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Dear Alistair

Stirling Proposed Local Development Plan Consultation

Thank you for the opportunity to comment on the Proposed Stirling Local Development Plan, highlighted in your correspondence of 8 July 2016. Please find below a summary of the formal response of the Scottish Government (SG). The representations have also been attached to the email using the response form.

1 - Stirling Settlement Plan and City Framework

Modification

References to the City Development Framework (CDF) should be retained in the LDP where appropriate and links made to the LDP action programme to ensure the CDF and LDP develop synergies and fully align going forward.

Representation

The incorporation of elements of the proposed Stirling City Development Framework (CDF) within the local development plan's vision, proposals and spatial strategy is encouraging. In principle, we are supportive of the creation of enabling infrastructure and regeneration that would stimulate economic development and allow Stirling to fulfil its role as one of the key drivers of Scotland's economy and as an important hub for culture and tourism as defined in NPF3.

We encourage the alignment of City Deal proposals with development proposals in Local Development Plans. Where proposals could have significant environmental consequences on natural and built heritage assets it is important to ensure they are considered through appropriate planning and strategic environmental assessment processes to prevent unnecessary delay or barriers and to engage stakeholders on the practicalities and potential challenges to their delivery.

2 - Employment Development Policy

Modification

We recommend swapping the order of sections a) and b) in the policy

Representation

Swapping the order of sections a) and b) in the policy would address any potential ambiguity as it would be unusual that live work and community business spaces would always be located within an allocated employment area and at a scale that would demonstrate considerable economic benefit. The change would give upfront support to live work units, micro-businesses, community business space. Any other form of business development beyond these would then have to comply with the locational and economic requirements as defined.

3 - Town Centres

Modification

The Action Programme should be clear on what the 2017 milestone relates to - whether this is for the commencement or completion of the health checks.

Representation:

We welcome that the Proposed Plan and the Draft Action Programme commit the Council to undertaking city / town centre health checks for Stirling City Centre, Bridge of Allan and Dunblane.

The Action Programme sets out a 2017 milestone for the health checks, however it is not apparent whether that is a commencement date or when they are to be completed by this date. It would be helpful if the Action Programme's milestone on this was made clearer, for clarity and transparency.

4 – Town Centres

Modification

The Action Programme should confirm that town centre strategies will be developed following the work on the health checks. It should also provide an indication of the timescales for that work.

Representation

As the town centre strategies have not been prepared prior to the Proposed Plan, we would request a connection be included in the development plan, to enable the spatial elements of the town centre strategies to be developed into supplementary guidance when they are prepared. This will allow the spatial elements to have the status of the development plan as envisaged in SPP. In association with this, text should be added into the Action Programme providing an indication of the timescales for preparation of this Supplementary Guidance.

5 - Climate Change Adaptation and Mitigation (Page 53)

Modification

Please amend the text -'As at June 2016 the map remains in a draft form, nevertheless it provides the most up to date information available on these soil types.' – to reflect the up-to-date position.

Representation

To provide the up to date information and to reflect that the map is now finalised.
<https://gateway.snh.gov.uk/natural-spaces/dataset.jsp?dsid=PEAT>

6 - Protection of Carbon Rich Soils

Modification

The policy should make reference to use of the Scottish Government's new carbon calculator tool for wind farm developments.

Representation

The purpose of the tool is to assess, in a comprehensive and consistent way, the carbon impact of wind farm developments. This is done by comparing the carbon costs of wind farm developments with the carbon savings attributable to the wind farm.

7 - Heat Generation

Modification

The policy should include a requirement for new development to include infrastructure for connection to a heat network.

Representation

To accord with paragraph 159 of the SPP.

8 - Historic Environment

Modification

Remove 'listed or not' from the first sentence of Policy 7.2 paragraph (c).

Representation

Where a building proposed for demolition is listed and also in an conservation area then only listed building consent is required, the wording could cause confusion and is unnecessary.

9 - Minerals and other Extractive Resources

Modification

The policy refers to two pieces of supplementary guidance. One on unconventional oil and gas extraction and another on minerals extraction. The policy should contain a clear statement on the range of matters / further detail that will be provided in the supplementary guidance.

Representation

It appears that decision making principles will only be expressed in supplementary guidance. Principal Policy 11 is not clear if the range of matters highlighted in subsections (c) and (d) will be the only matters addressed in supplementary guidance or if further matters will be introduced. The final paragraph of Principal Policy 11 is sufficiently open to allow other matters to be introduced but this would not be a sufficient connection to allow those other matters to be introduced only at the supplementary guidance stage.

10 - Minerals and other Extractive Resources

Modification

The unconventional oil and gas extraction supplementary guidance and the minerals extraction supplementary guidance documents should be listed in section 8 of the Plan.

Representation

This is for completeness if this is a comprehensive reference point.

11 - Wind Energy Developments

Modification

Reference should be made in clause (c) to:

- Net economic impact
- Public access, including impact on long distance walking and cycling routes
- Tourism and recreation
- Road traffic, and adjacent trunk roads
- Flood risk

where these interests are not adequately addressed through other policies of the plan.

Representation

To accord with paragraph 169 of the SPP.

12 - Other Renewable and Low Carbon Energy Developments

Modification

Outwith the spatial framework for on shore wind It is not clear that any sites have been identified in the plan for renewable electricity projects. The plan should identify areas capable of accommodating other renewable energy generating technologies in addition to wind generation.

Representation

To accord with paragraph 167 of the SPP.

13 - Marine

Modification:

Primary Policy 13: the water environment. The word 'assist' should be replaced with 'ensure' to better reflect the legal obligation to accord with the National Marine Plan

Representation:

We ask that the wording is strengthened to reflect the legal obligation for decisions on proposals to be taken in accordance with the National Marine Plan (and any subsequent Regional Marine Plan).

Relevant marine legislation (Marine (Scotland) Act 2010 and UK Marine and Coastal Access Act 2009) requires that

- public authorities taking authorisation or enforcement decisions that affect or might affect the marine area must do so in accordance with the National Marine Plan and any subsequent regional marine plan once adopted, unless relevant considerations indicate

otherwise. This includes decisions on terrestrial planning applications and enforcement action which affect the UK marine area.

- public authorities when making decisions which are capable of affecting the marine area which are not authorisation or enforcement decisions, must have regard to National and regional marine plans. This applies to the preparation and adoption of terrestrial development plans.

Your sincerely

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