

Bannockburn trotting track proposal

Ref: NOD-390-001



Written Submission on
Landscape & Visual matters

October 2024



37 Argyle Court,
1103 Argyle Street, Glasgow G3 8ND

t: **+44 (0)141 266 0160**
e: **doug@douglasharman.co.uk**
w: **douglasharman.co.uk**

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1. Introduction

Purpose of report

- 1.1 In support of a National Trust Scotland (NTS) objection, this report provides comments concerning the landscape and visual impact of the proposed formation of a trotting track and associated development (herein called the 'proposed development') on land west of New Line Road and South of, Fairhill Road, Whins of Milton, Bannockburn. These comments are provided on behalf of NTS, by Douglas Harman Landscape Planning (DHLP).

DHLP qualifications and experience

- 1.2 Douglas Harman is a Sole Practitioner at Douglas Harman Landscape Planning (DHLP). He is a Chartered Member of the Landscape Institute and holds a Master of Landscape Planning and Management (1st Class Hons) qualification from the University of Manchester.
- 1.3 With twenty-four years of public and private sector professional experience, Douglas's work focuses on a strategic approach to the planning and management of sustainable landscapes, with a particular expertise in the provision of landscape assessment and advice. He has been a consultant advisor to the Loch Lomond & The Trossachs National Park Authority for twelve ongoing years, and for South Ayrshire Council, two years. Prior to establishing DHLP in 2011, Douglas was a Landscape Advisor for NatureScot (formerly Scottish Natural Heritage) and prior to this, the Landscape Planning Officer for the Dorset Area of Outstanding Natural Beauty (AONB) Partnership for six years.
- 1.4 Douglas has significant experience in protected landscape planning and management, landscape character assessment, landscape and visual impact assessment (LVIA), and landscape sensitivity/capacity studies for development. He has undertaken several landscape designation studies, most recently, a proposed new National Park in Wales and a proposed AONB in Cheshire. With regard to LVIA, Douglas has undertaken over sixty assessments for a wide range of development types. He has also represented Telford & Wrekin Council at five Public Inquiries, and a Public Hearing for the Loch Lomond & The Trossachs National Park Authority.

Proposed development

- 1.5 The proposed development is for the formation of a trotting track (Class 11 Assembly and leisure) with associated drainage, the erection of an amenity facility for the provision of toilets, a licensed bar and hot food and drink, and the formation of competitor and spectator vehicular/footway accesses and parking areas.
- 1.6 As stated in the Report of Handling (Panel Report, 30th July 2024), it is important to recognise that the proposed development consists of the following elements:
- A single storey building arranged in a courtyard layout with a lean to roof.
 - Ground breaking activities within the battlefield, including at the new access, formation of the track surfaces, installing concrete pad foundations, forming the strip foundations for the amenity facility, stone wall, four flagpoles and to form the services and trenches serving the amenity facility.
 - Grassed parking areas and a surfaced accessible parking area comprising compacted gravel, with an associated footpath and fencing round the track. Parking to the east of the

proposed track is to be informal with parking at the north mostly informal. Formal parking arrangements are proposed either side of the new build to provide accessible parking. The proposals also include new pedestrian paths within the site and linking out to and allowing safe pedestrian access off New Line Road.

- A safety rail at the perimeter of the track, to stop spectators entering the track.
- An element of land remodelling, to form the track surface, parking areas, vehicular access and building.

- 1.7 As indicated in the applicant's Landscape Plan, the proposed development also consists of the relocation of approximately 16 m of existing hedgerow (to accommodate the track construction) and the planting of approximately 40 m hawthorn hedge to the north-east of the site. An area of wild meadow is also proposed to the south-west of the site.
- 1.8 In terms of the operation of the proposed development, race meetings would be held on Thursday evenings from 7:30pm until 9:00pm between the months of May and July, and on Sundays between 2:00pm and 5:00pm during the months of August through to October. Attendance at each meeting would be in the region of 200 – 300 spectators. As such, it is anticipated that the number of cars parking at each meeting would be approximately 100-200.

Structure of report

- 1.9 In providing further information and justification to NTS's objection to the proposed development, this report is structured to establish the following:

*Section 2: **Appraisal of applicant's submission*** - a review of the scope and adequacy of the applicant's submission in relation to landscape and visual matters.

*Section 3: **Appraisal of Council's determination*** - a review of Stirling Council's determination of the planning application.

*Section 4: **Baseline Appraisal*** - identification and assessment of key landscape and visual receptors.

*Section 5: **Appraisal of landscape and visual effects*** - informed by a viewpoint assessment, an appraisal of the significant landscape and visual effects that are predicted.

*Section 6: **Conclusion*** - summary of key findings and assessment of policy compliance.

*Appendix: **Viewpoint photos*** - attached as separate report.

2. Appraisal of applicant's submission

Overview of submission

- 2.1 In appraising the scope and adequacy of the applicant's submission in relation to landscape and visual matters, it is vitally important to note that **no Landscape and Visual Impact Assessment was submitted** as part of the planning application. Instead, as noted in para. 2.42 of the Report of Handling, a Visual Impact Assessment (VIA) was included within the Historical Impact Assessment (HIA).

Weaknesses and omissions

2.2 Although heritage and landscape/visual considerations are interrelated to some degree, the scope of a HIA is very different to that of an LVIA. It is therefore very surprising that no standalone LVIA has been undertaken by a Chartered Member of the Landscape Institute. Nonetheless, in reviewing the adequacy and technical integrity of the applicant's submission in relation to landscape and visual matters that have been incorporated into the HIA, the following issues are of **major concern**:

- a) By very definition, it is immediately apparent that any VIA undertaken as part of the HIA does not include an assessment of landscape effects. As stated in the *Guidelines for Landscape and Visual Impact Assessment (GVLIA)*¹, landscape effects consider the fabric, character and quality of the site and surrounding landscape and are concerned with:
 - landscape elements (e.g. hedgerows, trees and woodlands);
 - landscape character (local and regional distinctiveness); and
 - special interests and values (e.g. landscape designations).
- b) In relation to the above considerations, there is no reference in the HIA to landscape character. Likewise, there is no assessment of effects on landscape elements and in relation to designated interests (i.e. the Registered Battlefield and Listed Buildings), the HIA only considers these from a heritage perspective, rather than a landscape one. As such, the **failure to provide an assessment of effects on landscape receptors is a fundamental omission**.
- c) As stated in Table 1.1 of the HIA, "*Visual impacts should be assessed on the basis of HES guidance 'Managing Change in the Historic Environment: Setting'*". Whilst this may be the case for heritage considerations, visual effects in relation to LVIA should be based on the GLVIA. This notes that visual effects are primarily concerned with the changes in people's views through intrusion or obstruction and whether important opportunities to enjoy views may be improved or reduced.
- d) Table 1.1 of the HIA also states that visual impacts are assessed in paragraphs 10.10, 10.79-10.95. Whilst these paragraph numbers appear to be incorrect, there is no doubt that the very few references to visual effects within the HIA does not constitute a rigorous and robust assessment. As an overview, the GLVIA makes it very clear that a LVIA should logically identify visual receptors and associated sensitivity; assess scale, duration and reversibility of effect; and assess significance of effect. In relation to this approach (see Section 5 for further details), the HIA provides **no meaningful assessment**.
- e) In addition to omission of a fully detailed written assessment of landscape and visual effects, the applicant has failed to provide a zone of theoretical visibility (ZTV) analysis. Although the HIA references a ZTV under figure 1.2, it should be noted that this is not a ZTV as it does not illustrate the extent of visibility. Without such an analysis, it is not possible to fully understand the parts of the landscape that would be affected, nor the visual receptors such as residents and recreational users.
- f) Although not listed on the Council's planning portal, a further Visual Impact Assessment document has been submitted by the applicant and uploaded onto the DPEA portal. This provides a series of photos taken from and near to the Rotunda, with a section of polyethene sheet placed onto the ground to illustrate the appearance of a section of the proposed race

¹ Landscape Institute and the Institute of Environmental Management and Assessment (2013), *The Guidelines for Landscape and Visual Impact Assessment, version 3*.

track. In underpinning the predicted conclusions on the visual effect from the Rotunda, these photos **do not conform to relevant guidance**² and therefore, cannot be relied upon for the following reasons:

- As a general principle, any visualisation should reasonably represent the proposal in such a way that people can understand the likely landscape and visual change. To this end, the extent of the entire track is not shown, nor are any other parts of the proposed development to include the track railings, car parking areas, pathways, amenity building flag poles, and landform alterations. As such, the photos are very little use in understanding the landscape and visual effect of the proposed development.
 - To best represent the view in practice, photos should be taken at 50mm and presented in a series of stitched photos at A3 size . Although 'zoomed in' photos have been provided in the VIA, the conclusions are based on photos at 'full landscape view', which are assumed to be taken at 18mm. As such, the photos **cannot be relied upon** to provide a realistic representation of how the proposed development would be experienced in practice.
- g) Based on inadequate and misleading viewpoint photography, the applicant then provides the following conclusions:

"This assessment clearly shows the impact of the track and development on the landscape and views from the Rotunda. The effect on the view is so negligible to the extent that it has no real bearing on the interpretation of the landscape view from the Rotunda. The small portion of track which is visible is far enough away and softened to the extent that it is effectively unreadable. The track and facilities have been purposely designed to have the minimal impact on this view and the pictures show this has been faithfully achieved.

Finally a Spot the Difference Puzzle. There are 2 differences but only one is visually represented. One view represents the death of the National Sport of Harness Racing in Scotland, the SHRC and all that is associated with it. It has no track. The other view allows life and sustainability to an active, living, breathing entity, representing Scotland in competition with other neighbouring countries, for the greater glory of the living land of Scotland. It has a track. That is all. Can you see the differences? Which view will you choose?"

8. In response to the above conclusions, it is clearly evident that by basing an assessment of effects on viewpoint photography that is not fit for purpose, the applicant's assessment is **fundamentally flawed**. Furthermore, the assessment takes no account of the factors relating to receptor sensitivity, magnitude of change and the associated determination of effects (see Tables 3-5 in Section 5 for further details). The use of language such as 'One view represents the death of the National Sport of Harness Racing in Scotland' and 'Finally a Spot the Difference Puzzle' is also highly unprofessional. In short, the applicant's evidence cannot be taken seriously.

Summary

- 2.3 Given the above fundamental omissions, and the highly unreliable nature of the extremely limited information that has been provided, there is no doubt that the applicant's assessment of effects in relation to landscape and visual matters is **not fit for purpose** and therefore, it cannot be relied upon by the Reporter when determining the Case.

² Visual Representation of Development Proposals, Technical Guidance Note 06/19 - Landscape Institute

3 Appraisal of the Council's determination

Material considerations

- 3.1 In recommending approval, the Case Officer's Report of Handling refers to the following landscape-related policies:

The National Planning Framework 4 (2023)

- Policy 4: Natural Places
- Policy 14: Design, Quality and Place

Stirling Local Development Plan (2018)

- PP1: Placemaking
- Policy 1.1: Site Planning
- PP9: Managing Landscape Change
- PP7: Historic Environment
- Policy 7.8 Battlefields
- Policy 7.3: Development affecting the setting of a listed building

Policy aims

- 3.2 As a summary of the above Development Plan policies, the proposed development:
- in relation to its type, location or scale will not be supported where there is an unacceptable impact on the natural environment;
 - should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale;
 - should be designed and sited, not only with reference to their own specifications and requirements, but also in relation to the character and amenity of the place, urban or rural, where they are located;
 - should consider and respect site topography, and any surrounding important landmarks (built or natural), views or skylines;
 - should conserve and enhance landscape character and quality;
 - not be visually intrusive, whilst protecting important views and landmarks, and the visual amenity of people from sensitive viewpoints, public access routes, and settlements;
 - must preserve the character of the settings of Listed Buildings; and
 - must avoid any significant adverse effect upon the landscape features, character and setting of sites listed in the Inventory of Historic Battlefields, unless it can be demonstrated that the overall integrity and character of the battlefield area will not be compromised.

Report of Handling

- 3.3 In considering the above landscape-related material considerations, the Case Officer provides the following analysis in support of their recommended approval:

"A Visual Impact Assessment (VIA) was included with the application, within the Heritage Impact Assessment. The development whilst affecting the largely undeveloped nature of this landscape setting will retain, for the most part, the rural character of this landscape. This is

due to the fact the build would not represent a significant intrusion into the open landscape and includes appropriate mitigation through landscaping and materials. For these reasons the conclusions of the VIA assessment in respect of the impact of the proposals relative to the wider setting is fully endorsed, and the proposals consequently are in accordance with policy.

Although there would be a direct impact on the battlefield and surrounding landscape, this would not be significant. The infrastructure required for the proposals are "light touch". The location of the amenity facility close to the service connections was chosen in order to minimise the impact on the battlefield and ensure landscape quality. The amenity building has been designed to a scale and massing which is acceptable and is finished in recessive colours. The track and fencing would have an impact, but given the nature of these, it is considered that the visual impact of these would be minor.

It is considered that the proposals will not have a negative effect on landscape character by virtue of its siting and design, in accordance with Policy 4 and 14 of NPF4 and Policies PP1: Placemaking, Policy 1.1: Site Planning, PP9: Managing Landscape Change, National Policy 7, PP7: Historic Environment, Policy 7.8 Battlefields and Policy 7.3: Development affecting the setting of a listed building of the LDP."

3.4 In considering the Case Officer's landscape and visual analysis, this raises a number of issues that ultimately, questions the rigor and reliability of their recommendation:

- a) Given that the proposed development would result in some direct and indirect effects on landscape-related features of national interest, and that the proposed development lies in very close proximity to the Bannockburn Rotunda and associated National Trust visitor centre that attracts approximately 45'000³ visitors from around the world per annum, the Case Officer's analysis is surprisingly brief. In relation to the policy aims (see paragraph 2.2 above), the Case Officer also fails to provide a comprehensive analysis of the relevant material considerations. For example, there is no reference to considering and respecting site topography, and effects on any surrounding important landmarks, views or skylines. There is also no information on the landscape key characteristics that would be affected, and how these relate to the setting of historic features.
- b) Of greater concern however, there appears to be an over-reliance on, and the acceptability of, the findings of the applicant's submission in relation to landscape and visual impact; the Case Officer states "*the conclusions of the VIA assessment in respect of the impact of the proposals relative to the wider setting is fully endorsed, and the proposals consequently are in accordance with policy*". For reasons detailed in the preceding section of this report, the information submitted by the applicant's is clearly not fit for purpose as it does not provide any meaningful assessment of landscape and visual impact. By fully endorsing the findings of the applicant's VIA therefore, it is very apparent that the conclusion the Case Officer has reached is based on misinformation, and a lack of information. Furthermore, although the Council's Tree and Woodland Officer has provided some comments on proposed hedgerow planting, it should also be noted that no comments from a landscape professional appear to have informed the Case Officer's recommendation.

³ The visitor centre welcomes 45,000 visitors a year. The Rotunda and greenspace around the centre are fully open to the public. Visitors and users of these areas are systematically recorded but estimated to be in the hundreds of thousands each year.

Historic Environment Scotland's response

3.4 In providing comments on the planning application, Historic Environment Scotland (HES) did not object to the proposed development in relation to the potential impact on the battlefield's special qualities and key landscape characteristics, and the setting of the Category A listed Bannockburn Rotunda, Memorial Cairn, Flagpole and Statue of King Robert I.

3.5 In response to a request from the Reporter dealing with a Planning Permission Appeal for a proposed formation of golf driving range (PPA-390-2088), HES provided the following justification as to why they did not object to proposed development, but did object to the proposed golf driving range:

"1.4. We were content that the supporting information and a site visit provided us with sufficient information to reach a position for both applications. For both applications we were content that mitigation was an appropriate response to potential impacts on any physical remains in the affected parts of the battlefield.

1.5. We objected to the application pursuant to this hearing because of its potential impacts on the battlefield's landscape character and the Rotunda's setting. We did not object to the application for the trotting track because our assessment of potential impacts on these assets concluded that their level did not raise issues of national interest. While the assessments were undertaken independently, we hope it is helpful in response to this request from the Reporter to compare some of the relevant details of the two applications that were important to our assessments:

- Scale of proposed buildings - The building footprint of the driving range club house and bays would cover around 1656 sq m (Planning Statement, p.9). The trotting track amenity facility is estimated by us to cover around 118 sq m. The maximum height of the former would be 6.6m while that of the latter would be 3.9m.*
- Potential visual impact of related infrastructure - Car parking for the trotting track would include 14 accessible bays formed from compacted gravel either side of the amenity facility. Other parking areas would remain grassed. There would be no external lighting. Car parking for the golf driving range would include 54 bays of hardstanding with external lighting to allow for safe movement of vehicles and pedestrians, there would be floodlighting for the range (External Lighting Impact Assessment).*
- Operating hours - The trotting track is proposed to operate seasonally: Mid-May to Mid-October on Thursday evenings (1930-2100; May-July) and Sundays (1400-1700; August-October) (Operational Details). There are 20 meetings a year and, taking the longer meetings as a worst case, we estimate that this would result in up to 60 hours of operation a year. The golf driving range is intended to be open year-round from 0900 to 2100. While this may be subject to variation, for example by condition, as a worst case it would result in up to 84 hours of operation a week.*
- Proposed site location - The trotting track site would be on the lower, gentle slopes of Borestone Brae (also known as Monument Hill) and extend onto flatter ground to its south (Milton Bog). The amenity facility would be relatively close to the Rotunda and NTS visitor centre. However, the building would be largely obscured in important views over the battlefield to the south from the Rotunda because of this topography. The roof would be partially visible and not prominent (Amenity Impact Drawing). The proposed driving range would be located on largely flat ground adjacent and to the south. The development site would be fully visible and the building within it would partially obscure the line of the Bannock Burn.*

1.6 Taking the details of the trotting track application into account we concluded that the level of potential impact did not raise issues of national interest such that we object to it. While we did not object to the application, we recognised it would cause some visual impacts and recommended that further mitigation that might lessen them be explored."

3.6 In response to the above points raised by HES, it is important to note the following issues:

1. Although HES are content to provide comments without the benefit of a robust LVIA (para 1.4), it is my opinion that given the national importance of the Battlefield, the Category A Listed Buildings associated with the NTS Visitor Centre, and the likely significant effects identified in section 6 of this report, that the production of a rigorous LVIA is very important to help inform a full understanding of landscape and visual effects.
2. In relation to the scale of the proposed buildings (first bullet point of para. 1.5), although the trotting track amenity facility is smaller than the driving range club house and bays, the trotting track amenity facility building would be located in much closer proximity to the NTS Visitor Centre than the proposed driving range building. It would also appear within direct views from the Rotunda.
3. Concerning the potential visual impact of related infrastructure (second bullet point of para. 1.5), it is of note that the HES response does not make any reference to proposed railings that would enclose the surfaced race track. As evidenced in section 6 of this report, it is considered that the introduction of railings and a surfaced race track would result in a stark contrast in colour and texture to the surrounding pasture, and as this would occupy a very large part of the horizontal view, it would appear very noticeable beyond the immediate foreground. In considering the introduction of other parts of the proposed development (i.e. car parking areas, footpaths, flag poles and amenity building), there is no doubt that this would result in a **significant** visual impact from a number of sensitive locations in close proximity to the site, including the NTS Rotunda.
4. In relation to the operating hours (third bullet point of para. 1.5), it is essential to recognise that although the annual operational duration of the proposed development is relatively limited, race meetings would take place on Sundays between 2:00pm and 5:00pm during the months of August through to October (in addition to meetings to be held on Thursday evenings from 7:30pm until 9:00pm between the months of May and July). With annual visitor numbers to the NTS Visitor Centre in the region of 45'000 per annum, there is no doubt therefore that during Sunday meetings, the operation of the proposed development and the associated significant visual effects (see section 6 of this report for further details) would be experienced by **several thousand** people per year.
5. With regard to the proposed site location (fourth bullet point of para. 1.5), there is no evidence that HES have considered the effect on the setting of the Category A listed Bannockburn Rotunda, Memorial Cairn, Flagpole and Statue of King Robert I when viewed from publicly accessible locations to the south of the site. As clearly evidenced in photos 5 and 6 of the Appendix and the associated assessments from Viewpoint 3: Core Path to south of site and Viewpoint 4: New Line Road (see section 6 of this report for further details), the amenity building and flag poles would be very noticeable below the Rotunda Monument. As such, the proposed development would result in the introduction of uncharacteristic elements and a pattern that would lead to the creation a of major visual focus that competes with, and detracts from, the appreciation of the nearby Rotunda.

6. In arriving at a conclusion that the proposed development does not raise issues of national interest, given the above the points, it is apparent that HES have not fully considered all relevant landscape and visual factors. Either way, given the nature of the significant the landscape and visual effects that are predicted (see section 6 of this report for further details), it is considered that there are no measures that could be implemented to successfully mitigate such detrimental effects.

Summary

- 3.5 In recommending approval, the Case Officer has based their policy appraisal on a lack of information and more worryingly, the full support of a submission from the applicant that is fundamentally flawed and clearly not fit for purpose. In reaching their decision therefore, **the Council has not fully considered the nature of all likely landscape and visual effects.**

4 Baseline Appraisal

- 4.1 Given that the applicant's submission and the Council's decision are both fundamentally flawed, the next two sections of this report provide an appraisal of the significant landscape and visual effects that are likely to arise from the proposed development. This baseline appraisal therefore establishes the existing landscape and visual resources against which the effects are predicted. It describes the site and its setting, including landscape character and any landscape-related designated landscapes, along with an assessment of sensitivity to change. Visual receptors such as residents, road users and those undertaking recreational activity, are also identified.

Overview of site and surrounding landscape

- 4.2 Forming part of the Battle of Bannockburn Inventory Battlefield, the site consists of a large irregular pastoral field and a smaller field to the west enclosed by a gappy hedgerow. The site slopes gently to the south where a large patch of wet pasture and reeds have formed within the large field. Along the northern boundary, a low hedgerow lines Fairfield Road where there are open views over the site and the rural landscape beyond. A bowling green is located to the west of the road, and to east, a residential dwelling (Raescot) is located adjacent to the site. To the east, several dwellings are located alongside New Line Road where the open site boundary is enclosed by post and wire fencing. To the south, a section of Core Path connects New Line Road with Chartershall Road to the west, where the small settlement of Mill lade lies adjacent to site. At the northern end of Chartershall Road (north-west site corner), a further section of Core Path leads towards the nearby Bannockburn Monument (Listed Building) and the associated NTS Visitor Centre which have been sited specifically to provide views over the Battlefield including the proposed development site which constitutes an important element of the story of the battle which is interpreted from the viewpoint and in the visitor centre.
- 4.3 To the south of the site, the setting is typified by a rural composition of pastures enclosed by hedgerows and mature trees. The heavily tree-lined Bannock Burn is an important feature beyond which, the landscape begins to gently rise towards a containing backdrop of skyline woodlands (see photo 1). To the west of the site, the M9 corridor is evident in places and in the wider setting to the north and east, the landscape is characterised by extensive urban development.



Photo1 (18mm) – looking south from the Bannockburn Rotunda over site and surrounding landscape

4.4 From the site, there are short range views to the north where the Bannockburn Rotunda forms an important visual focus. To the south, there are long range over the Battle of Bannockburn Inventory Battlefield towards a scenic backdrop with a prevailing undeveloped appearance and relatively strong rural character. Views to west are contained by a relatively distant backdrop of forested rising ground, and to east, views are curtailed by nearby residential development.

Landscape character

4.5 As detailed within the NatureScot online landscape character dataset⁴, the site is located within the *Lowland Hill Fringes - Central* Landscape Character Type (LCT), with the urban area of Stirling located *in close proximity* to the north and east. To be considered as part of the subsequent appraisal of effects, the following table sets out the key characteristics of the LCT. The key characteristics that are particularly evident in the study area of the have been underlined.

Table 1: Landscape key characteristics

| LCT | Key characteristics |
|--------------------------------|--|
| Lowland Hill Fringes (LCT 150) | <ul style="list-style-type: none"> • <u>Undulating, rolling topography rising to larger scale hill landforms.</u> • <u>Gradation of topography creates transitional landscape linking the open hills of more pronounced relief and the neighbouring settled valley landscapes.</u> • Diverse landcover of arable and open <u>improved and unimproved pasture land, interlocks with woodland and forestry</u>, with some estate landscapes with frequent beech hedgerows and shelterbelts. • <u>High proportion of woodland cover including large coniferous blocks, mixed shelterbelts and broadleaf tree clumps.</u> • Scattered residential development and small <u>settlements on slopes</u>, with recent expansion in some areas. • <u>Minor roads.</u> |

⁴ www.nature.scot/professional-advice/landscape/landscape-character-assessment/scottish-landscape-character-types-map-and-descriptions

| LCT | Key characteristics |
|-----|--|
| | <ul style="list-style-type: none"> • <u>Concentration of small water bodies, reservoirs and small watercourses.</u> • <u>Hill fringes offer important panoramic views to neighbouring hills, valleys and straths,</u> as well as large settlement. • <u>A sense of remoteness and isolation in some areas</u> despite proximity to settlement and relatively limited geographic extent. |

- 4.6 Although the landscape has a prevailing rural character, the presence of the motorway and some areas of built development in the surrounding landscape detracts from this in places. As such, the susceptibility of the LCT to the proposed development is assessed as *medium* and when combined with a *high* landscape value (as result of the nationally important Registered Battlefield and the nearby Listed Buildings of the Bannockburn Rotunda, Memorial Cairn, Flagpole and Statue of King Robert I), the overall sensitivity of the LCT is assessed as **medium-high**.

Battle of Bannockburn Inventory Battlefield

- 4.7 The site forms an essential and undisputed part of the Battle of Bannockburn Inventory Battlefield. The Battle of Bannockburn, fought on 23 and 24 June 1314, is one of the most iconic battles of Scottish History and a key battle in the Wars of Independence. King Robert I (the Bruce) defeated Edward II of England, giving him effective control of Scotland, essentially removing both English forces and his own internal enemies from the country, and in the longer term helping to secure papal recognition of the nation. Bannockburn has remained a place of significance for the historical and cultural identity of Scotland ever since.
- 4.8 On the first day of the battle, the action is widely acknowledged to have taken place around New Park, a former wooded hunting park located to the southwest of St Ninians and in the vicinity of the modern National Trust for Scotland Visitor Centre. Bruce was camped within New Park where his army could block the road from Falkirk to Stirling (a former Roman road roughly on the line of the current A872).
- 4.9 This was the route used by the English to advance as they attempted to reach the besieged Stirling Castle and Bruce had prepared carefully. His army occupied a naturally defensive position on higher ground, with wooded cover, that was improved by the digging of pits with sharpened stakes to defend against a frontal cavalry charge and reduce the width of passable ground.
- 4.10 The English vanguard of around 4000 crossed the Bannock Burn and came within sight of the Scots. According to several sources, Henry de Bohun (a nephew of the Earl of Hereford, who was joint commander of the vanguard) saw that Bruce was isolated and forward of the Scottish lines and charged at him. Bruce avoided his charge and killed him as he passed, with a blow of his axe that broke the haft. After this initial encounter, the English vanguard charged the Scottish lines, but could not break through and had to retreat.
- 4.11 An English detachment of around 300 mounted men-at-arms then went round to the east of New Park to cut off a line of retreat for the Scots or to reach Stirling Castle. The detachment was intercepted by Moray and broke. The English then moved to camp for the night and the events of the second day are not directly relevant to this assessment.

The Battlefield today

- 4.12 The events of the first day were in the vicinity of the NTS Visitor Centre (or Bannockburn Heritage Centre) on Monument Hill. The site forms part of this area. To the northwest of the Centre is an area of architecture and landscaping that was essentially created for the 650th anniversary of the battle in 1964. It remains a focus for commemoration and appreciation of the battlefield. It

includes the Category A listed Bannockburn Rotunda, Memorial Cairn, Flagpole and Statue of King Robert. Access to Monument Hill is free and unrestricted.

- 4.13 A Core Path leads from the Centre to the Rotunda with interpretation about the battle provided at points along it. This includes interpretation of the surrounding landscape and its importance to the battle. The Rotunda is a circular enclosure defined by a concrete-block wall topped by a prominent timber rail. Some massive, almost powerful, rough boulders at the entrance bind the artificial to the natural landscape.
- 4.14 The enclosure is open at two places. The south opening offers views to the line of English advance and the north offers views to the statue of King Robert and in the distance Stirling Castle, the English objective. Just beyond the south opening is interpretation of the battlefield landscape seen in this direction, including the line of the Bannock Burn, lower ground and the line of English approach.
- 4.15 Within the Rotunda is the Borestone, by tradition the site at which King Robert I raised his standard, incorporated into a cairn in 1954 and a flagpole. The equestrian statue of King Robert, which has become a national symbol, stands in a commanding site on high ground and was designed to face south towards Edward II's line of advance.
- 4.16 Modern development has now covered much of the former area of New Park and extends from the northwest to southeast of Monument Hill. However, to the west and south is open, largely agricultural, ground. To the west this slopes down to the M9 and an area known as Halberts Bog. To the south ground slopes gently down to the Bannock Burn and includes an area known as Milton Bog.
- 4.17 New Park is likely to have been wooded in the 14th Century and this is no longer the case. However, the topography around Monument Hill can still be readily appreciated in views to open ground to the west and south. This allows an appreciation and understanding of the Scots' tactical choice to camp and draw up on higher ground, overlooking the English approach from the south. This is clearly communicated to visitors by interpretation provided on Monument Hill.
- 4.18 Views to the south are integrated into the design of the category A-listed Rotunda and the landscaping and interpretation around it. They are important for our experience of the battlefield landscape and listed buildings that commemorate the battle. These open views allow visitors to connect relatively readily to the past and help create a space for commemoration on Monument Hill.
- 4.19 Given the national importance of the battlefield, the site and its setting is assessed as having a **high** sensitivity to change.

Visual receptors

- 4.20 The following table identifies the visual receptors in the local landscape and their associated sensitivity to change.

Table 2: Visual receptors

| Receptor | Sensitivity |
|--|-------------|
| Visitors to the Bannockburn Rotunda | High |
| Recreational users along Core Paths adjacent to site | High |
| Residents in close proximity to the site | High |

- 4.21 In considering the nationally important Battlefield and Listed Building designations, it is clearly apparent that the site of the proposed development is located within a highly sensitive landscape, where the appreciation of the historic landscape is appreciated by a very large number of visitors

from around the world. In assessing landscape and visual effects therefore, paramount importance should be afforded to the conservation and enhancement of this nationally important landscape.

5 Appraisal of Landscape & Visual Effects

- 5.1 Given that the applicant's submission and the Council's decision are both fundamentally flawed, this section provides an appraisal of the significant landscape and visual effects that are likely to arise from the proposed development.

Appraisal methodology

- 5.2 In assessing landscape and visual effects, the degree of significance (in context of material considerations) is identified. In doing so, the following table sets out how the assessment of effects is determined from a combined evaluation of the sensitivity of the receptor and the magnitude of the effect.

Table 3: Determination of significance

| | Sensitivity of receptor | | |
|---------------------|-------------------------|-----------------------|-----------------------|
| Magnitude of effect | High | Medium | Low |
| Very large | substantial | major | moderate-major |
| Large | major | moderate-major | moderate |
| Medium | moderate-major | moderate | moderate-minor |
| Small | moderate | moderate-minor | minor |
| Very small | moderate-minor | minor | negligible |

- 5.3 The above table shows how the 'significance/level' of the landscape/visual effect increases from negligible to substantial with increasing receptor sensitivity and with greater magnitude of effect. The most substantial effects would occur where a receptor of highest sensitivity is affected by an effect of *very large* magnitude. Conversely, *negligible* effects would result where a receptor of lowest sensitivity is affected by an effect of *very small* magnitude. Between these two extremes the significance of effect would vary continuously and the significance of any one effect is determined by professional judgement, taking into account all the relevant factors.
- 5.4 The assessment of effects provides further details of how the significance of effects has been determined in each case where relevant. Where overall effects are predicted to be **moderate-major**, **major** or **substantial**, these are considered to be significant in the context of material considerations (shaded grey in above Table).
- 5.5 Effects on landscape receptors is assessed in terms of its size or scale. This is judged using the factors set out in the following Table:

Table 4: Size / Scale of Landscape Effect

| Class | Criteria |
|-------------------|--|
| <i>Very large</i> | Highly obvious change, affecting the majority of the key characteristics and defining the experience of the landscape. |
| <i>Large</i> | Obvious change, affecting many key characteristics and the experience of the landscape. |
| <i>Medium</i> | Noticeable but not obvious change, affecting some key characteristics and the experience of the landscape. |
| <i>Small</i> | Minor change, affecting some characteristics and the experience of the landscape slightly. |
| <i>Very small</i> | Little perceptible change. |

- 5.6 The geographical area over which the landscape effects would be experienced (regional, local or restricted to the site) is also taken into account, as well as duration and reversibility. This is distinct from the scale of the change. For example, a small change to the landscape over a large geographical area could be comparable to a very large change affecting a much more localised area.
- 5.7 The magnitude of the visual effect resulting from the proposed development is evaluated in terms of size or scale, geographical extent, duration and reversibility. This is based on the interpretation of a combination of a range of factors, described in the following Table.

Table 5: Size / Scale of Visual Effect

| Class | Description | Appearance in field of vision |
|-------------------|---------------|--|
| <i>Very large</i> | Dominant | <ul style="list-style-type: none"> - commanding, controlling the view - creation/removal of a dominant visual focus - highly uncharacteristic elements or pattern introduced - most of the view affected |
| <i>Large</i> | Prominent | <ul style="list-style-type: none"> - major change to the view, striking, sharp, unmistakable, easily seen - creation/removal of major visual focus - uncharacteristic elements or pattern introduced - large proportion of the view affected |
| <i>Medium</i> | Conspicuous | <ul style="list-style-type: none"> - noticeable change to the view, distinct, clearly visible, well defined - creation or removal of a visual focus that may compete - some elements of the Development fit the existing pattern - some of the view affected |
| <i>Small</i> | Apparent | <ul style="list-style-type: none"> - minor change to the view but still evident - little change to focus of the view - fits intrinsic visual composition - little of the view affected |
| <i>Very small</i> | Inconspicuous | <ul style="list-style-type: none"> - no real change to perception of the view - weak, not legible, hardly discernible |

Viewpoint effects

- 5.8 The following viewpoint appraisal provides an overview of the static visual effects predicted during the operational phase from four LVIA viewpoint locations (see **Figure 1 in Appendix**). Although the LVIA photos only indicate the approximate extent of the proposed development (as opposed to montaged representations), the visual effects of the proposed development are informed by DHLP's significant experience in assessing a wide range of proposed developments.

Viewpoint 1: Bannockburn Rotunda

- 5.9 The viewpoint is located at the Bannockburn Rotunda that forms part of the NTS Visitor Centre. The Rotunda is a focus for commemoration and appreciation of the battlefield and includes the Category A listed Bannockburn Rotunda, Memorial Cairn, Flagpole and Statue of King Robert. A Core Path leads from the Centre to the Rotunda with interpretation about the battle provided at points along it. This includes interpretation of the surrounding landscape and its importance to the battle. The views to the south that overlook the site of the proposed development are integrated into the design of the Rotunda and are important for our experience of the battlefield landscape. These open views allow visitors to connect relatively readily to the past and help create a space for commemoration on Monument Hill. Access to Monument Hill is free and unrestricted and with tens of thousands of visitors per annum, the visual sensitivity of visitors is assessed as *high*.
- 5.10 As illustrated in photos **1 and 2** of the Appendix, the proposed development would occupy a very large part of the horizontal view. With a contrast in colour and texture to the surrounding pasture, most of the track and the associated railings would appear very noticeable beyond the immediate foreground. Some of the car parking areas are likely to be visible to the right of view, and in the centre of view, the top of the amenity building is also predicted to be visible. The flag poles would also very noticeable. As such, the proposed development would result in the introduction of uncharacteristic elements and visual pattern. Moreso, it would lead to the creation a of visual focus that competes with, and detracts from, the appreciation of the undeveloped Battlefield landscape. Consequently, the magnitude of change is assessed as *medium*, resulting in a *moderate-major* and **significant** visual effect. During times of operation however, views of activity and parking are likely to result in a *major* effect.

Viewpoint 2: Chartershall Road

- 5.11 The viewpoint is located alongside Chartershall Road that lies in very close proximity to the site's western boundary. With a section of Core Path located to the north that leads to the nearby Rotunda, and one that leads along the southern site boundary, this section of quiet road forms part a circular route around the site that is often used by visitors to further appreciate the Battlefield landscape. In additional to recreational users, the viewpoint also represents the views from several dwellings at the nearby settlement of Mill Lade where residents would experience similar views over the site from rear facing rooms and curtilage. The visual sensitivity of residents and recreational users is assessed as *high*.
- 5.12 As illustrated in photos **3 and 4** of the Appendix, the proposed development would occupy a very large part of the horizontal view. With a contrast in colour and texture to the surrounding pasture, most of the track and the associated railings would appear very noticeable in the immediate foreground. All of the car parking areas would be visible to the left of view amongst which, the amenity building and flag poles would be very noticeable. As such, the proposed development would result in the introduction of uncharacteristic elements and visual pattern. Moreso, it would lead to the creation a of major visual focus that competes with, and detracts from, the appreciation of the undeveloped Battlefield landscape. Consequently, the magnitude of change

is assessed as *large*, resulting in a *major* and **significant** visual effect, particularly during times of operation.

Viewpoint 3: Core Path to south of site

- 5.13 The viewpoint is located alongside a section of Core Path that connects Chartershall Road to the west, and New Line Road to the east. Although parts of the route that lie adjacent to the southern site boundary are bound by mature hedgerows and some trees (and therefore, offer some screening), from approximately half of the 500 m route, there are very open views into the site. The visual sensitivity of recreational users is assessed as *high*.
- 5.14 As illustrated in **photo 5** of the Appendix, the proposed development would occupy a very large part of the horizontal view and as the ground rises quite steeply, a relatively large part of the vertical view. With a contrast in colour and texture to the surrounding pasture, most of the track and the associated railings, parts of which would be cut into the rising ground, would appear very noticeable in the immediate foreground. Most of the car parking areas would be visible around the site, and of major concern, the amenity building and flag poles would be very noticeable below the Rotunda Monument. As such, the proposed development would result in the introduction of uncharacteristic elements and visual pattern. Moreover, it would lead to the creation of a major visual focus that competes with, and detracts from, the appreciation of the nearby Rotunda. Consequently, the magnitude of change is assessed as *large*, resulting in a *major* and **significant** visual effect, particularly during times of operation.

Viewpoint 4: New Line Road

- 5.15 The viewpoint is located alongside New Line Road to the east of the site. Along a 200 m section of the road, there are very open views into the site. In addition to recreational users undertaking a circular walk around the site, there are several nearby dwellings where residents would experience very similar views. The visual sensitivity of residents and recreational users is assessed as *high*.
- 5.16 As illustrated in **photo 6** of the Appendix, the proposed development would occupy a very large part of the horizontal view and where the ground rises, a relatively large part of the vertical view. With a contrast in colour and texture to the surrounding pasture, most of the track and the associated railings, parts of which would be cut into the rising ground, would appear very noticeable in the immediate foreground. Most of the car parking areas would be visible to around the site and of major concern, the amenity building and flag poles would be very noticeable below the Rotunda Monument. As such, the proposed development would result in the introduction of uncharacteristic elements and visual pattern. Moreover, it would lead to the creation of a major visual focus that competes with, and detracts from, the appreciation of the nearby Rotunda. Consequently, the magnitude of change is assessed as *large*, resulting in a *major* and **significant** visual effect, particularly during times of operation.

Landscape effects

- 5.17 Following on from the baseline appraisal, landscape effects are considered in relation to the Lowland Hill Fringes LCT and the Battle of Bannockburn Inventory Battlefield and associated Listed Buildings.

Lowland Hill Fringes LCT

- 5.18 The proposed development would appear uncharacteristic to the local landscape and of particular concern, it would noticeably contrast with the prevailing rural character afforded by

the distinctive composition of undeveloped pastures enclosed by hedgerows and mature trees. It would also detract from the mature trees that line the nearby Bannock Burn. Although the integrity of the LCT as whole would not be compromised, it is predicted that a *moderate-major* and **significant** effect would be experienced within the local landscape.

Bannockburn Inventory Battlefield

- 5.19 As demonstrated by the photograph at Viewpoint 1 (see Appendix) the proposed development would affect a relatively large part of the view south from Monument Hill that is currently interpreted as 'View from the Scottish Camp' by information boards immediately south of the Rotunda. Similar views of the site and associated battlefield would be visible from most of Monument Hill. Although most of the proposed infrastructure is low-lying, the introduction of the track and associated railings would appear highly uncharacteristic to its undeveloped and rural locality, and as such, it would change the character of the affected part of the landscape from open and agricultural, to a prevailing sporting amenity and partially developed one.
- 5.20 The proposed development would occupy part of an area of lower ground that the English may have used on approach and could have seen some fighting. Visibility of lower ground to the south is important to understanding why the Scots chose to locate their camp on higher ground. While it would still be possible to understand the relative heights of ground, the development would detract from the integrity of the landscape. Consequently, it would become harder to visualise and connect with events of the past. It would introduce more visual distraction, and therefore would detract Monument Hill's function as a focus for commemoration. Furthermore, activity and noise during times of operation would also further impact on the tranquillity and enjoyment of the Battlefield landscape.
- 5.21 Considering all of these factors, the magnitude of change is assessed as *medium*, resulting in a *moderate-major* and **significant** landscape effect.

6 Conclusion

Summary of key findings

- 6.1 The site of the proposed development is located within a nationally important Battlefield designation and the setting of Listed Buildings. The appreciation of the historic landscape is appreciated by a very large number of visitors from around the world and therefore, the local landscape is highly sensitive to the introduction of any intrusive and incongruous development.
- 6.2 As evidenced in Section 2 of this report, the applicant's evidence in relation to landscape and visual matters is considered to be technically flawed. With a wide range of fundamental errors and the failure to provide some essential information, it significantly understates or fails to recognise the nature of all landscape and visual effects. As such, the applicant's submission is **not fit for purpose** and therefore, it **cannot be relied upon** by the DPEA when determining the application.
- 6.3 Furthermore, as detailed in Section 3 of this report, the Case Officer has based their policy appraisal and associated recommendation of approval on a lack of information and more worryingly, the full support of a submission from the applicant that is fundamentally flawed. In reaching their decision therefore, **the Council has not fully considered the nature of all likely landscape and visual effects.**

6.4 Given that the applicant's submission and the Council's decision are both fundamentally flawed, Section 5 of this report provides a robust appraisal of the **significant** landscape and visual effects that are likely to arise from the proposed development. In summary, these are:

- Viewpoint 1: Bannockburn Rotunda - at least a *moderate-major* effect on a very large number of visitors;
- Viewpoint 2: Chartershall Road - a *major* effect on recreational users and the residents of several nearby dwellings;
- Viewpoint 3: Core Path to south of site - a *major* effect on recreational users;
- Viewpoint 4: New Line Road - a *major* effect on recreational users and the residents of several nearby dwellings;
- Lowland Hill Fringes LCT - a localised *moderate-major* effect; and
- Bannockburn Inventory Battlefield - a *moderate-major* effect.

Policy compliance

6.5 In relation to national and local landscape-related material considerations (see Section 3), it is advised that given the above significant effects, the proposed development:

- Has not been designed to improve the quality of an area, whether in urban or rural locations.
- Has not been appropriately designed and sited to respect the character and amenity of its setting.
- Does not respect site topography, nor any surrounding important landmarks, views or skylines.
- Does not conserve and enhance landscape character and quality.
- Is visually intrusive, and detracts from important views and landmarks, and the visual amenity of people from sensitive viewpoints, public access routes, and settlements.
- Does not preserve the character of the setting of Listed Buildings associated with the Battle of Bannockburn.
- Does not avoid significant adverse effects upon the landscape features, character and setting of the Bannockburn Inventory Battlefield.
- Compromises the landscape integrity and character of the battlefield area associated with the first day events.

6.6 Given the large number of policy conflicts, there is no doubt that the proposed development is **unacceptable** in landscape and visual terms. In determining the application therefore, paramount importance should be afforded to the protection of this nationally important landscape.