

## 2 ENVIRONMENT

### Introduction

- 2.0 Stirling Council is the primary organisation with broad environmental responsibilities specifically for the 850 square mile Council area. The Council has always shown a strong commitment in its planning policies for land use, development and management to maintaining and enhancing the quality of the environment. One reason for preparing this district-wide Local Plan is to emphasise the importance of environmental concerns across the district. The “environment” is not an issue to be addressed in limited specially designated or protected areas.

### National and Regional Guidance

- 2.1 United Kingdom Government Policy, given its most recent general expression in the 1990 White Paper *This Common Inheritance*, is to introduce environmental considerations into the whole range of policy-making and implementation. The White Paper is now routinely quoted at the head of general and special planning and development guidance emanating from the Scottish Executive, and following the 1992 Rio “Earth Summit” and its Agenda 21 this guidance has been augmented by the UK Sustainability Strategy and Biodiversity Action Plan. The Environment is placed on a par with the more traditional physical, economic and social factors which help to determine the desirability of following any course of action or of proceeding with any development. The Environmental Impact Assessment (Scotland) Regulations (1999) outline many categories of major development proposal which must be supported by an Environmental Impact Assessment.
- 2.2 As well as broad policy guidance, the Scottish Executive's concern for the environment is also expressed through the Planning Advice Note series which now covers aspects of design and includes *Siting and Design of New Housing in the Countryside* (PAN 36) and *Fitting New Housing Development into the Landscape* (PAN 44). The Council has taken this advice into account in the preparation of the policies and proposals contained within this Plan and will also refer to it in development control decisions.
- 2.3 A regional scale Environmental Strategy is outlined in the Structure Plan and derives from the concept of the former Central Region's distinctive character being definable as a pattern of “Towns in the Countryside”. The Structure Planning Objectives therefore emphasise the conservation of rural landscapes and townscape quality and seek a distribution and standard of new development which will complement the existing rural/urban mix. A radical review of transport policy places great emphasis on energy conservation, and on reducing the dominance of traffic movement at the expense of amenity, safety and the environment.
- 2.4 The western part of the district is included in the area of operation of the Loch Lomond Park Authority. The Loch Lomond Subject Plan gives an inter-Authority framework for recreation, tourism and landscape planning for the Loch Lomond basin. The plan carries a presumption in favour of conservation should any conflict arise between development proposals and environmental interests. The Scottish Executive is now committed to the establishment of a National Park to cover Loch Lomond and the Trossachs, an area much larger than the Regional Park. Joint management arrangements with neighbouring Local Authorities will apply until the National Park is formally in place.

### Local Strategy

- 2.5 Inherent in the Council's Planning and Development Policies is a general concern to ensure that the complete environment where local people live and work and take their leisure should be of the highest quality; and also a recognition that environmental quality is a positive economic asset. In recent years interest in and concern for the environment in the widest sense, both global and local has grown rapidly. This is reflected in an increasing awareness of the role and intrinsic value of the natural environment in urban as well as rural areas.

**Environmental Keynote Policies**

2.6 The Council considers that the protection of the environment is the primary goal of the Local Plan. “Environmental Keynote Policies” have therefore been formulated, to which all policies and proposals in the Local Plan should conform. Proposals for development within the district will also be assessed against these general policies:

**KEY1**      **The need to protect and enhance the environmental wealth of the district will normally be given primary importance. Unless otherwise indicated, policies and proposals in this Plan do not override this principle or the Environment policies set out below.**

**KEY2**      **New development will be provided for to meet the economic and social needs of the district in a manner which does not compromise the ability of future generations to meet their own needs and to enjoy a high quality environment. All development must, insofar as practicable, protect environmental assets, conserve resources and keep environmental impacts to a minimum.**

**The Rural Environment**

**Agriculture**

2.7 Agriculture is the district’s most extensive land use. Many farming operations and developments are not subject to planning control, and the broad pattern of land use is significantly affected by production and other subsidies and grants. It is likely that a proportion of agricultural land may be taken out of farming use altogether, or used less intensively as a result of current national agricultural policy.

2.8 Whilst there is very little prime quality agricultural land (capability classes 1, 2 and 3.1) within the district, this remains a long term strategic resource which current Government guidance advises should be protected. Likewise, there is also a need to ensure that existing agricultural units, particularly in the remoter rural areas, are protected as they remain an important source of employment which sustains the rural population.

2.9 A notification procedure in respect of large agricultural buildings enables the planning authority to seek changes to the design and location of structures over which there is no formal control (except via the Building Standards Regulations). The Council will seek to negotiate more sympathetic designs and siting if it considers that insufficient thought has been given to the environmental impact of particular proposals.

**POL.E1**      **With regard to developments affecting agricultural land and units, the Council will:**

- (a) operate a general presumption against development which would result in the loss of prime quality agricultural land and;**
- (b) resist development proposals which would threaten the viability of agricultural units;**
- (c) seek, where necessary, to negotiate environmentally satisfactory developments when notified of building proposals which are exempt from planning control.**
- (d) in the case of mineral working, normally require that on completion of extraction, the site be restored to agricultural use. (Proposals will require to satisfy the criteria set out in POL.B29 and NPPG4: Land for Mineral Working).**

*See  
Business and  
Economic  
Development  
Chapter POL.B6 &  
POL.B26*

See  
**Business and  
 Economic  
 Development  
 Chapter POL.B6,  
 POL.B20 &  
 POL.B26 &  
 Housing Chapter  
 POL.H5**

- 2.10 The partial or total abandonment of farm steadings may be a symptom of the increasing pressure on agricultural viability or simply of technological changes, but it provides opportunities for sympathetic re-use. In order to preserve the quality and character of the countryside, the Council is particularly concerned that the re-use and refurbishment of these and other redundant rural buildings takes place in appropriate cases and according to strict criteria.

**POL.E2 The Council will generally support developments involving the sensitive re-use of redundant vernacular-style rural buildings provided that the proposals accord with the following criteria:**

- (a) the existing building is structurally sound, complete in its present form, and capable of conversion to the proposed new use without compromising its existing structural integrity. (A structural report will be required. Generally, structures without roofs will not be considered suitable candidates for conversion unless the building is Listed or is otherwise considered to be of architectural or historical merit);
- (b) the existing building is worthy of retention due to its traditional appearance and contribution to the environment;
- (c) the existing building is redundant, with no likelihood of the renewal of the most recent use, nor the likelihood of a similar replacement building being required;
- (d) conversion of the building for re-use will not adversely affect the character of the building;
- (e) the conversion will neither extend the original building by more than 10% (measured externally and relating to ground floor area), nor involve a material increase in the roof height;
- (f) the building in its proposed use can be serviced and accessed in accordance with the standards required by the Council following advice from its technical consultees;
- (g) the proposed use will be compatible with the location of the building and existing adjoining land uses.

**Further guidelines are contained in the Council's Development Advice Note *New Uses for Redundant Rural Buildings*.**

### **Countryside Management**

- 2.11 Traditionally, the appearance of the countryside has been "managed" by landowners, farmers, and others incidentally to their primary productive or estate management operations. Increasingly, however, economic pressures have eroded the ability of these rural "managers" to do that little bit extra which adds so greatly to the attractiveness of the working countryside and rural landscape. Countryside management as a separate activity has evolved to try to fill the gap. The Council operates a Countryside Management service, including a Ranger service, and supports other initiatives such as the Farming, Forestry and Wildlife Advisory Group (FFWAG).

### **Environmentally Sensitive Areas**

- 2.12 Loch Lomondside and a small area near Killin are Environmentally Sensitive Areas (ESA) wherein grants may be payable to farmers who operate traditional conservation-compatible farming regimes. There is no local authority knowledge of or involvement in the choice of these areas. However, the countryside management measures encouraged in ESAs seem appropriate to much larger parts of the district.

See  
**Housing Chapter  
 POL.H5 &  
 Business and  
 Economic  
 Development  
 Chapter POL.B6 &  
 POL.B26**

See  
**Community,  
 Leisure and  
 Recreation  
 Chapter**

**REC.E1** The Council welcomes the positive landscape conservation effects of the designation of Environmentally Sensitive Areas and would wish to see these benefits (and the economic assistance to farm enterprises) available over wider areas of the district. It would also be desirable to co-ordinate the Council's development control policies with the aims inherent in the ESAs. It is therefore recommended that the number and extent of ESAs be increased (initially to include the whole of Glen Lochay, and parts of the Carse of Stirling) and that the designation and operation of the schemes be carried out in consultation with the local authorities.

2.13 For **Farm Diversification** and **Fish Farming** see BUSINESS AND ECONOMIC ACTIVITY chapter - paragraphs 4.34-4.36 and Policies B26 and B27.

#### **Forestry and Woodlands**

2.14 Forests and woodlands make an important contribution to the landscape, habitat diversity, recreational resources and the rural economy. The Council has no direct control over afforestation and has only limited statutory rights to consultation (in respect of new planting proposals over 10 ha for which grant aid is sought). Under the current consultation arrangements the Forestry Commission produce a weekly register giving very brief details of proposals being considered. Stirling Council receives and responds to (and makes more widely available for public inspection), a copy of this register. The Council does also comment on significant schemes (planting, felling and restocking) where it is not a statutory consultee, although in these cases comments to the Forestry Commission are advisory only. Given the major environmental and other impacts of such operations on the countryside and rural communities, Stirling Council will closely monitor the effectiveness of the consultation arrangements and Public Register, with a view to making appropriate representations to the Scottish Ministers if necessary. It should be noted that certain ancillary features related to forestry development such as access to classified roads do require planning consents.

2.15 The Structure Plan contains an Indicative Forestry Strategy for new planting; unplanted areas being identified as preferred, potential and sensitive to afforestation. There is a need to refine the Strategy in certain areas, where planting pressure is great and/or there are locally important issues (eg loss of habitat for birds on the Braes of Doune). As agricultural and forestry grant structures change there is also a need to monitor and redefine issues and areas of concern. Stirling Council will monitor and review the application and effectiveness of its Indicative Forestry Strategy with a view to identifying (in consultation with the Forestry Commission and Scottish Natural Heritage) future improvements, including areas of special concern where local refinement of the Strategy may be required.

**POL.E3** When considering Woodland Grant Scheme, Forest Design and Felling Licence consultations the Council will:

- (a) support the environmental aims of the Indicative Forestry Strategy;
- (b) seek expert advice, where appropriate, on issues such as nature conservation, water quality and fishery interests etc;
- (c) provide an opportunity for public comment on proposals by continuing to publish details of consultations received and of the recommendations made to the Council;
- (d) encourage the retention and creation of additional broadleaf woodlands in particular by seeking to secure, where appropriate, a larger element of broadleaf species in new planting schemes; and encouraging the conservation management and extension of existing Ancient, Semi-natural and Long Established Woodlands;
- (e) encourage the restructuring and sensitive redesign of older plantations when they are to be restocked, and, particularly in areas visible from major roads, railways and tourist routes, seek to ensure that clear-felling is carried out in a visually acceptable manner.

- 2.16 A number of trends are discernible in the management of existing woodland and new planting:
- (a) Although recent years have seen a reduction in the rate of establishment of new commercial softwood areas such planting will continue.
  - (b) There is increased interest in the management of existing and promotion of new native woodlands in parts of the district. With appropriate safeguards this is to be welcomed.
  - (c) There are increased rates of planting on land previously used for agriculture. (See Business Section below) This may help to reduce pressure on sensitive marginal upland areas - although it can bring its own problems of landscape and habitat change.
  - (d) Over the coming years, there will be an increase in felling and restocking as mature commercial plantations are harvested. This will bring dramatic change to accustomed views and increased heavy traffic in some parts of the district; but offers opportunities for improvements to forest structure and design when restocking takes place.
- 2.17 The Council recognises that new and existing forests can provide excellent opportunities for public recreation (eg Queen Elizabeth Forest Park).

**POL.E4 The Council will promote provision for public recreation within woodlands by:**

- (a) welcoming and encouraging proposals for management of privately-owned woodlands to facilitate public access and recreation;**
- (b) encouraging the creation of new Community Woodlands in conjunction with the Forestry Commission;**
- (c) continuing to make provision for public access to its own woodland areas.**

- 2.18 The possible large-scale sale of Forest Enterprise land and standing timber is of concern in relation to the potential loss of public access for recreation. When selling woodland, Forest Enterprise will, where possible, offer the local authority an access agreement allowing public access to the woodlands once they have been sold. If a third party has a legal interest in the area and declines to enter into an agreement, public access cannot be safeguarded. However, the conditions offered are unsatisfactory because cost implications cannot be quantified and commitment to the terms of the agreement is ill defined.

**REC.E2 The Council welcomes the possibility of ensuring continued public access to woodlands sold by Forest Enterprise and recommends that the Secretary of State takes the necessary steps to ensure that public access, where it is enjoyed at present on public forest land, is maintained when that land is sold to the private sector.**

**Community Woodlands**

- 2.19 Well-designed forest planting brings ancillary benefits such as leisure opportunities, and in urban fringe and derelict land situations, can have very positive landscape and wildlife benefits. The Council has therefore worked with the Forestry Commission to produce a Community Woodland Plan for the district which identifies areas of greatest potential for new Community Woodland planting which provides for public access. This primarily involves the urban areas of the district, although a number of other settlements are also identified. Grants are available from the Forestry Commission for woodland planting and an additional supplement is available for Community Woodlands.

See  
Environment  
Chapter POL.E5

**POL.E5** The Council will, in conjunction with the Forestry Commission, encourage the establishment of Community Woodlands in the key areas identified in the Community Woodland Plan. In dealing with planning applications for new development in these locations, the Council will, in appropriate cases, request developers to make land available for the establishment of Community Woodlands in conjunction with their development.

See  
Community,  
Leisure and  
Recreation  
Chapter POL.C3

### Structural Planting

2.20 As part of the overall objective of improving the landscape setting of the towns and villages of the district, whilst at the same time seeking to assimilate new development into the landscape, the Council acknowledges the contribution that can be made by structural planting belts as part of new development schemes located on the edge of settlements. In certain instances, this could involve Community Woodland schemes, but in the majority of cases, developers will be expected to provide planting belts, which include the use of indigenous species, as part of their development proposals.

**POL.E6** In dealing with applications for development, particularly on the edge of settlements or adjoining main transport routes, the Council will encourage developers to include proposals for significant structural planting. In the case of larger sites which may be developed over a number of years, and where a scheme of planting has been agreed advance planting will normally be required prior to the erection of buildings.

For **Trees** see General Environmental Issues (para 2.60) below.

See  
Environment  
Chapter para 2.60  
& POLS.E51-E53

### Development in the Countryside

2.21 The Structure Plan sets out general policies seeking to conserve the amenity of the countryside by imposing controls and criteria upon developments appropriate to those areas. The Local Plan augments those policies with others relating to particular types of development which may require a countryside location. (eg. see HOUSING chapter).

*nb. For avoidance of doubt, Green Belts are within countryside.*

2.22 In countryside generally, ie outwith specially designated areas (eg NSAs, see below), the Council wishes to conserve rural amenities and promote the appropriate use of rural land. There is, therefore, a general need from the development control policy viewpoint, to distinguish between "countryside" and defined settlements. The Council has previously adopted the term "Village Development Envelope" as a means of identifying development in the countryside. However, there has been a perception that "Village Development Envelope" implied an acceptance by the Planning Authority of any development which fell within its compass. The Council wishes to place the emphasis of the policy on seeking to control development in the countryside and is proposing to do this by the designation of Countryside Policy Boundaries, with the accent upon the countryside rather than the towns and villages.

See  
Housing Chapter  
paras 3.18 & 3.19  
& POL.H5

**POL.E7** In relation to development proposals falling within Countryside Policy Boundaries, the Council will only give favourable consideration to those which are essential to the proper functioning of the primary rural activities, or other uses which can be shown to have an overriding need for a countryside location. Such developments will be subject to further assessment in relation to traffic generation and access, services, pollution, and potential conflict with established neighbouring users.

### Recreation and Tourism Developments

2.23 The scenic quality of the district is an essential factor in the popularity of countryside recreation and in the tourist industry. As well as the landscape, the maintenance and integrity of the built heritage of the district is particularly important in this context. The Council has traditionally maintained very restrictive development control policies over new buildings in rural areas

See  
Business and  
Economic Chapter  
POLS.B18-B20

based on both amenity and service cost considerations. Tourism provides potential exceptions to these restrictions but should be obliged to compensate with high quality development. The visual impact of these developments when viewed from major roads, railways and tourist routes will be carefully scrutinised, as will any potential traffic impact on the existing road network, particularly on single-track roads. The concept of “sustainable tourism” is a priority of many new schemes. For example, it is being pursued in partnership with SNH and other bodies as part of the Trossachs Trail Tourism Management Programme.

- 2.24 Visitors and leisure infrastructure can have major impacts on accessible lochshores and riverbanks, where particular care will be taken to balance the needs of recreation and tourism with environmental concerns. A primary attraction of the district in landscape terms is the ability to enjoy fine views of lochs and rivers from nearby roads. The Council is concerned to protect the scenic and natural heritage value of these prominent lochs and loch shore areas from new development. (Recreational use and development is dealt with in Chapter 5).

### **Minerals Developments: Quarrying and Peat Extraction**

- 2.25 Mineral extraction and quarrying have major local impacts on the environment, affecting over long periods the visual and conservation qualities of the landscape, and generating lorry traffic, dust and noise. Any proposals for extraction of minerals will be closely scrutinised with respect to potential visual impacts from major roads, railways and tourist routes. There are considerable resources of sand and gravel within the Stirling area; however, these are generally located in areas of scenic quality or better agricultural land. In general terms, mineral extraction proposals other than peat extraction, should satisfy the requirements of Policy B.27. In addition, proposals for mineral workings within protected areas will be subject to Policies E14, E15 and E16.

- 2.26 There are extensive peat deposits in the district, including lowland raised bogs such as Flanders Moss, part of which is a National Nature Reserve (NNR). Many of these deposits are presently unworkable, due to topography, afforestation and nature conservation designations. Planning consent for horticultural peat extraction does, however, exist at two sites. Lowland peat areas are amongst the most vulnerable and diminishing ecosystems in the world. The Council recognises its special responsibilities in relation to the internationally important conservation interests of Flanders Moss and the other intact mosses in the carse area and will adopt policies which presume against any large scale commercial peat extraction. The Council will also seek to eliminate the usage of peat in its own horticultural operations, while actively researching alternatives.

**POL.E8 The Council will operate a presumption against developments or land use and management proposals likely to be injurious to the designated Sites of Special Scientific Interest (proposed Special Area of Conservation) comprising the Flanders Moss complex of active raised bog habitat.**

**POL.E9 Outwith the Flanders Mosses proposed SAC, the Council will only permit the commercial extraction of peat from deposits not designated as Sites of Special Scientific Interest, and where:**

- (a) in the opinion of SNH, the nature conservation, geomorphological, and/or hydrological value has been irreparably damaged already; and**
- (b) Historic Scotland is content that the archaeological and/or palaeoenvironmental value does not merit preservation.**

### **Renewable Energy Developments**

- 2.27 In relation to renewable energy developments, the Council strongly supports the principle of exploiting sustainable and renewable energy resources as a means of protecting the environment through the reduction in “greenhouse” gasses and encouraging a diversity of means of electricity supply, particularly in rural areas. Whilst inherently sustainable, renewable energy developments can have an adverse environmental impact on the landscape, heritage features and neighbours

See  
Business and  
Economic Chapter  
POL.B28 &  
POL.B29

See  
Environment  
Chapter paras 2.63  
- 2.65 & POLS.E54  
& E55

and therefore require to be carefully assessed. National Planning Policy Guidance (NPPG 6) advises that development plans should identify areas of search for renewable energy resources and safeguard appropriate locations. Accordingly, Policy EPO.9 of the approved Structure Plan supports initiatives to develop renewable energy schemes. Given that a large part of the Council area is rural and upland, there is considerable potential for renewable energy developments, including wind-power, small-scale hydro-electric and hydraulic power, and biomass production. NPPG 6 states that renewable energy developments are likely to be inconsistent with Green Belt objectives. (The Council considers that this particular prohibition need not necessarily apply to individual low capacity wind turbines).

2.28 Both hill and lowland sites in the Council area have been the subject of investigation by potential wind farm operators. Such developments by their very nature require exposed sites with likely high visual impact. Particular considerations will therefore apply to the siting of wind turbines including visual impact, noise and other forms of disturbance.

**POL.E10 Subject to all other relevant policies in the Plan, and providing that the development will not have a significant adverse impact on the environment, applications for renewable energy developments will be supported within areas of defined countryside (but outwith Green Belt areas). Within areas of international conservation interest (as defined in para. 2.64) renewable energy developments will only be allowed in the most exceptional circumstances where it can be demonstrated that the overall integrity of the designated area will remain largely unaffected.**

**POL.E11 There will be a general presumption in favour of small renewable energy schemes (less than 25 Kw peak electrical output) wherever significant loss of amenity to any neighbouring property or to the locality generally does not arise.**

**POL.E12 The development of individual wind turbines of greater than 25 Kw output, or wind farms will be considered favourably within areas of defined countryside (but outwith Green Belts areas) where all the following criteria can be met:**

- (a) the siting and external appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;**
- (b) the development will not result in unacceptable intrusion into the landscape;**
- (c) access for construction and maintenance traffic can be achieved without compromising highway safety or causing unacceptable permanent and significant change to the environment;**
- (d) the development will have no significant detrimental effect on any designated heritage feature, including Listed buildings, Conservation Areas, Ancient Monuments, Historic Gardens and Designed Landscapes, Areas of Great Landscape Value and National Scenic Areas;**
- (e) the development will not affect the amenities of neighbouring occupiers unacceptably by reason of noise, visual dominance, shadow flicker, reflected light or other emission;**
- (f) no electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system or (where such disturbances may be caused) that measures will be taken to remedy or minimise any such interference;**

- (g) a realistic means of achieving the removal of any apparatus when redundant and the restoration of the site are proposed;
- (h) no wind turbines should interfere with authorised aircraft activity or with the known regular flight paths of birds, particularly protected migratory species.

#### Telecommunications Developments

- 2.29 See Policy E7 and BUSINESS AND ECONOMIC ACTIVITY chapter paragraphs 4.41 – 4.42 and POL.B30.

#### Landscape Appraisals

- 2.30 The visual quality of the district's landscape resource has long been recognised through the identification of extensive tracts of countryside as Areas of Great Landscape Value (AGLV) and, more recently, National Scenic Areas. Landscape assessment work has been undertaken in relation to afforestation issues in the Campsie - Touch Hills and the Loch Lomond catchment. Landscape character assessment studies have been carried out for the whole of the Council area. SNH proposes to publish a consolidated report bringing together three separate studies. The Scottish Office has also published a consultation review of natural heritage designations. All this effort may ultimately lead to a more sophisticated appraisal of the intrinsic landscape qualities of the area, recognising the merits of lowland landscapes, and enabling the rather crudely drawn AGLV designations to be replaced with more soundly based land use and development planning policies and countryside management measures.

**POL.E13 The Council will, as part of a future Plan review, and in conjunction with Scottish Natural Heritage, reassess the system of landscape conservation designations currently operated with a view to establishing a clear distinction in planning policy terms between natural and cultural landscapes of national, regional and local value.**

#### National Scenic Areas

- 2.31 National Scenic Area (NSA) designations, set by Scottish Natural Heritage, cover Loch Lomond, the Trossachs and an area near Glen Lochay. While development is not prohibited, any proposals must be reconciled with the need to protect the landscape. The Council is required to consult with SNH in respect of certain categories of development proposal.

**POL.E14 (a) The Council will operate a presumption against developments within National Scenic Areas, with the exception of those required in relation to farming and forestry, and appropriate tourist and recreation activities. Other developments will only be permitted when they are shown to be in the national interest, their particular locational requirements cannot be satisfied elsewhere, and the overall integrity of the designated area will remain largely unaffected. All development will be subject to strict control over siting, design and landscape treatment.**

**(b) Any proposed development subject to part (a) which falls within the Loch Lomond Park Area will also be considered in the context of Policy 11 of the reviewed Loch Lomond (Subject) Plan.**

#### Areas of Great Landscape Value

- 2.32 Areas of Great Landscape Value (AGLV) represent a local judgement that certain landscape areas require identification in planning policies. Historically AGLVs have been restricted to upland areas but the district has unique lowland landscapes and the Council has amended the AGLV boundaries to include some of these (see district-wide Proposals Plan). A review of the AGLV boundaries and of the planning policies applied to them is required. Meanwhile, because of the large proportion of the Council area currently designated AGLV, developments not

normally favoured therein, such as telecommunications equipment, renewable energy infrastructure, and mineral workings, may be permitted subject to rigorous assessment and conformity with high environmental standards.

**POL.E15 The Council will operate a presumption against developments within Areas of Great Landscape Value, with the exception of those required in relation to farming, forestry and appropriate tourist and recreation activities. Other developments may be permitted when their particular locational requirements cannot be satisfied elsewhere. All development will be subject to strict control over siting, design and landscape treatment.**

See  
Business and  
Economic Chapter  
POL.B30

### Green Belts

2.33 The Structure Plan identifies a number of settlements around which Green Belts require to be designated. This Plan includes detailed boundaries (see town and village plans), and policies concerning the limitations upon development within these boundaries. The Green Belt boundaries reflect the aims of the Structure Plan; to prevent the coalescence of settlements and to protect their landscape settings and to protect heritage features of national and/or regional importance. In drawing up these boundaries, the Council has identified strategic areas of land requiring long term protection. Green Belts will require active management to maintain or enhance their attractiveness and to serve their functions of defining and separating settlements and providing outlets for recreation.

2.34 It is recognised that masts, antennas and other telecommunications developments may need particular locations in the Green Belt in order to work effectively. The Council expects the Code operators to have regard to the functions of the Green Belt when siting their apparatus. In cases where planning permission is needed for larger telecommunications developments, protection from visual damage and the effects of proliferation will be important considerations. Applicants will be required to show that they have proposed the least damaging option and explored the possibility of erecting antennas on existing buildings or other structures.

**POL.E16 In accordance with the Structure Plan, the Council designates areas of Green Belt at Dunblane, Bridge of Allan, Stirling, Bannockburn and Strathblane. In order to prevent the coalescence of those settlements with neighbouring towns and villages and to preserve key aspects of the settings of the towns and their historic features, the Council will:**

- (a) Operate a presumption against any development not essential for agriculture or forestry (except appropriate recreation and tourism projects dependent upon a countryside location);
- (b) Prepare a landscape enhancement programme and seek means to ensure its implementation;
- (c) Prepare a recreational access and footpath enhancement programme and seek means to ensure its implementation.
- (d) only give favourable consideration to proposals for mineral extraction if these are “inconspicuous” (as required by NPPG 4 *Land for Mineral Working*) and where the proposed after use is acceptable within a Green Belt.

### Historic Gardens and Designed Landscapes

2.35 The *Inventory of Historic Gardens and Designed Landscapes in Scotland*, published by the former Countryside Commission for Scotland and Historic Scotland, is a preliminary list of Scotland’s most important gardens and designed landscapes. At present the inventory includes 11 sites which lie within the district. No statutory protection measure accompanies inclusion in the Inventory, although it is now necessary for the Council to carry out consultations with Historic Scotland and Scottish Natural Heritage where any proposed development may affect

See  
Appendix 4

such a site. More sites are expected to be added to the Inventory, some of which will be in the district.

**POL.E17 Developments within or affecting areas of Designed Landscape included within the Inventory proposed by Scottish Natural Heritage and Historic Scotland will require to be situated and designed to avoid an unacceptably adverse impact on the landscape.**

### **The Urban Environment**

2.36 The towns and villages form the environment in which the majority of the population live and work. The quality of the environment which they offer is therefore of vital importance. Policies in the Local Plan are designed to ensure that the best of the existing built environment is preserved and enhanced and that new development complements rather than detracts from the character and amenity of settlements.

### **Urban Design**

2.37 The visual experience and impression given by the towns and villages is very important. This applies generally, but is especially true where the historic nature of the urban fabric is a major asset, and where new environments are being created. Incremental deterioration in the quality of the built environment can be due to poor design standards; eg poorly designed extensions and infill development; inappropriate window and door replacement; badly-sited satellite antennae, etc.

2.38 The layout, design and landscaping of new developments should also seek to maintain or raise overall standards. These are matters of great concern. The Council will use the policies in this plan as well as published advice and guidance to encourage improved design standards.

2.39 While the Development Advice Notes which have been produced are intended to give guidance, the Council recognises that the role of the individual designer should not be compromised. However, there are certain basic design principles which should be adopted for all developments, especially so in the smaller villages and parts of towns which are not given statutory protection through Conservation Area designation.

**POL.E18 The following basic principles should be reflected in new developments:**

- (a) wherever appropriate the siting and layout of developments should reflect the traditional pattern and form of surrounding townscape;**
- (b) the road and footpath system should be designed to minimise visual disruption in the townscape and be integral to the overall design concept;**
- (c) the design of buildings including the use of materials should have regard to the essential traditional architectural and townscape character of the locality;**
- (d) existing buildings of merit which contribute positively to the surrounding area should be retained and incorporated in new developments where possible and any extensions to existing buildings should be in keeping with the original.**

2.40 Consideration of streetscape design issues has led to the adoption of guidelines as to a "menu" of surfacing materials for road and pavement repairs and improvements in some streets in the historic core of the town of Stirling.

**POL.E19 Pedestrian priority areas, traffic-calmed streets and other similar public spaces will be subject to a consistent design treatment, the principal elements of which will be a limited number of surface materials, predominantly of natural origins; planting where appropriate; and simply-styled, high quality and carefully located street furniture.**

2.41 The role of the planning system in relation to Community Safety is clearly outlined in PAN 46 “Planning for Crime Prevention”. The Council recognises the positive contribution of good design in reducing the opportunity for crime and creating safe and secure environments. The Council therefore works closely with the Police to increase awareness of the issues and to improve design standards.

**POL.E20 The Council will seek to ensure that the design of new developments, building refurbishments and environmental improvements conforms as far as possible to “Secured by Design” standards and the principles of PAN 46. A Development Advice Note will be prepared to assist this process.**

2.42 The Council is determined to ensure that people with mobility difficulties are not precluded from playing an active role in the life of the community due to poor design in the environment. The Council will therefore seek to ensure improved accessibility to land and buildings, including premises within its own control.

**POL.E21 The Council will encourage those involved in the development and redevelopment of buildings, routes and spaces to which the public will normally have access, to make appropriate provision for wheelchair users, people with physical or sensory disabilities, elderly people and those accompanied by toddlers or infants in pushchairs.**

**Shop Fronts and Advertisements**

2.43 Shop fronts and advertisements are important elements in determining the character and attractiveness of any town or village. Over the years some insensitively designed shop fronts have eroded the character of shopping areas. This is especially true within Conservation Areas where the architectural integrity and quality of both the individual buildings and the character of the streets may be harmed if modern and inappropriate design and materials are used in the alteration or replacement of shop fronts and advertisements.

2.44 All proposals to replace or alter shop-fronts should be designed with full regard to the principles discussed in the Council’s Development Advice Note *Shop-Fronts and Advertisements*.

**POL.E22 In relation to proposals for new or altered shop fronts the Council, while open to considering contemporary design solutions, will:**

- (a) give favourable consideration to schemes which take into account the architectural character of the building(s) to which they relate and are sympathetic to other buildings in the locality;**
- (b) support the preservation and/or restoration of traditional-style shop-fronts in cases where these survive or where sufficient evidence can be produced of the former appearance of properties affected;**
- (c) not accept “house style” standardised shop-front designs in situations where their use would be detrimental to the architectural integrity of the elevation of the building to which they are proposed to be applied.**

**POL.E23 In cases where security is required for a shop-front the use of laminated glass, internal lattice grids, and small windows which are in keeping with the remainder of the building facade, shall be permitted. External roller shutters housed in projecting boxes will not generally be permitted.**

2.45 Many advertisements do not require planning consent. For those that do, planning control is exercised in the interest of public safety and amenity in accordance with the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The Council has produced supplementary local guidance in the form of a Development Advice Note (DAN) on *Shop Fronts and Advertisements*. This amplifies the Council’s views on the amenity issues relevant

to shop-front advertising. In Conservation Areas and Areas of Special Advertisement Control, and on or in the curtilage of Listed Buildings, proposals for the display of advertisements will only be permitted where they are not detrimental to the character of the area or building.

**POL.E24** In the interests of road safety the Council will generally not permit:

- (a) advertisements which are likely to be confused with traffic lights or traffic signs, which may cause glare, which are intermittently illuminated, or may otherwise distract the attention of motorists. Levels of illumination of signs visible from roads will be controlled;
- (b) free standing advertisements located within visibility splays at road junctions, including site accesses;
- (c) projecting Hanging Signs and Canopies any parts of which extend lower than 2.25 metres from the upper surface of the footway or less than 0.5 metres from the outer edge of the roadway;
- (d) "A-board" advertisements located on public footways where they will compromise public safety or add to congestion.

**POL.E25** In the interests of amenity the Council will, in relation to illuminated advertisements:

- (a) discourage internally-illuminated box signs (because of their general bulk and appearance when not in use). Sympathetically designed individually-illuminated letters/symbols on a non-illuminated background, and the illumination of other types of signage utilising unobtrusive remote light sources will be preferred;
- (b) not favour illuminated signs in locations outwith town centres, unless they are required specifically to advertise premises (such as petrol filling stations, public houses, pharmacies) where services are provided outwith usual business hours;
- (c) not favour illumination to levels which are distracting to residents or otherwise detrimental to the appearance of the locality, particularly in relation to Conservation Areas and Listed Buildings;
- (d) consider any application for consent to display such advertisements in the context of the existing level of advertising on the premises and in the vicinity. Proliferation of illuminated signs and clutter will not be permitted. Generally only one illuminated sign will be allowed on each frontage of a building facing and close to a public road.

**POL.E26** Advertisement proposals which could lead to or constitute a visually confused clutter in relation to an individual building, a group of buildings, or a particular locality will not be permitted. The display of advertisements on the upper floors of buildings will not generally be favoured unless the business concerned occupies those floors and no appropriate ground floor advertisement is feasible. Fitting of canopies (whether carrying advertising or not) above upper floor windows will be discouraged.

**POL.E27** Advertisements within the curtilages of buildings will only be permitted where they relate to services or goods provided within the building or site. Advertisements mounted upon existing features, such as walls or fences will be preferred to free standing signs.

- POL.E28** (a) At Petrol Filling Stations, only one pole mounted sign will be permitted except in circumstances where the site fronts onto more than one roadway, in which case two pole mounted signs may be permitted.
- (b) Within industrial sites advertisements will generally be confined to building wall faces. Free standing, pole mounted advertisements within forecourts and parking areas will not be favoured. Encouragement may be given in appropriate locations to multiple-advertisement signs of a simple nameboard character at the entrance to industrial areas and similar complexes.
- (c) Advertising hoardings will be permitted in selected urban locations, where it can be shown that they will contribute positively to the general amenity and townscape.

**POL.E29** Advertising will not be permitted on street furniture, unless it is an integral part of the original design of the furniture.

**POL.E30** Proposals for Advance Directional Signs (ie signs advertising goods or services not available at the point where the advertisement is sited) will not be permitted, except in the following circumstances;

- (a) those referred to in Policy E28(b);
- (b) temporary advertisement of events and construction sites;
- (c) those signs considered desirable on driver information and road safety grounds.

Where it is considered desirable that some form of advanced signposting is required for road safety and driver information, then preference will be given to composite signs, with a prevalence of symbols, rather than advertisements for individual operations. In all cases, any signs permitted will be coloured and sited such that the visual impact is minimised without compromising their effectiveness, and any unnecessary proliferation of signs will be opposed.

**POL.E31** Outwith built-up areas, all new advertisements will be strictly controlled. There will be a presumption against any advertisement which detracts from the visual amenity of the countryside. Advertising hoardings (ie structures providing space for letting for commercial advertising) are unacceptable in rural areas.

**Refurbishment, Renovation and Facelifts**

2.46 The deterioration of the fabric of buildings has been addressed in a recent study which concentrates on housing within the town centre of Stirling. As a result of the recommendations of the study, urban renewal projects in Stirling Town Centre are being given priority. Repair, renovation, and improvement of the fabric of the housing stock, as well as the general upgrading of town centre areas through environmental improvement projects are co-ordinated whenever possible.

**Conservation Areas**

2.47 Many of the towns and villages contain Conservation Areas - areas of special Architectural and Historic interest, the character and appearance of which it is desirable to preserve and enhance. The designation of Conservation Areas is an important means by which the Council can protect the best of the built environment. Most were designated prior to 1975 and a comprehensive re-appraisal of all 33 Conservation Areas is overdue. A start has been made with Character Appraisals of Conservation Areas, identifying the particular qualities and local characteristics which are in need of protection through policies and guidelines in the Local

See  
Environment  
Chapter POL.E39  
& Housing  
Chapter POL.H9

See  
Appendix 1

Plan. Some of the town and village plans contain draft proposals for new or amended Conservation Areas. Formal designation procedures will follow where appropriate after consultation. (Further guidance is given in Historic Scotland's "Memorandum of guidance on Listed Buildings and Conservation Areas".)

**POL.E32 The Council will designate as Conservation Areas any parts of a town or village that are considered to be worthy of conservation by reason of special architectural or historic quality.**

**POL.E33 The Council will review the boundaries, character and status of all existing Conservation Areas, and in particular will:**

**(a) Prepare Appraisals of the character and appearance of all Conservation Areas. These may form the justification for the designation of area extensions, the initiation of Tree Preservation Orders, and for particular planning policies for each Conservation Area;**

**(b) Make positive proposals for the preservation and enhancement of the particular local character so identified.**

**POL.E34 The Council wishes to preserve and enhance the architectural and landscape qualities of Conservation Areas and Listed Buildings. Within Conservation Areas and the grounds of Listed Buildings, the Council will not generally permit:**

**(a) new development in the gardens and grounds of existing buildings. When new development is necessary there will be a preference for the conversion, adaptation or sympathetic extension of existing properties which contribute positively to the surrounding area;**

**(b) development served by rear access lanes, with the exception of the conversion of existing ancillary buildings where this is possible, having regard to available space, accessibility and effect upon the character and setting of adjacent buildings.**

2.48 It is important in preserving the special visual qualities and character of Conservation Areas and the setting of Listed Buildings, to protect existing relationships between buildings and their curtilages and the open spaces around them. In many Conservation Areas and within the grounds of Listed Buildings locally, there has been pressure to develop garden ground, often for new houses and often with access proposed from rear service lanes. Building within the garden ground would affect the density and pattern of development and would be damaging to the character of these areas. Within Conservation Areas also the Council will not normally permit the removal of trees unless required for safety reasons or to accommodate Council – approved proposals. Wherever possible appropriate replacement trees must be planted, following consultation with the Council.

**POL.E35 In seeking to preserve and enhance the character and appearance of Conservation Areas the Council will require all new development within Conservation Areas, including redevelopment, to preserve or enhance the character and appearance of the Conservation Area. All new development, including redevelopment, should:**

**(a) accord with the special architectural and visual qualities of the Conservation Area, having particular regard to; the density and pattern of existing development; the architectural style, massing and materials used in surrounding buildings; means of access and boundary and landscape treatments such as walls, trees and hedges;**

**(b) retain existing natural and built features which contribute to the character of the Conservation Area.**

See  
Environment  
Chapter POL.E51

**POL.E36** Replacement windows and doors on un-Listed buildings within Conservation Areas should match the original in proportions, material, and appearance. Modern materials such as aluminium or UPVC may sometimes be acceptable where it is proven that a match can be achieved; where they cannot meet the design required their use will not be permitted. The principal opening method of new windows for ventilation purposes should also match the original, although a secondary method may be acceptable, e.g. for cleaning purposes.

**POL.E37** The Council will require proposals for development located immediately adjacent to Conservation Areas to be sympathetic to the character and appearance of that Conservation Area.

**POL.E38** Within Conservation Areas there will be a general presumption in favour of the retention of all buildings and other features which make a positive contribution to the architectural, townscape, or historic character of the area. Where demolition is proposed, this will only be considered by the Council where suitable detailed proposals for the redevelopment of the site are provided simultaneously with an application for development.

**POL.E39** Within Conservation Areas the Council will carefully consider all notifications of proposed tree works and, where appropriate, initiate Tree Preservation Orders to ensure the protection of amenity.

See Appendices 1 & 5: & POL.E51

2.49 Within Conservation Areas the Council will not normally permit the removal of trees unless required for safety reasons or to accommodate Council-approved Proposals. Wherever possible appropriate replacement trees must be planted, following consultation with the Council.

**Article 4 Directions**

2.50 There is a continuing risk to the quality of the Conservation Areas from small scale, incremental change and development which does not generally require planning permission. Article 4 Direction Orders can be implemented to control otherwise permitted developments. Existing Article 4 Orders require to be reassessed and updated in line with the current General Permitted Development Order.

See Appendix 1

**POL.E40** The Council will review all existing Article 4 Direction Orders and will:

(a) seek where appropriate to extend its powers of development control to cover works which may have a detrimental effect on the character and appearance of the Conservation Areas;

(b) promote greater public awareness of the coverage and purpose of the Orders.

**General Environmental Issues**

**Environmental Enhancement Grants & Projects**

2.51 The environmental enhancement resources available to the Council are constrained, and acting alone, its impact may be limited. Through the Community Environmental Grants Scheme, the Council provides small money grants to local voluntary bodies and community groups, who then augment these funds with other contributions and combined with their own hard work, has led to many successful small scale amenity improvements.

2.52 The Council supports partnerships promoting environmental enhancement projects with bodies such as Forth Valley Enterprise (FVE), and Rural Stirling Partnership (RSP). Any areas of low environmental quality, particularly communal areas of high “visibility”, in whatever land use context, will be examined to see whether such improvements are achievable.

**POL.E41 The Council will work in partnership with other public and private bodies to improve the environment of all towns and villages through the promotion and implementation of projects associated with various economic initiatives, including the Stirling Initiative and the Rural Stirling Partnership.**

#### **Public Art**

2.53 Visual art can make a lively and diverse contribution to the environment in which we live. The Structure Plan includes a policy (Policy ENPO.9) to pursue “Percent for Art” schemes, whereby developers are encouraged to commission works of art and craftwork within a building or refurbishment project, thereby not only adding to the attractiveness of the environment, but also creating employment opportunities through the commissioning of local artists and crafts - people.

**POL.E42 Within new development, other than residential development, the Council will encourage developers to include a “percentage for art” within their capital budget.**

#### **Listed Buildings**

2.54 Stirling district has a wealth of historical associations and there are many buildings and other structures of special Architectural or Historic interest which help to evoke this history and add beauty and interest to our environment. (Appendix 2 outlines the process and criteria for statutory listing). There are currently some 1500 Listed Buildings in the district; about 30 per cent are in Stirling itself. (Further guidance is given in Historic Scotland’s “Memorandum of guidance on Listed Buildings and Conservation Areas”.)

**POL.E43 The Council will encourage the preservation of Listed Buildings and will ensure that in relation to any works affecting Listed Buildings or their setting, special attention is paid to design, and the sympathetic choice of materials, in order that the building’s character is not eroded.**

**POL.E44 The replacement of original windows and doors on a Listed Building will only be acceptable where repair is not achievable. Where new windows or doors are required, replacements should match the originals in every aspect including material and method of opening.**

**POL.E45 Development which adversely affects the character or the setting of a Listed Building will not be permitted unless strong justification is produced in support of the application.**

2.55 Most Listed Buildings are privately owned. They require a high level of maintenance and care but there is little obligation on owners to maintain them at the level required, resulting in some cases in neglect and decay. Historic Scotland can offer building repair grants, but resources are limited and therefore grants are usually given only for urgent works to Category A and B buildings.

2.56 Often those Listed Buildings most at risk are those which have become obsolete and redundant. If these buildings can be sympathetically and carefully converted to accommodate a new use, the risk of further decay may be avoided. It is not only Listed Buildings however, which make suitable candidates for re-use. There are many buildings of architectural merit which are not listed, but which deserve care and attention because of their contribution to townscape or the rural landscape.

**POL.E46 The Council will endeavour to identify potential new uses for vacant Listed Buildings in order to prevent their decay and eventual demolition. Consideration will be given to appropriate new uses which do not affect the character or setting of these buildings. Development proposals which lead to the securing of public access to a Listed building and/or its grounds may be encouraged.**

See  
Appendix 2

**Archæology**

2.57 Archæological sites are widespread and numerous, and often have little visual surface impact. In rural areas the main threats to their survival are likely to be farming, forestry and mineral operations, whereas in urban areas potential threats can be more complicated since the remains are in most cases hidden by more recent development. Stirling Council holds the *Sites and Monuments Record* (SMR) which lists over 2000 sites. Stirling has a defined area which is of special archæological interest. (See relevant town plan).

See  
Appendix 2

**POL.E47 There will be a presumption against any development proposal which would have an adverse impact on:**

- (a) a scheduled ancient monument or its setting; or**
- (b) unscheduled remains and their settings which have been identified as particularly worthy of preservation.**

2.58 Scheduled ancient monuments are archæological sites or structures considered to be of national importance. When a monument is Scheduled it comes under the protection of the Scottish Ministers and it is an offence to either damage or destroy it. Scheduled Monument Consent is required from the Scottish Ministers for any proposal which affects a scheduled ancient monument, including tree planting, flooding and tipping. It is also necessary for the Council to carry out consultations with Historic Scotland where any proposed development may affect the setting of such a site. Not all known sites of national importance have as yet been included in the Schedule of ancient monuments. (A list of the 184 Scheduled Ancient Monuments within the district is contained in Appendix 2).

2.59 National Planning Policy Guideline (NPPG) 5 - *Archæology and Planning* sets out the Government's planning policy on how archæological remains and discoveries should be handled in development plans and development control. This is supported by a Planning Advice Note (PAN 42), which provides advice on good practice to planning authorities on the handling of archæological matters within the planning process. The Council has referred to these documents in the preparation of this Plan.

**POL.E48 When considering development proposals which would adversely affect features of archæological importance, the Council must be satisfied that the benefits of the proposed development will outweigh the disturbance of the archæological interest. Approval of any such proposal, where preservation of the archæological interest is not possible, will be conditional upon satisfactory provision being made by the developer for the appropriate level of archæological investigation, including publication of the results.**

**POL.E49 Where there is an indication that archæological remains may exist within a development proposal but their extent and significance is unclear, the Council will require the prospective developer to arrange for an evaluation prior to the determination of the application in order to establish the importance of the site, its sensitivity to development and the most appropriate means for preserving or recording surviving archæological features.**

**POL.E50 Where the presence of archæological interest becomes apparent once a development has commenced, adequate opportunity must be afforded by the developer for an archæological investigation. It is desirable that, where possible, important archæological remains are preserved in situ.**

See  
Appendix 5

## Trees

2.60 Trees make an important contribution to the amenity and character of the district, as attractive features, valuable natural habitats, screening to eyesores etc. The Council will carefully consider this amenity value when determining planning applications for development; and when trees are deemed worthy of retention will protect them as appropriate by Tree Preservation Order, refusals or conditions of planning consent.

2.61 As well as encouraging the planting of new woodland areas in the district, the Council recognises the contribution made to the amenity and character of the area by existing mature trees and areas of woodland.

**POL.E51 The Council will exercise its powers in respect of initiating and enforcing Tree Preservation Orders to protect trees and woodlands of great amenity value which are under threat from development or other proposals (see also E33 and E39).**

**POL.E52 The Council may attach conditions to planning consents ensuring that existing trees and hedges are retained or replaced and that appropriate new planting is also undertaken.**

2.62 The Council already promotes public appreciation and planting of trees through the production of leaflets, talks and small grant payments.

**POL.E53 The Council will continue to promote the value of trees in particular through the publication of a Development Advice Note on the retention and protection of trees on development sites and a revised public leaflet on trees and the law.**

## Nature Conservation

2.63 From a planning point of view there is a hierarchy of special area designations whose purpose is to contribute to nature conservation. Flora, fauna and geological features may be included in such areas. The hierarchy reflects assessments of the relative international, national or regional/local importance of the nature conservation interest. Generally speaking, the degree of planning "protection" afforded relates to position in this hierarchy, but this is not always so. The Council's overall position, following from the Environmental Keynote Policies, is that known nature conservation interest will be given appropriate weight in any policy or development control decision - whether or not the affected location has a special status. Consultation with SNH and other appropriate conservation bodies will be a normal prerequisite in such cases.

2.64 **International nature conservation importance** attaches to:-

- (a) sites identified under the RAMSAR Convention, which concerns the conservation of wildfowl and wetlands. One site only - Loch Lomond.
- (b) sites proposed as SACs or SPAs under the EC Habitats and Wild Birds Conservation Directives (ref circular 6/1995) - 15 "sites" but some to be grouped for designation purposes.

Site boundaries will normally coincide with SSSI boundaries.

2.65 **Nationally important** sites include:-

- (a) SSSIs of which there are currently 69 wholly or partly in the district;
- (b) NNRs managed (but not necessarily owned) by Scottish Natural Heritage. Currently 1 (Flanders Moss) wholly in the district and 3 partly within the district.

See  
Appendix 3

2.66 **Locally important** sites may include:-

- (a) Wildlife Sites (SWT). 207 in the district at present. Notified to landowners and to the Planning Authority by the Trust, who are consulted in the event of any development proposal;
- (b) Local Nature Reserves - designated by the Local Authority (but note that the only one in this district so far - Balquhiddelock Wood - is an SSSI, and therefore has a higher conservation status. Proposed Doune Ponds LNR is not an SSSI). Balquhiddelock Wood is privately owned, and managed by a voluntary Conservation Group;
- (c) Other non-statutory nature reserves (e.g. SWT, RSPB);
- (d) "Green Corridor" sites, for which nature conservation is one criterion;
- (e) Country Parks and Forest Parks normally have elements of nature conservation management.

See  
Stirling etc. plans  
& Para 2.72

**POL.E54 The Council will not normally permit or approve developments or land use changes which may adversely affect:**

- (a) the wildlife interest and conservation management of Local Nature Reserves, non-statutory and community nature reserves and fully defined Wildlife Sites; or**
- (b) the integrity or continuity of the landscape features listed below, which are of major importance for wild fauna and flora. Where the reasons in favour of a development clearly outweigh the desirability of retaining the feature(s), mitigating measures, including replacement habitat creation will be sought on land within the developers' control. The features included are: linear tree belts, shelter belts and hedgerows; plantations and policy woodlands; semi-natural and ancient woodlands; river and estuary corridors; lochs, reservoirs and ponds; marshland; stone dykes.**

2.67 Certain other sites notified to the planning authority fit less obviously into a hierarchy, eg Ancient and Semi-Natural Woodlands (SNH). Taken together these woods represent an at least nationally important wildlife resource, but most individual sites are not SSSIs or Nature Reserves. The EC Habitats Directive (Article 10) offers a means for Local Authorities to achieve a measure of control for non-designated sites through management agreements, but as yet the Council has insufficient survey information to justify identification of a further "layer" of sites on the Proposals Maps.

**POL.E55 (a) New development will not be acceptable where it is likely to have a significant adverse effect on the integrity of a Special Protection Area, Special Area of Conservation, or Ramsar site. The few possible extenuating circumstances are described in SOEnD Circular 6/1995.**

See  
Stirling Council  
Area Plan

**(b) Development will not normally be acceptable which is likely to affect an SSSI or NNR, unless it can be demonstrated that it will not have a significant effect on the special interest of the site.**

See  
Appendix 3

2.68 The Council has sought to enable the creation of Local Nature Reserves in partnership with local community interests and other agencies, and will examine other opportunities for the establishment of Local Nature Reserves along similar lines where appropriate.

2.69 The Council is beginning to address the issue of nature conservation outwith designated sites. The more developed or intensively used an area is the more relative significance any surviving natural or semi-natural habitat will have, and the more desirable it will be to attempt to recreate habitat types. The Council's Urban Nature Conservation Strategy for the "urban corridor" area (ie Dunblane - Bridge of Allan - Stirling - Bannockburn) is a step towards this.

2.70 The Council will combine protection and enhancement of open space areas within Stirling with implementation of an “Urban Nature Conservation Strategy”. The Strategy is based on the notion of “wildlife corridors”, including the natural corridor of the River Forth. Semi-natural and wholly created corridors are more widespread; some narrow, such as the margins of the railway lines through the town; others wider, but currently interrupted, being linked or reasonably closely spaced open grass areas, woodlands, etc. Much of the implementation of the Strategy will depend upon new management regimes over existing areas. Other links in the network will require creation of habitats, perhaps by promoting less intensive management of amenity grasslands, Community Woodland schemes, and tree-planting in private gardens and other privately-owned land.

2.71 The Strategy identifies sites with significant conservation interest, existing wildlife corridors, and green spaces whose conservation interest could be improved through change in land management. A number of strategic aims which would maximise the conservation interest of the Urban area were identified. These can be summarised as follows:

- (a) To maximise the use of available statutory powers to protect sites of importance highlighted in the survey.
- (b) To protect and enhance the wildlife corridors and green spaces identified in the survey.
- (c) To encourage other landowners within the urban area to create and enhance areas of conservation interest on their land.
- (d) To encourage agricultural and forestry practices which benefit nature conservation.
- (e) To improve access to appropriate sites of wildlife interest, and to provide adequate interpretation of such sites.
- (f) To encourage local community participation in the creation and management of such sites.

**POL.E56 The Council will, as part of an overall strategy to strengthen and enhance the network of undeveloped green areas and “green corridors” in Dunblane and Bridge of Allan – Stirling – Bannockburn, seek to implement the agreed “Urban Nature Conservation Strategy”.**

2.72 Areas identified as “green corridors”, including those in the Urban Nature Conservation Strategy are shown on the respective Local Plan proposals maps. The Council recognises the contribution these areas make to the urban environment and wishes to ensure that, wherever possible, these areas are protected from development, and enhanced where appropriate in accordance with agreed management plans (See also Policy C11 and paragraph 5.16).

**POL.E57 Development will not normally be permitted which may destroy or have a significant adverse effect upon the integrity of the wildlife/green corridors identified in the Local Plan.**

**POL.E58 The Council will support, in conjunction with Scottish Natural Heritage, *et al*:**

- (a) the preparation of a district-wide natural heritage assessment; and**
- (b) the preparation and implementation of a district-wide Nature Conservation Strategy.**

#### **Vacant, Derelict and Contaminated Land**

2.73 Much has been done to remove or disguise the legacy of abandoned mining, industrial, etc sites, but a number remain. In particular, several bings associated with coal working east of Stirling still require treatment. Polmaise (Fallin) has been re-shaped and will remain as part of a large informal recreation area, while Millhall and Manor Powis may have development potential. Parts of Pleau Country Park are based on former coal wastes and some areas require further

treatment. Where appropriate, retention of the wildlife interest which has evolved on such sites will be encouraged. Elsewhere the largest rural sites are Killearn Hospital and Aberfoyle Slate Quarries. Within the built-up areas the few larger sites are due for redevelopment eg Forthside (vacant) and Abbey Road, Riverside (part contaminated).

- 2.74 There is no requirement for local authorities to produce a register of contaminated land but a problem of identifying and treating these areas remains. Generally the Council will expect that owners and prospective developers of land will investigate any potential contamination problems and bring forward treatment proposals.

**POL.E59 In relation to derelict, contaminated and vacant land the Council will:**

- (a) seek means to achieve beneficial use, management, (including wildlife habitat creation), or reclamation of these areas;**
- (b) when considering developments involving temporary uses of land, require that measures for the restoration, decontamination and after use of the site are incorporated in the proposals;**
- (c) encourage management of vacant and unused land attached to business and other premises for the benefit of landscape and nature conservation;**
- (d) not permit developments likely to lead to site contamination or ground water pollution;**
- (e) require that development proposals on “brownfield” sites be accompanied by a statement regarding contamination and proposed decontamination measures.**

**Pollution Control and Waste Disposal**

- 2.75 Concern over air and water pollution in the district has increased in recent years. The Council is keen to minimise pollution from existing industrial processes and will require, if necessary, Environmental Assessments for new industrial developments.

- 2.76 A National Planning Policy Guideline (NPPG 10) relating to waste disposal has been produced which seeks to incorporate the principles of sustainability into the waste disposal process. The Council is the regulatory authority for waste disposal and is also responsible for the identification of sites. The NPPG places certain responsibilities on planning and waste disposal authorities to identify sites and facilities for waste disposal. The NPPG also states that areas for waste disposal should not necessarily be excluded from areas of nature conservation, landscape or heritage value. The *Second Alteration* to the Structure Plan seeks to address these issues. Accordingly, it is proposed to await the approval of the strategic framework before formulating appropriate policies in accordance with these documents. SEPA has issued a draft National Waste Strategy.

- 2.77 Development in proximity to sewage treatment works should respect the applicable distance criteria set down in BS6297 and Code of Practice CP302 (or any subsequent equivalent guidance).

**POL.E60 Development proposals likely to involve effluent discharges, emissions to the atmosphere or landfilling of waste must be accompanied by an Environmental Assessment, or other supporting information, indicating satisfactory means of disposal or recycling.**

**Flooding**

- 2.78 The Scottish Office has produced a National Planning Policy Guideline (NPPG 7) on planning and flooding. The NPPG gives guidance to local authorities on their responsibilities regarding incidences of flooding and including the need for planning authorities to identify areas subject to risk from flooding and to define areas where the threat might be managed. The NPPG

See  
Glossary for  
"brownfield"  
definition: &  
Housing Chapter  
POL.H4 & POL.H6

states that there is an urgent need to address this issue when Plans are reviewed (at no greater than five year intervals). However, reliable data on the incidence and level of flooding is not readily available, making it difficult to predict whether future development areas will be subject to flooding or not. This issue will be covered in the new Clackmannanshire and Stirling Structure Plan and in the next review of the Local Plan. In the interim, the following policy is proposed.

**POL.E61 A flood risk assessment prepared in consultation with SEPA will require to be submitted in support of development proposals where:**

- (a) There is firm evidence of past flooding; or**
- (b) The proposal is located on a river bank (or on adjacent land at the same level unprotected by intervening higher ground).**

**Where the Council is satisfied, on the basis of this assessment, that there is a likelihood of flooding on the development site, or on neighbouring land or downstream as a consequence of the development, planning consent may be refused, or granted subject to conditions requiring prevention and amelioration works to be carried out, and arrangements made to secure their continuing long-term maintenance.**

#### **Energy Conservation**

2.79 Damage to the environment both globally and locally by vehicular emissions is a major problem. The Council is keen to see increased use of public transport and provision of urban cycle routes to help reduce these effects locally, and to promote energy conservation.

2.80 The former Regional Council prepared Guidance on the energy conservation potential from appropriate siting, design, layout and landscaping of new developments. The Council supports the need for guidance on these matters and will take design for energy conservation into account when assessing new development proposals.

**POL.E62 In considering proposals for development for any purpose, the Council will have regard to the energy efficiency aspects of the location, site layout and design.**

