



Case reference	NA-STG-015
Application details	Motorhomes sales and holiday site including a new motorhome sales, display and workshop building, amenity building for the holiday site, access, parking, display areas and landscaping
Site address	Land to North East and South of travelling people's site, Stirling
Applicant Determining Authority Local Authority Area	Scotmotorhomes
Reason(s) for notification	Category 2 (objection by Government Agency) (SEPA)
Representations	Nil
Date notified to Ministers Date of recommendation	1 May 2018 but not fully documented until 3 May 2018. 23 May 2018
Decision / recommendation	Call in

Description of Proposal and Site:

- Planning Permission (17/00871/FUL) is being sought for a motorhomes sales and holiday site, including a new motorhome sales, display and workshop building, a separate amenity building for the holiday site, access, parking, display areas and landscaping.
- The 1.98 ha site is located to the west of Stirling, adjacent to Dobbies Garden Centre and the travelling people's site on the north side of the A84 trunk road. The site is a level grass field which slopes northwards and eastwards beyond the planning application site boundary down to the River Forth which bounds the wider field on which the site is located.
- The site is identified for business use within the 2014 adopted Local Development Plan, and in the emerging replacement Stirling LDP.

EIA Development:

- Stirling Council in their Planning Panel report state that an EIA is not required.



Figure 1 - Site Location (Bing Maps)

Proposed Site Layout

- See Appendix A

Consultations and Representations:

SEPA

- The Scottish Environmental Protection Agency (SEPA) object on flood risk grounds, in that, the proposed development may place buildings and persons at flood risk, contrary to Scottish Planning Policy (SPP). The application includes the siting of a holiday site of 12 pitches to the north of the site. Holiday sites are classed as a most vulnerable use as per SEPA Land Use Vulnerability Guidance. Therefore, SEPA require the application site to be out with the 1 to 1000 year flood extent. The proposed development is however within the 1 in 200 year flood extent.
- SEPA highlight that the accompanying Flood Risk Assessment (FRA) confirms that the whole site lies within the fluvial functional floodplain of the River Forth and River Teith. Additionally, access to the site is also within the 1 in 200 year functional floodplain and this goes against new SEPA guidance requiring the provision of safe, flood free access/egress. SEPA go on to state that access to the site, to the east of the traveller's site may be flooded by more severe floods.

Council Flood Officer

- The Council's Flood Officer objects on the grounds of flood risk and non-compliance with SPP. They also note that the submitted FRA is out of date as it uses data from previous studies which use the Flood Estimation Handbook 2013 and does not include recent hydrometric data. They add should the authority be minded to grant permission, they recommend a revised FRA is submitted.

Scottish Government Flooding Policy Team

- Following notification to Scottish Ministers, the Scottish Government Flooding Policy Team (FPT) was consulted and consider that the proposed development is of national interest. They highlight that this development could set a precedent for not taking serious account of flood risk concerns, with very little in the way of extenuating circumstances to justify the decision. They raise the following specific concerns with the application:
 - The application does not comply with flooding policy in the adopted or emerging LDP, nor the guidelines in SPP.
 - The settlement statement within the LDP for the proposed development (B54, Tradstocks) states that not all of the area will be developable and no development should occur on the functional flood plain or other areas known to flood.
 - There is no flood protection scheme in place and there is none planned.
 - The proposed development is for a holiday site with overnight stays. Thereby, being similar enough to a camping/caravan site for the users to be considered most vulnerable users, or highly vulnerable users under SEPA Guidance.
 - As SEPA noted, the access track to the site is also within the 1 in 200 year functional floodplain. Therefore, there would appear to be no safe, flood free access/egress in the event of a flood.

Other

- There are no other objections from statutory consultees and no representations were made on this application.

Assessment:

1. As the Scottish Environmental Protection Agency (SEPA) object on flood risk grounds, the application has been notified to Ministers to ascertain whether there are any issues of national importance which warrant them calling in the application for their own determination.
2. The application was recommended for refusal by officers, mainly on flood risk grounds. However this decision was overturned by the Council's Planning

Panel. The reason for the decision to grant planning permission contrary to flooding concerns was that it will provide significant local economic and employment opportunities; and that the vast majority of the site comprises of motorhomes, which are movable.

3. SEPA, the Council's planning, and flood officials consider that the proposal is contrary to SPP and local development plan policy relating to flood risk. The proposal site lies within the undeveloped/sparsely developed floodplain and has a Medium to High Risk of flooding, contrary to SPP. The officer's Report notes that the site is identified for business use in the adopted and emerging LDP, and is not considered appropriate for holiday/leisure use. The site specific settlement summary for the proposal site states that no development should occur in the functional flood plain or other areas known to flood. The Scottish Government's Flood Protection Team consider that the proposal development is of national interest as it could be setting a precedent for not taking serious account of flood risk concerns with very little in the way of extenuating circumstances to justify the decision.
4. In conclusion, given the potential for flood risk to life and property, this case raises issues of national importance that would be benefit from further scrutiny by Scottish Ministers.

Decision/Recommendation:

- It is recommended that the application is called in.

Appendix 1



Figure 2 - Detailed Site Layout (developer)