

T: [REDACTED]
E: planning.decisions@gov.scot

[REDACTED]
Houghton Planning Ltd
[REDACTED]

Our ref: NA-STG-015
8 February 2019

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)
(SCOTLAND) DIRECTION 2009**

**PROPOSED MOTORHOMES SALES AND HOLIDAY SITE INCLUDING A NEW
MOTORHOMES SALES, DISPLAY AND WORKSHOP BUILDING, AMENITY BUILDING
FOR THE HOLIDAY SITE, ACCESS, DISPLAY AREAS AND LANDSCAPING AT LAND TO
NORTH, EAST AND SOUTH OF TRAVELLING PEOPLE'S SITE, STIRLING**

1. This letter contains Scottish Ministers' decision on the above application submitted to Stirling Council by Houghton Planning Ltd, on behalf of Scotmotorhomes. The application was called in for Scottish Ministers' determination on 31 May 2018 because of the potential implications for flood risk.
2. The application was considered by means of written submissions and a site inspection, undertaken on 15 August 2018, in the presence of [REDACTED] BA (Hons) MRTPI, a reporter appointed for that purpose. A copy of the reporter's report is enclosed.

Consideration by the Reporter

3. The reporter's conclusions and recommendation are set out in Chapter 5. The reporter recommended that planning permission be refused.

Scottish Ministers' Decision

4. Scottish Ministers have carefully considered the report. They agree with the reporter's overall conclusions and recommendation that planning permission should be refused and adopt his reasoning for the purpose of their own decision, which is summarised below.

5. Scottish Ministers accept the reporter's findings that the proposed development does not comply with Primary Policy 5: Flood Risk Management, nor with Policy 15.1 Tourism Development Including Facilities and Accommodation of the Stirling Local Development Plan 2018. With regards to Primary Policy 5: Flood Risk Management, Scottish Ministers agree that this commits the council to taking a precautionary approach to flood risk. With regards to Policy 15.1 Tourism Development Including Facilities and Accommodation, Scottish Ministers agree that there is no evidence that the sensitive expansion of existing sites in the area is not possible.

6. Therefore, Scottish Ministers agree with the reporter and conclude that the proposed development fails to comply with the relevant provisions of the Stirling Local Development Plan 2018 and that there are no material considerations which would justify granting planning permission.

7. Accordingly, for the reasons set out in the reporter's report and as summarised above, Scottish Ministers refuse planning permission, for the motorhome sales and holiday site including a new motorhomes sales, display and workshop building, amenity building for the holiday site, access, display areas and landscaping at land to North, East and South of travelling people's site, Stirling.

9. The foregoing decision of Scottish Ministers is final, subject to the right conferred by Sections 237 and 239 of the Town and Country Planning (Scotland) Act 1997 of any person aggrieved by the decision to apply to the Court of Session within 6 weeks of the date hereof. On any such application the Court may quash the decision if satisfied that it is not within the powers of the Act, or that the appellant's interests have been substantially prejudiced by a failure to comply with any requirements of the Act, or of the Tribunals and Inquiries Act 1992, or any orders, regulations or rules made under these Acts.

10. A copy of this letter and the report has been sent to Stirling Council and SEPA. Those parties who lodged representations will receive a copy of this letter.

Yours sincerely

[Redacted signature]