



LOCALITIES AND INFRASTRUCTURE

Planning Schedule

APPLICATIONS, RECOMMENDATIONS, DECISIONS and INFORMATION

Date **20 June 2018**

Week Number **24**

The Planning Schedule Recommendations contained in the following Planning Schedule will become formal decision of the Planning Authority at 0900hrs on **Thursday, 28 June 2018** unless the Planning & Building Standards Service Manager receives from a Councillor a written objection to the recommendation outlining relevant planning reasons and requesting that the application is referred to the Planning Panel for determination. The deadline for the Planning & Building Standards Service Manager to receive such written objections from Councillors to this week's Planning Schedule Recommendations is therefore 1700hrs on **Wednesday, 27 June 2018**.

The Planning Schedule

The Planning Schedule

The Planning Schedule is issued every week and contains information on a range of planning matters.

The Schedule is distributed to all Councillors, Community Councils and statutory consultees. It is available on the Council's internet site – www.stirling.gov.uk. Information on all planning applications submitted to the Council may also be obtained from www.stirling.gov.uk/onlineplanning.

Applications Received

When a Valid Planning Application is registered it is given a unique reference number. If you are enquiring about any of the applications please contact the Officer shown in the Schedule and refer to the application reference number.

The list of applications received includes an indication of the anticipated decision making level which is governed by the Hierarchy of Developments and the Council's Scheme of Delegation. An explanation of the Council's new Section 43A Council report is available at www.stirling.gov.uk/planning.

The decision making levels are:

Panel – the application will be determined by the Planning Panel having considered the Planning Officer's recommendation and any other relevant representations. See Hearing Interested Parties.

Schedule – the Planning Officer's recommendation on the application will appear in the Schedule under Planning Schedule – Recommendations – see below.

Delegated – the application will be determined by an Appointed Officer and his decision will appear in the Schedule under Decisions of Appointed Officers – see below.

Decision of Appointed Officers

Generally applications for developments which are classified as "local developments" under the Hierarchy of Developments will be determined by an Appointed Officer under the Council's Section 43A Scheme of Delegation. There are certain exceptions - see Scheme of Delegation below.

The decisions appear in the Schedule as a matter of record only.

The applicant has a right of review of the Appointed Officer's decision. The Council's Local Review Body will consider any such review. Please refer to Planning Circular 7/2009 Schemes of Delegation and Local Reviews for more information and also at www.scotland.gov.uk.

Planning Schedule – Recommendations

This part of the Schedule contains the Planning Officer's recommendation on an application. At the end of the seven day period the recommendation will become the decision of the Planning Authority unless the Planning & Building Standards Service Manager receives from a Councillor a written objection to the recommendation outlining relevant planning reasons and requesting that the application is referred to the Planning Panel for determination. Such requests must reach the Planning & Building Standards Service Manager before the deadline shown on the front page of this Planning Schedule.

At the end of the seven day period formal Decision Notices will be issued for the recommendations which are not referred to Planning Panel.

Hearing Interested Parties at Planning Panel: The Planning Panel may decide if objectors and applicants will be invited to address the Panel on a particular application. Generally this will occur only where it is felt that this will further inform the Panel in its consideration of a Planning Application and will only be used when considering more complex and contentious issues. Contributions will generally be limited to 5 minutes from each side.

Community Councils: Any Community Council will be consulted on an application if a written request is made (telephone the Case Officer in first instance). Community Councils are expected to act within the provisions on PAN47, and concern themselves only with cases that raise issues of genuine community interest. Householder applications will rarely involve issues of this kind.

Planning Panel Recommendations

This section contains Planning Officers' recommendations for applications which are scheduled for consideration at the Planning Panel meeting as stated.

Planning Panel Decisions

This section contains the decisions of the Planning Panel.

Hierarchy of Developments

The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 created a classification for all developments across Scotland. The three categories in the hierarchy of development to which all developments will be allocated are:-

- National development;
- Major developments; and
- Local development.

The top tier of developments is national developments and these are contained in the National Planning Framework for Scotland published by the Scottish Ministers in June 2009. The National Planning Framework may be viewed at www.scotland.gov.uk.

Below national developments are major and local developments. Whether a development is a major or local development is determined by whether the development falls above or below certain thresholds. There are 9 thresholds. Where a development meets or exceeds the following thresholds the development will be classed as a major development. Any development below the thresholds will be local developments. The thresholds are:

- 1 All development under Schedule 1 to the Environmental Impact Assessment (Scotland) Regulations 1999.
- 2 Housing where the development comprises 50 or more dwellings or the area of the site is or exceeds 2 hectares.
- 3 Business of general industrial, storage and distribution with a gross floor space of 10,000 square metres or the area of the site is or exceeds 2 hectares.
- 4 Electricity Generation where the generating capacity is or exceeds 20 megawatts.
- 5 Waste Management Facilities where the capacity of the facility is or exceeds 25,000 tonnes per annum or for sludge treatment facilities where the capacity to treat more than 50 tonnes (wet weight) per day of residual sludge.
- 6 Transport and infrastructure projects where the length of road, railway, tramway, waterway, aqueduct or pipeline exceeds 8 kilometres.
- 7 Fish farming where the surface area of water covered is or exceeds 2 hectares.
- 8 Mineral extraction where the site area is or exceeds 2 hectares.
- 9 Other Development not falling wholly within one of the above classes where the gross floor space is or exceeds 5,000 square metres or the area of the site is or exceeds 2 hectares.

Scheme of Delegation

In the case of Major Developments and subject to the right of Councillors to request (for relevant planning reasons) that the application be referred to the Planning Panel for determination, the recommendation of the Planning Officer shall appear in the Planning Schedule and such recommendation will become the decision of the Planning Authority unless the application is referred to the Planning Panel.

Generally, Local Developments will be determined by an Appointed Officer in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 and the Council's Section 43A Scheme of Delegation which is published below. There are seven exceptions listed (a) to (g) below where Local Developments will either be determined by the Planning Panel or appear as a Planning Schedule Recommendation.

Planning - Section 43A Scheme of Delegation

The following is an excerpt from the Council's Scheme of Delegation:

This part of the Scheme of Delegation is operated under Section 43A of the Town and Country Planning (Scotland) Act 1997 and Part 2 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

The Appointed Officer, being the Officer appointed under Section 43A(1) of the Town and Country Planning (Scotland) Act 1997 and EPR52, is authorised to determine any application for planning permission (and any application for consent, agreement or approval required by condition imposed on a grant of planning permission) and being applications which fall within the definition of a local development as specified in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 under the following exceptions:-

(a) Planning Authority Applications

The application (a) is made by the Planning Authority or a Member of the Planning Authority, or by members of staff directly involved in the planning process or (b) relates to land in the ownership of the Planning Authority or to land in which the Planning Authority have a financial interest. Any application falling within this exception shall be determined through the Weekly Planning Schedule under EPR67.

(b) Section 43A(6) Remit to Planning Panel

Prior to either (a) the determination of the application by the Appointed Officer or (b) the request by the Applicant for a review on the grounds of non-determination under Section 43A(8)(c) of the Town and Country Planning (Scotland) Act 1997, the Planning Panel or the Planning & Building Standards Service Manager or any Officer authorised by him (including the Appointed Officer) decide that the application should be remitted to the Planning Panel for determination under Section 43A(6) of the Town and Country Planning (Scotland) Act 1997.

(c) Member Remit to Planning Panel

Prior to either (a) the determination of the application by the Appointed Officer or (b) the request by the Applicant for a review on the grounds of non-determination under Section 43A(8)(c) of the Town and Country Planning (Scotland) Act 1997, the Planning & Building Standards Service Manager receives from a Member a written request setting out relevant planning reasons for referral of the application to the Planning Panel for determination and the Planning & Building Standards Service Manager, in consultation with the Chair and Vice Chair of the Planning Panel, agrees to the request.

(d) **Significant Local Objection**

Prior to either (a) the determination of the application by the Appointed Officer, or (b) the request by the Applicant for a review on the grounds of non-determination under Section 43A(8)(c) of the Town and Country Planning (Scotland) Act 1997, and in circumstances where the determination by Appointed Officer would likely to have been to approve the application, the Planning & Building Standards Service Manager receives significant local objections and is satisfied that the objections disclose relevant planning reasons. Any application falling within this exception shall be determined through the Weekly Planning Schedule under EPR67.

(e) **Contrary to local Development Plan**

The application is a significant departure from the Local Development Plan. Any application falling within this exception shall be determined through the Weekly Planning Schedule under EPR67.

(f) **Scottish Ministers**

The application requires to be notified to the Scottish Ministers. Any application falling within this exception shall be determined through the Weekly Planning Schedule under EPR67.

(g) **Listed Building Consent etc**

Any application which also requires any or all of the following: (i) Listed Buildings Consent, (ii) Conservation Areas Consent; (iii) Hazardous Substances Consent; and (iv) Control of Advertisements Consent. Any application falling within this exception shall be determined through the Weekly Planning Schedule under EPR67.

Only exceptions (a), (b), (f) and (g) shall apply to applications for a householder development falling within Classes 1 to 6 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or a sundry minor operation falling within Classes 7, 8, or 9 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

Contents

The Planning Schedule contains information on a range of planning matters.

- 1 Valid Planning Applications Received
- 2 Decisions of Appointed Officers
- 3 Planning Schedule Recommendations
- 4 Planning Panel Recommendations
- 5 Planning Panel Decisions
- 6 Planning Appeals & Public Inquiries
- 7 Local Review Body Decisions
- 8 Planning Enforcement
- 9 Planning Enforcement Matters
- 10 Forestry Planting and Felling Proposals
- 11 Street Naming
- 12 Other Planning Issues

The Schedule is distributed to all Members of the Council, Community Councils and statutory consultees. It is available on the Council's internet site – www.stirling.gov.uk. Information on all planning applications submitted to the Council can also be obtained from www.stirling.gov.uk/onlineplanning.

Who to contact in Planning

If you have a query about a Planning Application or related matter you should contact the appropriate member of staff using their personal direct dial phone number. If they are not available, your call will be automatically redirected to our Planning Support staff who will be pleased to help you. If necessary they can arrange an appointment for you to see somebody who can deal with your particular query. The dialling code for Stirling is (01786).

SERVICE MANAGER PLANNING & BUILDING STANDARDS
Christina Cox: ☎ 233682, Email: coxc@stirling.gov.uk

DEVELOPMENT MANAGEMENT
Team Leader, Jay Dawson:.....
☎ 233683 Email: dawsonj@stirling.gov.uk
Senior Planning Officer, Iain Jeffrey:.....
☎ 233676Email: jeffreyi@stirling.gov.uk
Senior Planning Officer, Jane Brooks Burnett:
☎ 233672 Email: brooksburnettj@stirling.gov.uk
Planning Officer, Peter McKechnie:.....
☎ 233679 Email: mckechniep@stirling.gov.uk
Senior Planning Officer, Mark Laird:
☎ 233678 Email: lairdm@stirling.gov.uk
Graduate Planning Officer, Charlotte Brown:
☎ 233623Email: brownch@stirling.gov.uk
Graduate Planning Officer, Karla Mann:.....
☎ 233674 Email: mank@stirling.gov.uk

PLANNING ENFORCEMENT
Planning Enforcement Officer, Lynne Currie:.....
☎ 233673 Email: curriel@stirling.gov.uk
Asst Planning Enforcement Officer, Andrew Gardiner:
☎ 233675 Email: gardinera@stirling.gov.uk

TREES
Tree Officer, Ingrid Withington:.....
☎ 233681 Email: withingtoni@stirling.gov.uk

Valid Planning Applications Received

Major Developments

Application Number	Description	Decision Level
There are no major developments in the Stirling Council area this week.		

Local Developments

Application Number	Description	Decision Level
18/00390/ADV 14 Jun 2018 Ward 4 Stirling North 279127 694514	Advertisement of the following types: Fascia Sign; 2no. totem signs; 3no. pedestrian post signs and 2no. welcome wall signs at Sainsburys, Back O'Hill Road, Raploch, Stirling, FK8 1RA, for Sainsbury's Supermarkets Ltd per WYG The Cube 45 Leith Street Edinburgh EH1 3AT Officer: Charlotte Brown, Tel: 01786 233623, Email: brownch@stirling.gov.uk View this Application	Delegated
18/00399/FUL 11 Jun 2018 Ward 4 Stirling North 279588 693468	Cleaning of stone elevations at 52 - 54 King Street, Stirling, FK8 1BE, for Castle Leisure Group per CRGP Ltd Herbert House 26 Herbert Street Glasgow G20 6NB Officer: Jane Brooks-Burnett, Tel: 01786 233672, Email: brooksburnettj@stirling.gov.uk View this Application	Delegated LB Cat: B
18/00400/LBC 11 Jun 2018 Ward 4 Stirling North 279588 693468	Cleaning of stone elevations at 52 - 54 King Street, Stirling, FK8 1BE, for Castle Leisure Group per CRGP Ltd Herbert House 26 Herbert Street Glasgow G20 6NB Officer: Jane Brooks-Burnett, Tel: 01786 233672, Email: brooksburnettj@stirling.gov.uk View this Application	Delegated LB Cat: B
18/00395/FUL 12 Jun 2018 Ward 3 Dunblane & Bridge Of Allan 279891 704457	Renewal of planning permission 15/00317/FUL for proposed conversion of existing squash court to form new dwelling house under Regulation 11 of Development Management Procedure (Scotland) Regulations 2013 at Squash Court Building At Glassingall House, Dunblane, , for Glassingall Estate Ltd per Graham & Sibbald 233 St Vincent Street Glasgow G2 5QY Officer: Rebecca Higgins, Tel: 01786 233938, Email: higginsr@stirling.gov.uk View this Application	Delegated

<p>18/00396/PPP 13 Jun 2018 Ward 3 Dunblane & Bridge Of Allan 279654 698364</p>	<p>New sustainable dwelling at Land 150 Metres South East Of Lemahamish, Pendreich Road, Bridge Of Allan, , for Ms Laura Robertson per DMH Baird Lumsden The Mill Station Road Bridge Of Allan FK9 4JS Officer: Iain Jeffrey, Tel: 01786 233676, Email: jeffreyi@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00398/PPP 13 Jun 2018 Ward 3 Dunblane & Bridge Of Allan 279654 698364</p>	<p>Four self-catering tourism pods at Land 150 Metres South East Of Lemahamish, Pendreich Road, Bridge Of Allan, , for Ms Laura Robertson per DMH Baird Lumsden The Mill Station Road Bridge Of Allan FK9 4JS Officer: Iain Jeffrey, Tel: 01786 233676, Email: jeffreyi@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00402/ADV 11 Jun 2018 Ward 3 Dunblane & Bridge Of Allan 278121 700539</p>	<p>Display of 8 non-illuminated advertisements in relation to supermarket car park at Marks And Spencer Simply Foods, Stirling Road, Dunblane, FK15 9EY, for Euro Car Parks Ltd per Planning Sense 55 St John Street London EC1M 4AN Officer: Charlotte Brown, Tel: 01786 233623, Email: brownch@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00406/FUL 13 Jun 2018 Ward 3 Dunblane & Bridge Of Allan 278012 702692</p>	<p>Erection of dwelling house at Land And Buildings To North Of 7 Auchinlay Holdings, Auchinlay Road, Dunblane, , for Mr And Mrs Craig McKinlay per Lawrie Orr Chartered Architect 47 Strathmore Avenue Dunblane FK15 9HX Officer: Peter McKechnie, Tel: 01786 233679, Email: mckechniep@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00387/FUL 11 Jun 2018 Ward 2 Forth & Endrick 251210 683657</p>	<p>New build farmhouse and support accommodation for Little Moss Farm at Land 470 Metres South West Of Little Moss, Drumbeg Road, Killearn, , for Ms Louise Jewell per BC Design 259 Garriocch Road Glasgow Scotland G20 8QZ Officer: Iain Jeffrey, Tel: 01786 233676, Email: jeffreyi@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00388/FUL 11 Jun 2018 Ward 2 Forth & Endrick 256560 678450</p>	<p>Erection of a two car detached garage at Strathblane Country House, 41 Milngavie Road, Strathblane, G63 9EH, for Mr Iain Anderson per McInnes Gardner Architects 7 Lynedoch Crescent Glasgow Scotland G3 6DZ Officer: Peter McKechnie, Tel: 01786 233679, Email: mckechniep@stirling.gov.uk View this Application</p>	<p>Delegated</p>

<p>18/00404/PPP 12 Jun 2018 Ward 2 Forth & Endrick 256433 693375</p>	<p>Erection of two dwelling houses at Land 70 Metres West Of Cashley Cottage, Buchlyvie, , for Mr David Southcott Yatter Whaup Croft Tighphuirt Glencoe PH494HN Officer: Charlotte Brown, Tel: 01786 233623, Email: brownch@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00381/FUL 13 Jun 2018 Ward 5 Stirling West 279345 688776</p>	<p>Erection of agricultural building (part retrospective) at Land 115M North East Of Rosehall, Stirling, , for Mr Alasdair MacGregor per Rapleys LLP Caledonian Exchange 19A Canning Street Edinburgh Scotland Officer: Charlotte Brown, Tel: 01786 233623, Email: brownch@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00386/FUL 11 Jun 2018 Ward 5 Stirling West 279499 692090</p>	<p>Renewal of planning permission 15/00283/FUL for erection of building comprising garage and home office under Regulation 11 of Development Management Procedure (Scotland) Regulations 2013 at 22 Randolph Road, Stirling, FK8 2AW, for Nicola Hodge per BDA Design 38 Wellpark Crescent Stirling FK7 9HF Officer: Jane Brooks-Burnett, Tel: 01786 233672, Email: brooksburnettj@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00389/FUL 15 Jun 2018 Ward 5 Stirling West 274279 683904</p>	<p>Proposed house and animal boarding facilities at land 150m north of former Carronbridge Hotel, Carron Valley, Denny FK6 5JG at Land 160 Metres North Of Carronbridge Hotel, Stirling, , for Mrs Victoria Brown per Development & Environmental Services Limited Holly Cottage Braeface Road near Banknock Bonnybridge Officer: Charlotte Brown, Tel: 01786 233623, Email: brownch@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00408/PPP 15 Jun 2018 Ward 1 Trossachs & Teith 266379 699726</p>	<p>Erection of replacement dwelling house at Stoneshiel Cottage, Doig Street, Thornhill, FK8 3PZ, for Mr Joe Burnett per McCourt Building Design Inverleny Cottage Leny Feus Callander FK17 8AS Officer: Karla Mann, Tel: 01786 233674, Email: mannk@stirling.gov.uk View this Application</p>	<p>Delegated</p>
<p>18/00411/FUL 13 Jun 2018 Ward 1 Trossachs & Teith 272623 701598</p>	<p>First floor extension at 6 Bank Street, Doune, FK16 6DB, for Ms Linsay Wright per Farquhar MacLean Beechcroft Studio Northlea Doune FK16 6DH Officer: Rebecca Higgins, Tel: 01786 233938, Email: higginsr@stirling.gov.uk View this Application</p>	<p>Delegated</p>

Developments in which there is Council Interest

These are applications where the Council has a financial interest in the land or the applicant is the Council.

Application Number	Description	Decision Level
-------------------------------	--------------------	---------------------------

No Council Interest applications have been received this week.

Proposal of Application Notices

Application Number	Description
-------------------------------	--------------------

Decisions of Appointed Officers

The decisions are published here as a matter of record only. The applicant has been informed of the Appointed Officer's decision and of the right to seek a review of the decision by the Council's Local Review Body.

PROPOSAL: Fascia signage at Vacant Shop 36 King Street Stirling FK8 1AY

UPRN: 000122019261
Ward: Ward 4 Stirling North
Reference: 18/00228/ADV
Type: Advertisement
Date Valid: 6 June 2018
Officer: Charlotte Brown, Telephone: 01786 233623,
Email: brownch@stirling.gov.uk

Applicant/Agent: Banditos Burrito Company Ltd per Pollock Hammond Ltd Grange West
Linlithgow EH49 7RH

Decision: Approve

PROPOSAL: Replace existing porch with proposed extension and house alterations at Westholm Kilbryde Crescent Dunblane FK15 9BB

UPRN: 000122004620
Ward: Ward 3 Dunblane & Bridge Of Allan
Reference: 18/00209/FUL
Type: Full
Date Valid: 3 April 2018
Officer: Rebecca Higgins, Telephone: 01786 233938,
Email: higginsr@stirling.gov.uk

Applicant/Agent: Mr & Mrs N And T Erskine per Mozolowski & Murray 2-8 Clashburn Way
Bridgend Industrial Estate Kinross KY13 8GA

Decision: Approve

PROPOSAL: **Extensions to rear and sides of dwelling house and front entrance porch at 3 Chisholm Avenue Dunblane FK15 0BP**

UPRN: **000122005127**
Ward: **Ward 3 Dunblane & Bridge Of Allan**
Reference: **18/00212/FUL**
Type: Full
Date Valid: 6 April 2018
Officer: Rebecca Higgins, Telephone: 01786 233938,
 Email: higginsr@stirling.gov.uk

Applicant/Agent: Mr Douglas McFarlane per Glenn Murray Associates Architects Block 1 3
 Duckburn Park Dunblane FK15 0EW

Decision: **Approve**

PROPOSAL: **Alterations to pitch of main roof, including raising ridge line, building up of gables and formation of window opening in gable and new flue at 5 Montgomery Crescent Dunblane FK15 9FB**

UPRN: **000122003820**
Ward: **Ward 3 Dunblane & Bridge Of Allan**
Reference: **18/00300/FUL**
Type: Full
Date Valid: 4 May 2018
Officer: Andrew Gardiner, Telephone: 01786 233675,
 Email: gardinera@stirling.gov.uk

Applicant/Agent: Dan And Rebecca Curtis per Chris Doak Architect 5 Shaftesbury Street
 Anderston Glasgow G3 8UN

Decision: **Approve**

PROPOSAL: **Amendment to planning permission 17/00397/FUL to allow for additional window in proposed extension at 8 Argyle Park Dunblane FK15 9DZ**

UPRN: **000122003420**
Ward: **Ward 3 Dunblane & Bridge Of Allan**
Reference: **18/00303/FUL**
Type: Full
Date Valid: 8 May 2018
Officer: Andrew Gardiner, Telephone: 01786 233675,
 Email: gardinera@stirling.gov.uk

Applicant/Agent: Mr Michael Wynd per Robert Paul 102 High Street Dunblane FK15 0ER

Decision: **Approve**

Planning Schedule Recommendations

All of the applications in this Schedule have been considered against the Development Plan and unless otherwise stated accord with the provisions of the Development Plan, in terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997.

There are no recommendations this week.

Planning Appeals and Public Inquiries

APPEAL: Residential and associated development at Land adjacent to north of Bearside House and south of Clayhill Cottage, Polmaise Road to Carron reservoir Stirling FK7

UPRN:
Reference: **14/00783/PPP**
Type: Planning Permission in Principle
Officer: Jane Brooks-Burnett, Telephone: 01786 233672,
Email: brooksburnettj@stirling.gov.uk

Appellant: Hallam Land Management Ltd and CEG Land Promotions Ltd

Outcome: Appeal allowed and planning permission granted subject to conditions and a unilateral planning obligation

Supplementary Information:

The Scottish Government Reporter issued a Notice of Intention on 23rd May 2017 stated that he was minded to allow the appeal and grant planning permission subject to conditions and the registering of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997 covering certain matters. These matters were:

- (a) To ensure that adequate capacity was available at Cambusbarron Primary School to accommodate children from the proposed development;
- (b) To ensure that the development provides the right tenure type and size of affordable housing to meet the needs in the area; and
- (c) To address the travel demands of the development across the Stirling Council area (in accordance with supplementary guidance SG14).

With regard to the above, the Reporter required that the section 75 must include:

- (1) An undertaking by the appellants to fund a package of works agreed with Stirling Council for the extension and enhancement of Cambusbarron Primary School based on works summarised in the Notice of Intention.
- (2) Arrangements for the timing and payment of the monies offered.
- (3) Acquisition and transfer of ownership to the education authority of the relevant land to the south of the school campus, unless the authority declines such an offer.
- (4) A 25% affordable housing provision in accordance with supplementary guidance SG04 (Affordable Housing) and SG16 (Developer Contributions).
- (5) A financial contribution towards transport measures identified in the City Transport Strategy in accordance with supplementary guidance SG14.

The Reporter provided a 20-week period to achieve the above. Stirling Council and the appellants engaged in negotiations however in August 2017 Stirling Council sought an extension of time to secure a workable solution, finalise financing and progress the proposal through its governance processes. By the end of October 2017 the council informed the Reporter that, whilst it had been progressing a workable solution for extending the school, no agreement had been reached. In November 2017 the appellants submitted a unilateral planning obligation. The Reporter sought comments from Stirling Council and Cambusbarron Community Council on the appellants' unilateral planning obligation, following which the appellants commented on those comments.

The appellants increased their financial offer in relation to school expansion from approximately £3.5 million to £5 million with £150,000 towards temporary accommodation, if required. The Council had sought an appropriate financial settlement of £6.3 million, each party having based their costs on slightly different approaches to site layout.

The Reporter highlighted that the object of the exercise was not to design a specific scheme to be built but to demonstrate feasibility and cost parameters. The Reporter did not consider the costings for the scheme produced by the appellants to be unreasonable and considered that the issues raised by the Council were the usual compromises between ideal and acceptable solutions. The Reporter considered that the hearing and negotiations demonstrated to him that there were a number of options available and that the proposed works were likely to result in a number of improvements over the existing arrangements. He therefore considered that the improved financial settlement now offered would allow the authority to deliver an appropriate solution, which could be tailored to its priorities for the primary school and the locality.

The Reporter did not include a financial contribution towards secondary school provision. He noted that the modified plan identifies the appeal site (H159) and sets out infrastructure requirements including an acceptance that the primary school is capable of being extended to cope with pupils from further housing development, but includes no requirement for additional secondary school capacity in relation to site H159. Whilst the Reporter states that he appreciates that the council has published guidance for contributions to education provision which set out standard formulae, he notes that in some instances the Council has taken a case-specific approach to its implementation. The Reporter notes that, given the case-specific nature of the council's approach to this application, he does not consider that his finding establishes an unacceptable precedent.

The Reporter noted that the draft obligation included a transport contribution (£819 per house and £372 per flat) and the provision of 25% affordable housing and that neither of which were the subject of any criticism. However, he noted that Stirling Council raised concerns regarding the commercial viability of the housing development when subject to the burden of obligations since the appellants had increased their financial offer. The council's concerns were around proportionality and long-term durability of any legal agreement. The reporter did not accept the council's contentions, stating that £30,000 (plus a transport contribution) costs per unit was not disproportionate given that the site is in an attractive and desirable location. Stirling Council and Cambusbarron Community Council also had concerns regarding the transfer of land which lies to the south of the school grounds. The Reporter confirmed that, with the submission of correspondence, the appellant had demonstrated that they have a clear option to purchase the land with vacant possession.

In summary, the Reporter was of the view that there were no insuperable obstacles to an appropriate expansion of the primary school; that all of the matters listed in paragraphs 64-65 (set out above) of the May 2017 notice have been addressed; that there was no justification to require a contribution towards secondary education provision for this proposal; and that, overall, the terms of the draft unilateral obligation were acceptable. He deferred determination of the appeal for 20 weeks to enable the unilateral planning obligation to be completed and registered. If the obligation was not registered within that period he would consider whether planning permission in principle should be refused or granted without it. The reporter stated that appellant's claim for expenses against the council would be addressed in due course.

Planning Enforcement – week ending 15/06/18

New Cases Received

Issue: Alleged use of land for car repairs.
Address: Menzies Drive, Raploch, Stirling, FK8 1PJ
Ward: Ward 4 Stirling North
Reference: EN/18/054/UNAUTH
Case Officer: Lynne Currie, Telephone: 01786 233673, Email: curriel@stirling.gov.uk

Issue: Works on site.
Address: Randolph Crescent, Whins Of Milton, FK7 0LY
Ward: Ward 6 Stirling East
Reference: EN/18/055/UNAUTH
Case Officer: Lynne Currie, Telephone: 01786 233673 , Email: curriel@stirling.gov.uk

Issue: Enquiry relating to open space maintenance.
Address: Grant Drive, Dunblane,
Ward: Ward 3 Dunblane & Bridge Of Allan
Reference: EN/18/056/AMENIT
Case Officer: Lynne Currie, Telephone: 01786 233673, Email: curriel@stirling.gov.uk

Issue: Deposition of material.
Address: Forthside Way, Stirling,
Ward: Ward 6 Stirling East
Reference: EN/18/057/UNAUTH
Case Officer: Andrew Gardiner, Telephone: 01786 233675,
Email: gardinera@stirling.gov.uk

Issue: Alleged change of use of land associated with property.
Address: Craighall Street, Raploch, Stirling, FK8 1TA
Ward: Ward 4 Stirling North
Reference: EN/18/058/UNAUTH
Case Officer: Lynne Currie, Telephone: 01786 233673, Email: curriel@stirling.gov.uk

Issue: Unauthorised placard.
Address: Killearn,
Ward: Ward 2 Forth & Endrick
Reference: EN/18/059/UNADV
Case Officer: Lynne Currie, Telephone: 01786 233673, Email: curriel@stirling.gov.uk

Delegated Decisions

Cases Closed

Issue: Alleged deviation relating to boundary treatment.
Address: Ogilvie Road, Torbrex, Stirling,
Ward: Ward 5 Stirling West
Reference: EN/18/042/NONCOM
Case Officer: Lynne Currie, Telephone: 01786 233673, Email: curriel@stirling.gov.uk

Supplementary Information: No breach of planning control.

Issue: Alleged non compliance with restriction of construction hours condition.
Address: Glasgow Road, Blanefield, G63 9JD
Ward: Ward 2 Forth & Endrick
Reference: EN/18/045/NONCOM
Case Officer: Lynne Currie, Telephone: 01786 233673, Email: curriel@stirling.gov.uk

Supplementary Information: No further breaches reported or witnessed.

Planning Contravention Notices Served

None

Breach of Condition Notices Served

None

Planning Enforcement Notices Served

None

Amenity Notices Served

None

Forestry Planting and Felling Proposals

There are no entries on the register for the Stirling Council Area this week.
