explained in our original response².
- Primary Policy 5 (Flood Risk Management) requires a precautionary approach, which is not demonstrated by the assessments in the proposal. The increased risk of flooding elsewhere is the primary concern here (Primary Policy 5(c)(iv)), see also below. The indicated SUDS scheme (PP5(d)) lies uphill from some of the proposed buildings and gardens, and so, by the simple laws of physics, cannot be fully effective³. The proposal is contrary to Policy 5.1(a), being based on a major channel modification.

What has changed in policy or circumstance?

- The provisions of the previous and proposed LDP which were against the proposal have been confirmed, even strengthened, in the adopted LDP 2018.
- Flood risk everywhere is only increasing. We emphasise that our primary concern is not flooding on the site, but the increased risk of flooding downstream in the villages of Strathblane and Blanefield. The Reporter will be aware that recent weeks have brought extreme heavy rainfall. The flash flooding on 31 July 2019, with roads and properties flooded at the Blanefield end of the village, shown in Photos 1-3 and making the national news⁴.

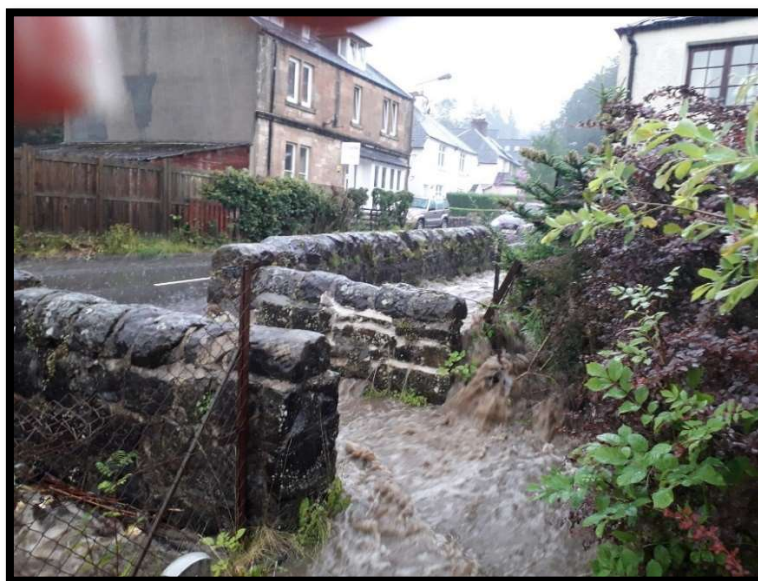


Photo 1 - Flash flooding 31 July 2019 - Burn metres above normal level and overflowing paths and road, Station Road, Blanefield

² See pages 18-20 of Strathblane Community Council submission against application 17/00434/PPP dated 17 August 2017 (item CR011 in the appeal documents).

³ See pages 5-13 of Strathblane CC submission against application 17/00434/PPP

⁴ See pages 3-4 of annex. [Thundery downpours trigger flash floods](https://www.bbc.co.uk/news/uk-scotland-glasgow-west-49181486) (URL <https://www.bbc.co.uk/news/uk-scotland-glasgow-west-49181486>)



Photo 2 - Flash flooding 31 July 2019 - Flooded garden in Blanefield



Photo 3 - Flash flooding 31 July 2019 - A81 closed north of village

Even in the height of summer, the Ballagan Burn immediately downstream of the proposal site was a raging torrent carrying logs and other debris after only 60-90 minutes of rain. Photo 4 shows this torrent lapping the underside of the bridge in a private garden (immediately upstream from the view shown in Figure 13 of our original submission).



Photo 4 - Flash flooding 31 July 2019 - Private garden close downstream of proposal site

This recent experience highlights the current danger and the potential impact of climate change, by which the occurrences of extreme weather only increase in frequency and severity.

- Contrary to the implications in the appeal statement, the existing designated site (H153, A81 below “Devil’s Elbow”) continues to attract interest from developers, who have shown various proposals, either openly or in private to neighbours. The site is neglected and polluted and it is in everyone’s interest to promote development there, rather than promoting sprawl into the Green Belt.
- Stirling’s Housing Land Audit 2018⁵ confirms greater than 5 year effective land supply, in fact 6.5 years. Even if the Reporter may favour the developers’ method of calculation, the supply is still 5.2 years. Additionally:
 - Even within the existing settlement boundary, the Housing Land Audit 2018 holds site H153 “5-year effective” for 20 units (14 Market + 6 Affordable). Furthermore, infill and other “windfall” sites continue to be proposed and allowed in the Strathblane/Blanefield and surroundings⁶.
 - The HLA does not yet include numbers for the largest brownfield site in Stirlingshire – the Killearn hospital site – where discussions are taking place for a major mixed development. Plans from the developer, Selborne, in 2016 indicated for 96

⁵ https://my.stirling.gov.uk/media/5895/2018-hla-20_02_2019.pdf

⁶ The following entirely new dwellings have been permitted within the settlement boundary subsequent to those listed at the footnote on page 3 of our original response: 18/00106/PPP (New dwelling Campsie Dene Road), 19/00009/FUL & 17/00045/FUL (Dwelling in garden ground Dumbrock House) 16/00798-801/FUL (4 dwellings Moor Road) Other approvals outwith the Settlement boundary but within the community council area have been granted: 17/00074/FUL (New detached house), 17/00045/FUL (Conversion of hotel into 3 residential units), 16/00575/ (Removal of condition to demolish dwelling Arduan Lodge). Proposals that are contrary to Green Belt/Countryside policy continue to be refused, as one would expect.

houses⁷. Aside from the impact on the housing land calculation, the development of the Killearn Hospital site implies dozens more commuters driving through Strathblane and Blanefield.

General/Summary of previous submissions

We hope that the above comments answer the Reporter's specific questions. For what it is worth, Strathblane Community Council always asks nothing more than that the law and applicable policies are correctly applied. Particularly in an area where commercial pressure to develop housing is irresistible for landowners, this consistency of decision-making is essential, to avoid creating loopholes and "thin end of the wedge" precedents.

Against this background, the community council identified the Gladman proposals as a most unwelcome departure from the then-established Local Development Plan. In pre-application consultation, and then in a full consultation exercise, survey responses confirmed that the overwhelming majority of residents (>90%) agreed.

In response to the planning application 17/00434/PPP, the community council prepared and filed a detailed response and submitted this to Stirling Council on 17 August 2017. You have this at item CR011 in the appeal documents).

Numerous individual submissions were also made direct to Stirling Council, almost all opposing the development.

We urged the authorities to be led by the Local Development Plan, and especially not to undermine the Green Belt designation that was only recently reconfirmed.

- Gladman provided many expert reports supposedly supporting their case. Our submissions demonstrated that the evidence and the arguments are firmly against the proposal and the applicant's reports are misdirected and/or selectively quoted.
- Historic Environment Scotland have objected, SEPA have objected, there is inadequate capacity in the high school and in the waste water system.
- The proposal (even without its inevitable precedent effect) would have a very negative impact on the local landscape and setting of the village, viewed from the John Muir Way and elsewhere.
- Risk of flooding not only at the proposal site, but over roads and properties downstream has not been adequately considered,
- The extra private car traffic has been woefully underestimated.
- An application for planning permission in principle is completely inadequate to address the concerns arising in a development of this type. There are too many unknowns for any balancing exercise to be considered.

These objections are substantiated in detail in our original response to planning application 17/00434/PPP. On appeal PPA-390-2060, the community council maintained the objections

⁷ See http://www.killearncc.org.uk/docs/misc/Former_Killearn_Hospital_Site.pdf

explained in those submissions. Comments on the appeal were submitted on 12 January 2018. You have these also on the case record for the new appeal.

Court of Session and Fresh appeal – “tilted balance”

We understand that the correct application of the law and the correct procedure is a matter for the Reporter and Scottish Government to get right, and we note that the Court of Session found fault in specific aspects of the previous appeal decision.

One question in the appeal is whether the authority provides the requisite 5-year effective supply (across the whole Stirling planning area). We must entrust the present reporter to decide as appropriate on the housing supply calculation. However, even in the case that a shortfall were to be identified, this only has the consequence that a presumption is created in favour of sustainable development. The whole point of our objection, and the reason why the application was refused by the authority in the first place, is that it fails to qualify as sustainable development, when tested against the criteria established as policies in the LDP.

Therefore, even if the housing land supply assessment were to require application of a “tilted balancing” exercise, of the type which the Court said was not done in the previous Reporter’s decision, we submit that the proposal is *so far* from complying with the sustainable development criteria established in the LDP, that even the tilted balance could never fall in favour of the proposal. In any case, the application for “planning permission in principle” lacks any of the detail that would be required by the Reporter to weigh the supposed benefits in the balance.

Conclusion

Nothing has changed to alter our original objections, and the policies and circumstances have only changed against the proposal in the meantime. Detailed reasons and evidence are provided in the earlier submissions, and we urge the Reporter to give these careful attention.

Needless to say, if anything is not clear, or if new information should arise, we would request the opportunity to provide further comment.

Yours sincerely,
for Strathblane Community Council

/John Gray/

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Annex – BBC News 1 August 2019 Thundery downpours trigger flash floods
(<https://www.bbc.co.uk/news/uk-scotland-glasgow-west-49181486>)