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Our ref: LDP-200-1

2 June 2011

Dear Mr Newland

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING)
(SCOTLAND) REGULATIONS 2008
EAST DUNBARTONSHIRE COUNCIL – SUBMISSION OF UNRESOLVED ISSUES
FOR THE PROPOSED EAST DUNBARTONSHIRE LOCAL PLAN 2**

We refer to our appointment by the Scottish Ministers to conduct the examination of the East Dunbartonshire Local Plan 2. We have completed the examination, and now submit our report, enclosing four bound copies.

In our examination we considered all 73 issues arising from unresolved representations which were identified by the council. In each case we have taken account of the summaries of the representations and the responses, as prepared by the council, and the original representations, and we have set out our conclusions and recommendations in relation to each issue in our report.

The examination process also included a comprehensive series of unaccompanied and accompanied site inspections and, for some issues, we requested additional information from the council and other parties. This included a request for Strategic Environmental Assessment and additional information in relation to 8 sites, the background to which is explained under issues 3.2 and 3.4. We held a hearing to explore the issue of housing land supply in greater detail.

Subject to the limited exceptions as set out in section 19 of the Town and Country Planning (Scotland) Act 1997 and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, the council is

now required to make the modifications to the proposed local plan as set out in our recommendations.

The council should also make any consequential modifications to the text or maps which arise from these modifications. Separately, the council will require to make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

A letter will be issued to all those who submitted representations (including in relation to the above-mentioned Strategic Environmental Assessment) to inform them that the examination has been completed and that the report has been submitted to the council. It will advise them that the report is now available to view at our web site at:

<http://www.scotland.gov.uk/Topics/Built-Environment/planning/decisions-appeals/Appeals/PlanInquiries>

and at the council's office at William Patrick Library, 2nd Floor, 2-4 West High Street, Kirkintilloch and at the following Brookwood Library, Bishopbriggs Library, Lennoxtown Library, Lenzie Library, Milnagavie Library, Craighead Library and Westerton Library and that it will also be posted on the council's website at:

http://www.eastdunbarton.gov.uk/content/planning_and_the_environment/planning_building_standards/planning/planning_-_policy/emerging_local_plan_2.aspx

The documents relating to the examination should be retained on the Council's website for a period of six weeks following the adoption of the plan by the Council.

It would also be helpful to know when the plan has been adopted and would appreciate being sent conformation of this in due course.

Yours sincerely

Edward Hitchings
Reporter

Malcolm Mahoney
Reporter

Katrina Rice
Reporter

Iain Urquhart
Reporter

REPORT TO EAST DUNBARTONSHIRE COUNCIL

LOCAL PLAN EXAMINATION EAST DUNBARTONSHIRE LOCAL PLAN 2

Reporters: Edward Hitchins
Malcolm Mahony
Katrina Rice
Iain Urquhart

Date of Report: 2 June 2011

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Issue (ref and handling):	Issue 1.1 - Strategic Policy Direction – Sustainable Travel	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 7 - Policy SPD 1 Strategic Policy Direction – Sustainable Growth	
Bodies or Person(s) submitting a representation raising the issue:		
Strathclyde Partnership for Transport (SPT) 130		
Provision of the development plan to which the issue relates:		
Sets out an overall vision for East Dunbartonshire to achieve sustainable development by supporting mixed housing, the growth of economically beneficial business land, developing brownfield land and controlling the adverse effects on the transport network.		
Council’s summary of the representation(s):		
A policy on sustainable development should follow the direction from Scottish Government's Climate Change Delivery Plan and emphasise the need to reduce the demand for travel by locating new development close to existing land uses and transport networks and promote a shift from more carbon intensive to less carbon intensive modes of transport.		
Modifications sought by those submitting the representations:		
Policy SPD 1 should be altered to reflect the Scottish Government's advice in terms of emphasising the need to reduce the demand for travel by locating new development close to existing land uses and transport networks.		
Summary of response (including reasons) by planning authority:		
<p>The Council strongly agrees with the principle of sustainable travel patterns and that new development should be located close to existing land uses and transport networks. This is reflected in Policy TRANS 1 which promotes sustainable travel patterns and encourages new development to be located close to transport networks. Given the significance of sustainable travel patterns in achieving sustainable growth, it is agreed that the wording of SPD 1 could be modified to establish this policy direction at the front end of the document. It is recommended that the last sentence is amended to read:</p> <p><i>“The Direction also aims to promote a pattern of development which reduces the need to travel and helps to control adverse effects on the transport network.”</i></p> <p>This would ensure that the Policy accords with Scottish Government’s advice including the Scottish Planning Policy, National Planning Framework 2 and Climate Change Delivery Plan. In particular, Scottish Planning Policy has been strengthened to emphasise the important role of the planning system in promote Sustainable Economic Growth and addressing climate change. Paragraph 42 requires development plans to “<i>promote a pattern of development which reduces the need to travel and encourages active travel by public transport</i>”. Policy TRANS 1 expands on the promotion of sustainable travel patterns whilst specific initiatives pertaining to the promotion of a shift from carbon intensive transport to less carbon intensive modes of transport are addressed by the Council's Local Transport Strategy (LTS) and so are not considered appropriate within Policy SPD1.</p>		

SUGGESTED CHANGE TO POLICY SPD 1:

- Amend the last sentence to read: *“The Direction also aims **to promote a pattern of development which reduces the need to travel and** helps to control adverse effects on the transport network.”*

Reporter’s conclusions:

1. I note that the policy modification sought by Strathclyde Partnership for Transport also includes the need to promote a shift from more carbon intensive to less carbon intensive modes of transport.

2. National policy emphasises the need for coordinated action to meet the emission reduction targets of the Climate Change (Scotland) Act 2009. Development plans should promote a pattern of development which reduces the need to travel and encourages active travel (cycling and walking) and travel by public transport. This is reflected in the fourth aim of the Glasgow and Clyde Valley Structure Plan 2006.

3. The Council’s view is that a shift to less carbon intensive modes is a matter for the Council’s Local Transport Strategy, so that the suggested modification is limited to adding the phrase “to promote a pattern of development which reduces the need to travel”. I consider that this would fail to reflect the need to address this key national policy by a fully integrated approach to transport and development. Facilitating and encouraging active travel and the use of public transport should underlie all decisions about the location of development and its layout and design, and where appropriate, land needs to be allocated for transport facilities and routes. This sustainable growth policy should set the scene for sustainable transport to be reflected in many other policies and proposals of the plan.

Reporter’s recommendations:

4. Policy SPD 1 – Strategic Policy Direction - Sustainable Growth

final sentence to be deleted and replaced by: -

“The Direction also aims to promote a pattern of development which reduces the need to travel, encourages active travel and travel by public transport and helps to control adverse effects on the transport network.”

Issue (ref and handling):	Issue 1.2 - Strategic Policy Direction – Brownfield Development	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 7 - Policy SPD 1 Strategic Policy Direction – Sustainable Growth	
Bodies or Person(s) submitting a representation raising the issue:		
John Mackintosh (116)		
Provision of the development plan to which the issue relates:		
Strategic Direction SPD 1 sets out a vision for East Dunbartonshire to achieve sustainable development by supporting mixed housing, the growth of economically beneficial business land, developing brownfield land and controlling the adverse effects on the transport network.		
Summary of representation(s):		
Policy should place greater emphasis on the importance of Brownfield development within Policy SPD 1.		
Modifications sought by those submitting the representations:		
Insert a statement emphasising the importance of developing brownfield land as a priority in policy SPD 1.		
Summary of response (including reasons) by planning authority:		
Policy SPD 1 clearly states that the Council’s priority is “to develop brownfield land before consideration of any Greenfield releases”. Policy UC 1 – Urban Capacity also states that “the Council will generally support the development of brownfield and infill sites within the urban area while protecting valued open space”. Taken together, this support for brownfield development is considered sufficiently clear, provides clarity and reflects Scottish Planning Policy. No change is considered necessary.		
Reporter’s conclusions:		
5. I note that the representation refers to the overdevelopment of marketable housing in the Bearsden/Milngavie area, the need for further development to be strictly controlled and that it should preferably be on brownfield sites.		
6. Policy SPD 1 includes only limited growth for market housing and a priority to develop brownfield land before consideration of greenfield releases. In these respects, it addresses these concerns at a level that is appropriate for a strategic policy applicable to the whole of the plan area. It also reflects the national policy that decisions on the location of new development should promote regeneration and the re-use of previously-developed land. Other policies of the local plan, in particular Policies UC1 and HMU 1, also encourage the development of brownfield and infill sites.		
Reporter’s recommendation:		
The finalised local plan need not be changed.		

Issue (ref and handling):	Issue 2.1 - Bishopbriggs East	Reporter: IAIN URQUHART
Development Plan Reference:	Page 12 - Policy UC 1 – Urban Capacity, Schedule A	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council - Mrs Margaret McNaughton (86) Railfuture Scotland - Ken Sutherland (146)		
Provision of the development plan to which the issue relates:		
UC1: Urban Capacity – Supports the development/initiative at Bishopbriggs East (A) as detailed in Schedule A. This states that there is a residential development capacity of 600 units, however development of 400 units is dependent on arrangements and financial contributions from the Bishopbriggs Relief Road (Policy TRANS 3). Affordable Housing is also required as per Policy HMU1.		
Council’s summary of the representation(s):		
Bishopbriggs Community Council - Objects to the lack of business opportunities, greenspace development, community facilities and environmental improvements provision in Bishopbriggs East (Schedule A).		
Railfuture Scotland - Considers that UC1 Schedule A (Bishopbriggs) should include a statement of the significance of the proposed rail halt and park and ride facilities at Westerhill, to be consistent with the reference to a Westerhill Rail Halt contained in Policy Trans 4: <i>Rail Network and Park and Ride Facilities</i> .		
Modifications sought by those submitting the representations:		
Bishopbriggs Community Council Consider the inclusion of opportunities, greenspace development, community facilities and environmental improvements in Schedule A.		
Railfuture Scotland Insert comment noting the importance of delivering Westerhill rail halt to the proposed development at Bishopbriggs East.		
Summary of response (including reasons) by planning authority:		
Bishopbriggs Community Council The five Schedules included in UC1 have been identified as areas suitable for significant growth and redevelopment. The proposals within each of the Schedules have been identified according to the individual characteristics of each location. Consequently, some are more detailed and wide ranging than others. The Bishopbriggs East area has been identified as being suitable for significant residential expansion, largely on the basis of financial contributions towards the Bishopbriggs Relief road as detailed in Policy TRANS 3. Although Schedule A does not include as many specific community proposals, any development will nevertheless be expected to incorporate an appropriate level of open space in accordance with Policy OS2, as well as considering the nature conservation and green network value of		

the site as required by UC1. It should be noted that the Planning Board is currently minded to grant consent for residential development at this site, subject to the completion of a legal agreement which is nearing completion. As such, no change to this Policy is required.

Railfuture Scotland

Given that Policy TRANS 4 supports the creation of a rail halt at Westerhill, the Council agrees that it would be appropriate to refer to the rail halt in Schedule A. The nearby residential development at Bishopbriggs East is likely to contribute towards the viability of a rail halt at nearby Westerhill and as such it would be appropriate to make reference to this. This would ensure consistency with Schedules B and C which refer the provision of rail halts at Woodilee and Allander respectively, and are also supported in TRANS 4.

SUGGESTED CHANGE TO POLICY UC1 SCHEDULE A:

- Modify the wording of UC1 Schedule A to highlight that Policy Trans 4 supports the creation of a new rail halt at Westerhill, and that this facility would enhance public transport options for the Bishopbriggs East residential expansion.

Reporter's conclusions:

1. It is clear that the UC 1 locations described in Schedules A to E are varied in scale and land use character. As a result, the mix of development proposals required for each location is different. The approved structure plan and the adopted local plan identify Bishopbriggs East as an urban expansion location with a capacity of 600 housing units. Some housing development has already been completed and the council is committed to granting planning permission for a further 256 houses together with phase 3 of the Bishopbriggs relief road.

2. I do not accept the Community Council's general argument that, because other UC 1 locations are required to provide a mix of land uses and facilities, the Bishopbriggs East location must have similar requirements particularly to benefit the local community. I find this argument difficult to support in the absence of any specific justification being made for the provision of a different mix of land uses in this location. In any event, I consider there will be benefits to the wider community through construction of phase 3 of the relief road. In addition, the planning permission which the council proposes to grant contains open space and environmental obligations which will also benefit the wider community.

3. Policy TRANS 4 supports development of a rail halt on the main line at Westerhill. This is a long term council ambition and unlikely to be delivered during the local plan period. Further technical and financial viability work needs to be carried out by Transport Scotland before any commitment is made to the project. However, in the meantime, I accept that further housing development within the catchment of the potential rail halt will contribute towards its viability. Therefore, I accept the representation by Railfuture Scotland that Schedule A should make reference to the role of residential expansion at Bishopbriggs East in supporting a new rail halt at Westerhill.

Reporter's recommendations:

Add the following sentence to the end of paragraph 2 of Schedule A '*Residential development in this location will help support the viability of a future rail halt at Westerhill.*'

Issue (ref and handling):	Issue 2.2 - Kirkintilloch's Initiative	Reporter: IAIN URQUHART
Development Plan Reference:	Page 12 - Policy UC 1 – Urban Capacity, Schedule B Proposals Map	
Bodies or Person(s) submitting a representation raising the issue:		
Penelope Sinclair (84) Keppie Planning on behalf of Phillip C Smith (107) GL Hearn on behalf of National Grid Property Ltd (188) Colliers on behalf of Tame Construction (208) Transport Scotland (216)		
Provision of the development plan to which the issue relates:		
Policy UC1: Urban Capacity supports the development of brownfield and infill sites within the urban area while protecting valued open space. Supports the developments/initiatives at 5 separate locations, including 'the Kirkintilloch Initiative/ Woodilee, Lenzie' as per Schedule B. This comprises a wide range of infrastructure, housing, retail, business, leisure and greenspace improvements.		
Council's summary of the representation(s):		
<p>Penelope Sinclair There is a shortage of parking spaces at the Woodhead Clinic (Schedule B, 14).</p> <p>Considers that a car park on Southbank Road, beside the canal, would be more appropriate than the development of 66 flats.</p> <p>Keppie Planning That Policy UC1 Schedule B of the Finalised Draft Local Plan should allow the potential for residential use to be incorporated as part of a mixed-use development on this site, as a possible alternative to business use. In order to support this flexible approach to redevelopment, the site should be considered for inclusion as Housing within the Table (Section A) associated with Policy HMU 1 – Development Opportunities for Housing and Mixed Use.</p> <p>GL Hearn on behalf of National Grid Property Ltd Consider that the current designation of the Kirkintilloch Gateway site as ECON 2 is inappropriate and that the policy framework should support the development of residential, retail, leisure and other commercial uses to better meet Structure Plan requirements. It is considered that this would make the land more economically viable, given the high costs involved in remediating the site.</p> <p>In addition, such uses should be directed to the Gateway site in advance of the development of Greenfield release, with reference to the site to the south which requires to be released from the Green Belt. There is a formal objection to the allocation of site UC1B as there are sequentially preferable, vacant brownfield sites available.</p> <p>Also consider that the designation of an Important Wildlife Corridor (NE1) is incompatible with the development of the consented link road together with the development of the Gateway.</p>		

Colliers on behalf of Tame Construction

Object to the omission of land west of Woodilee Road from the Urban Capacity Development

Initiative Schedule B (Kirkintilloch Initiative). Consider that all land west of Woodilee Road – currently designated in the draft Plan as an existing business area and a future economic development opportunity under ECON 2 - should be re-designated as Schedule B to accommodate retail, mixed housing, hotel and commercial/ business uses. Tame Construction are of the view that their landholding can provide a site for a new convenience foodstore.

In terms of phasing, consider that the above land i.e. west of Woodilee Road should come forward for development as part of the Kirkintilloch Initiative prior to the land immediately to the south, which requires to be removed from the greenbelt.

A Hearing or Public Inquiry session of the Local Plan is sought to discuss these issues in full.

Transport Scotland

Is of the opinion that the wording of Policy UC1 (including Schedule B) and TRANS 4 could be misleading as they do not contain any reference to the deliverability of the schemes or their current status in terms of approval or commitment from Transport Scotland.

It is Transport Scotland's current view that the proposed rail infrastructure within Schedules B and C would comprise the objectives of the Edinburgh to Glasgow Rail Improvement Programme proposals. Therefore, any potential impact would require to be fully investigated and should be included within the Plan to ensure transparency and clarity for developers.

Request that all references in UC1 and TRANS 4 to rail proposals including new halts and supporting infrastructure are accompanied by text indicating the status of proposals with regard to their deliverability, commitment and requirement for appropriate appraisal.

Modifications sought by those submitting the representations:**Penelope Sinclair**

Amend Schedule B item 14 to encourage improved parking provision at Woodhead Clinic.

Delete reference to housing provision under item 9 of Schedule B and corresponding entry under Table HMU 1.

Keppie Planning

Amend UC1 Schedule B to include provision for housing development as part of mixed use development at the Kirkintilloch Initiative. Also include the site in HMU Table Section A.

GL Hearn on behalf of National Grid Property Ltd

Amend the policy allocation of the Kirkintilloch Gateway site from ECON 2 to UC1 Schedule B, including support for retail and residential development.

Insert requirement that such brownfield land is developed in advance of land released from the green belt.

Remove the designation as a Local Nature Conservation Site (Important Wildlife Corridor) NE1 from the Kirkintilloch Gateway area.

Colliers on behalf of Tame Construction

Amend proposals map to include the land west of Woodilee Road (currently designated as an existing business area and future economic development opportunity) as part of the Kirkintilloch Initiative under UC1 Schedule B for retail, mixed housing, hotel and commercial/business uses. Insert requirement to Schedule B that this land should be developed prior to the land to the south which requires to be removed from the greenbelt.

Transport Scotland

Modify the text of UC1 Schedules B and C, and TRANS 4 to indicate the status of proposals with regard to their deliverability, commitment and requirement for appropriate appraisal.

Summary of response (including reasons) by planning authority:**107, 188, 208**

As a key gateway site, the Council's Economic Development service would support the redevelopment of the area currently identified on the Proposals Map as UC 1B, Econ 2 (02) and that part of the adjacent Open Space which borders the Kirkintilloch Link Road, primarily for modern business uses in order to contribute to the overarching objective of maximising the potential of this important gateway location. This would include the land west of Woodilee Road which is currently designated as a part 'economic development opportunity' and part 'existing business area'. A masterplan approach should be adopted for these sites which would present options for the whole area.

SUGGESTED CHANGE TO PROPOSALS MAP:

- Amend the areas currently marked on the Proposals Map as UC 1B, ECON 2 (02) and that part of the adjacent open space which borders the Kirkintilloch link road as follows:
 - the entire area to be coloured with the 'Urban Capacity Developments Initiatives' colouring; and
 - the colouring to be overlaid with notation indicating: UC1 Schedule B, ECON 2 (02) and HMU1 (new reference number required).

In terms of phasing, it is the Council's policy to develop brownfield land before consideration of any Greenfield releases, as set out in Policy SPD 1. Phasing of the development will be linked to the Link Road.

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Southbank has been identified as a 'flagship location' for economic development opportunities (Policy ECON2) and is part of the Kirkintilloch Initiative (Policy UC1 Schedule B). This has been carried forward from the adopted 2005 Plan. The different elements which will make up the redevelopment of Southbank include a modern arts and culture centre, canal related leisure and business opportunities, housing and new access arrangements. Parking will be required as part of these developments in accordance with Policies DQ2 and TRANS 2. It is important to note that Southbank will be taken forward as a 'mixed use' development through an agreed masterplan, of which a limited amount of housing will comprise an important element. As such, the Local Plan indicates that the Council is disposed to grant planning permission for 66 housing units, subject to a section 75 agreement and conditions. It is not considered necessary to modify the plan in this respect.

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The Council recognises the role of Transport Scotland in approving, funding and helping to deliver new rail infrastructure. However, it is not agreed that the lack of reference within Schedule B to Transport Scotland's role may be misleading in terms of their deliverability. As a land use planning document, the Local Plan is intended to clearly state the Council's

preferences with regard to an improved rail infrastructure and to identify and safeguard appropriate areas of land. It is not the role of the Local Plan to set out the deliverability of individual designations/schemes or to clarify their current status. Matters relating to the deliverability of the various Transport schemes are more appropriately addressed within the Local Transport Strategy.

Reporter's conclusions:

Woodhead Clinic

1. I note that the Council is aware of the parking issues associated with the new health Centre and that it intends to monitor the adequacy of a travel plan submitted in accordance with a condition attached to the planning permission for the health centre. When I visited the new health centre site on 2 separate occasions, there were very few parking spaces available. Some vehicles were parking outwith marked spaces, and cars were also parked within the site of the former health centre.

2. Clearly, there are times when the availability of car parking is limited. However, I am not persuaded by Mrs Sinclair's argument that the site of the former health centre site should be developed for additional car parking rather than for housing. I do not regard the existing parking situation as so constrained to justify this approach. In any event, the former health centre site occupies a prominent, main road location on the southern approach to the town centre and it is better suited to a good quality housing development.

Woodilee Road/Loch Road Masterplan

3. Much of the existing industrial/business land and property lying to the south of Loch Road, west of Woodilee Road and east of the new Kirkintilloch Link Road, is vacant and derelict. Some property has been on the market for a long period without attracting occupiers. The area is adjacent to an established industrial and business zone on the eastern side of Woodilee Road. There are residential areas close to the site to the north and east, and the major new residential development at the former Woodilee Hospital site is relatively close. In the context of this existing pattern of land uses, it is appropriate that any redevelopment should also have a mix of uses provided that these uses are part of a comprehensive, planned, redevelopment solution for the area. The potential redevelopment area is well contained and defined, and of sufficient size to merit a masterplan approach.

4. The new by-pass improves the area's accessibility, visibility and marketability. The area is characterised by a mixed and disparate pattern of land ownership which may hinder efforts to bring forward an agreed redevelopment framework for the whole area. However, it is clear from the representations on behalf of 3 key landowners that there is a commitment to some form of joined-up approach to the comprehensive redevelopment of the area.

5. It appears to me that the Kirkintilloch Initiative was established to assist the development of a number of linked development projects. I consider that a masterplan approach is essential if this area's development potential is to be realised in a properly planned and phased manner. At the same time, new development in this location will contribute towards the wider objectives of the Initiative.

6. I believe that preparation of a masterplan is particularly important in an area such as this where there are a number of landowners who seek to implement a mixed use development. It will be important for the masterplan to set out an agreed land use, layout and infrastructure plan incorporating clear development phasing and implementation responsibilities. I note support for this approach from the council and, importantly, 3 key landowners, National Grid, Philip Smith and Tame Construction although the latter also promotes the sole allocation of its site for convenience retail use. I consider that such an

approach could lead to ad-hoc, piecemeal development contrary to good planning practice, and it would not encourage an integrated approach to access, transportation, infrastructure and landscape matters.

7. The main planning issue to be addressed as part of preparation of the masterplan is the mix of land uses which would be acceptable in this area. I consider this matter in the following paragraphs under 6 headings, namely;

- Retail – Convenience Goods
- Retail – Comparison Goods
- Business Space
- Residential use
- Nature Conservation
- Other Uses

Retail – Convenience Goods

8. The main town centre retail and planning policy context has not changed significantly since the reporters previously considered these matters as part of their report on objections to the first East Dunbartonshire Local Plan.

9. Schedule 6(c)(iv) in the approved Structure Plan does not identify any strategic shortfall in convenience floorspace in Kirkintilloch. The East Dunbartonshire Retail Capacity Study (December 2009), prepared by Roger Tym and Partners (RTP) for the Council, identifies a modest convenience floorspace requirement in Kirkintilloch of 334 sq. metres (net) for supermarket convenience or 915 sq. metres for discounter convenience.

10. It is generally accepted that there is expenditure leakage from Kirkintilloch to other centres including Bishopbriggs and Robroyston. Equally, there is general recognition that the qualitative retail offer in Kirkintilloch needs to improve. I note that GL Hearn (on behalf of National Grid) and Colliers (on behalf of Tame Construction) question assumptions in the RTP study in relation to retail capacity, store overtrading, expenditure retention rates and shopper surveys. However, I do not consider that these representations contain persuasive quantitative evidence to support a new medium/large scale foodstore in Kirkintilloch. On this basis, I am content to rely on the conclusions in the RTP study regarding convenience floorspace shortfall in Kirkintilloch.

11. The Woodilee Road/Loch Road area is an out-of-centre location whereas the Structure Plan Schedule 6(c)(ii) and Scottish Planning Policy (SPP) give first preference to town centre sites followed by edge-of-centre sites as part of the sequential approach to retail development. I do not dispute the arguments from the representees that there are no other suitable sites for major retail development in Kirkintilloch. However, given the modest floorspace shortfall identified in the RTP study, I consider that expansion of an existing outlet or new development on a town centre site such as at Glasgow Road/Achill Place would be sufficient, and there is no requirement for a larger site beyond the town centre. I acknowledge that a previous proposal to extend the existing Sainsbury's store in the town centre has not yet materialised. I would expect this option or development of Glasgow Road / Achill Place to be thoroughly investigated and brought forward during the plan period. If not, a future Local Development Plan (LDP) may need to consider the matter afresh.

12. Drawing together all of these issues, I find that development of convenience retail floorspace in the Woodilee Road/Loch Road area would be contrary to national and Structure Plan policy and is not supported by the Council's retail capacity study. In addition, I believe a foodstore development would be harmful to the efforts of the Council and its partners in the Kirkintilloch Initiative to improve the retail prospects of the town centre.

Retail – Comparison Goods

13. Schedule 6 (c)(iv) of the approved Structure Plan identifies a strategic shortfall in comparison floorspace in Kirkintilloch of 12,000 sq. metres (gross). The RTP study identifies a smaller shortfall of 3,825 sq. metres for the full East Dunbartonshire area.

14. There is no dispute between the parties that provision of new comparison floorspace can be justified on retail capacity grounds. Equally, new floorspace will help retain expenditure in the local area and claw back expenditure leakage from other commercial centres. I note the council position set out in response to my request for further information that areas allocated as an Economic Development Opportunity (ECON 2) would be the most appropriate location for new comparison goods provision in the Kirkintilloch/Lenzie area. The Council would expect non-business proposals to form part of a mixed use development, of which business use would form a significant element. The council also states that a masterplanning exercise would offer the opportunity to explore whether comparison retailing could be accommodated on the area west of Woodilee Road as part of a mixed use development.

15. Although the Woodilee Road/Loch Road area is an out-of-centre location, it has good accessibility as a result of the new by-pass road. I have not been made aware of any other location in, or close to, the town centre which could accommodate comparison retailing. I agree with the council that further work needs to be carried out by developers to prove this area is the best available location for comparison retailing and to meet the sequential test obligations contained in SPP and the Structure Plan. However, at this stage, I consider that it would be appropriate for policy UC 1 Schedule B to identify comparison retailing as one of a number of acceptable land uses which could form part of a mixed use masterplan for the Woodilee Road/Loch Road area.

Business Space

16. The industrial and business area to the east of Woodilee Road is well established and appears to be fully occupied. The new by-pass improves access to the area and improves the profile of the development opportunities in the area particularly the vacant sites lying between Woodilee Road, to the west, and the by-pass, to the east. It helps promote the Woodilee location as a 'Flagship Location' for business. I accept the council position that it is an important part of the business land supply in Kirkintilloch. This position seems to be broadly supported, in principle, by the representees albeit they seek to reduce the overall area allocated for economic development and introduce new non-business uses.

17. The evidence presented on behalf of Tame Construction and National Grid Property demonstrates that East Dunbartonshire has a business and industrial land supply in excess of 20 years. I also note that the council does not oppose a mixed use development in the Woodilee Road/Loch Road area on industrial/business land supply grounds. Overall, I consider there is an adequate supply of industrial and business land in East Dunbartonshire and the local Kirkintilloch area particularly in light of very modest annual take-up rates. Even if these rates were to increase, I consider that the overall land supply is adequate. I would have no objections if part of the industrial/business land supply in this area were given up to other compatible uses. However, because of its high profile location, good accessibility and its potential for improved marketability, I consider it important that business and industrial space is a significant component of any mixed use redevelopment scheme.

Residential Use

18. There is no strategic requirement for additional housing land allocations in East Dunbartonshire. These are matters which are covered under Issue 3.2. I have already noted in paragraph 3, above, that the area designated for industrial/business use, ECON 2(02), is adjacent to established residential uses to the north and north-east. In addition, a new housing development has commenced at the site of the former Woodilee Hospital to the

south-east. Clearly, the area is in transition. It seems to me that the scale of vacant industrial/business land, combined with recent developments of the by-pass and new housing on the former hospital site, creates an opportunity to take a flexible approach to redevelopment. As part of this approach, I consider that a small release of brownfield land for residential use could form part of a wider mixed use redevelopment scheme for the area bounded by the new link road, Loch Road and Woodilee Road. Any masterplan should ensure that the housing component is designed in such a way as to protect the amenity of residents given the potential for economic development and retail uses nearby.

19. An area of greenfield land, immediately to the south of the land at Woodilee Road designated for economic development, ECON 2(02), is proposed for release for housing as part of the Kirkintilloch Initiative. However, I note that the site does not feature in the list of projects under policy UC 1 Schedule B, nor is it included in the HMU Table Section A which lists housing and mixed use sites and housing capacity numbers. I also note that the council cites policy SPD 1: Strategic Policy Direction – Sustainable Growth in support of its position that priority will be given to developing brownfield land before considering greenfield releases.

20. I consider that the ongoing redevelopment of the former hospital site and the construction of the by-pass road have now established a new development and land use context for this greenfield site. Effectively, it has been absorbed into the urban area. I believe that its release for development would not prejudice wider greenbelt objectives. A new robust greenbelt boundary would be established along the site's southern boundary which is bordered by the incised sweep of the Luggie Water.

21. I acknowledge that there is no Structure Plan requirement for release of land from the greenbelt for housing or other purposes in this general location. Nevertheless, the new development landscape emerging around this greenfield site persuades me that it should be incorporated into the area for which I recommend preparation of a masterplan to guide and control development.

Local Nature Conservation

22. An area immediately east of the new Kirkintilloch Link Road, covered by the Econ 2(02) designation, is shown as a Local Nature Conservation (LNC) site and listed in Appendix 3 of the finalised Local Plan. It appears to be an area of largely self-seeded trees, shrubs and scrub vegetation. The council advises me that the area is also an Important Wildlife Corridor (IWC). However, I note that no formal wildlife or habitat assessment has been carried out. I accept that watercourses, road verges, hedgerows and former railway lines will generally act as local wildlife corridors. In this case, I do not believe that the LNC designation should prevent economic and business development on the wider area provided a masterplan approach is adopted. The masterplan should seek to retain sufficient semi-wooded area to allow it to act as a landscape screen and wildlife habitat and corridor. I recommend that the wording of policy UC 1 Schedule B be amended.

Other Uses

23. I consider that the comprehensive redevelopment of the area to the west of Woodilee Road will create opportunities to introduce new land uses. In the paragraphs above, I have already recommended that residential and retail uses may form part of an acceptable land-use masterplan for the area. I note the representations regarding hotel and leisure uses. Although there is no specific market evidence to support the representations, I believe that these uses could form part of a new land-use framework for the area.

24. Effectively, the new link road opens up the area, improves its local connectivity and development profile and creates a southern 'gateway' to Kirkintilloch. In this context, I would not object to the inclusion of hotel/leisure uses as part of a comprehensive masterplan for the area. Detailed development management considerations should determine the scale and

location of these uses within the wider masterplan.

Southbank

25. The mixed use proposals for Southbank have been carried forward from the adopted local plan (2005) although I note that the housing element has increased from 50 units to 66 units in the finalised local plan.

26. Mrs Sinclair argues that development of a car park at Southbank, instead of 66 flats, would 'turn round the viability of the town.' However, there is no other information provided to me on town centre car parking which supports this contention. Therefore, I consider that the previously agreed mixed use, masterplan approach should be supported and that there is no justification for amending policy UC 1 in relation to Southbank.

Transport Scotland

27. The representation by Transport Scotland on the deliverability of new rail schemes is addressed under Issue 12.6 where it is recommended that policy UC 1 Schedule B should be amended.

Reporter's recommendations:

1. Modify the Proposals Map in relation to the area bounded to the west by the Kirkintilloch Link Road, to the north by the existing residential area around Loch Road, and to the south and east by Woodilee Road, as follows:

- the whole area to be shown as an Urban Capacity Development Initiative (UC 1B)
- the whole area to be overlaid with the notation UC 1B, ECON 2 (02), R 1 and HMU 1 (new reference numbers required).

2. Delete the existing wording of policy UC 1 Schedule B (item 12) and replace with the following wording:

'A mixed use, redevelopment masterplan is to be prepared by landowners for the area bounded to the west by Kirkintilloch Link Road, to the north by the existing residential area around Loch Road and to the south and east by Woodilee Road. The masterplan should incorporate predominately economic development uses and may also include, where appropriate, non-food retail, residential and hotel/leisure uses. The phasing of the development should ensure that redevelopment of brownfield sites shall generally precede development of greenfield land.'

Issue (ref and handling):	Issue 2.3 - Lower Kilmardinny/Westpark	Reporter: IAIN URQUHART
Development Plan Reference:	Page 10 - Consultation paragraph Page 13 - Policy UC 1 – Urban Capacity, Schedule C	
Bodies or Person(s) submitting a representation raising the issue:		
Dr Hugh MacAnespie (87) Bearsden North Community Council - Keith Small (88) Richard Booth (90) John Mackintosh (116) John Edwards (119) Milngavie Civic Trust – Andrew Ferguson(123) Lower Kilmardinny Residents Association – Alex Easton (145) Railfuture Scotland – Ken Sutherland (146) Burnbrae Residents Association (147)		Councillor Graeme Douglas (151) A Grimstead (169) Baldernock Community Council – Catherine Anderton (172) Jo Swinson MP (173) Ian Carruth (180) Fairways Proprietors Association – Keith Mason (197) Bearsden East Community Council (198) Mr J Hooper (199) Mrs R Hooper (200) Transport Scotland (216) Eleanor Haresign (218)
Provision of the development plan to which the issue relates:		
Policy UC1: Urban Capacity supports the development of brownfield and infill sites within the urban area while protecting valued open space. Supports the developments/initiatives at 5 separate locations, including 'Lower Kilmardinny/Westpark as per relevant Schedule C. Preferred uses include a rail halt, park and ride, retailing, housing (including affordable), infrastructure improvements, business uses, reinstatement of green wedge and retention/reconfiguration of the West of Scotland Football Club Grounds.		
Council's summary of the representation(s):		
<p>Dr Hugh MacAnespie Considers that the 'consultation' paragraph on page 10 is inaccurate, as views on Lower Kilmardinny were not 'mixed' but overwhelmingly opposed to development at this location.</p> <p>The proposed reconfiguration of the West of Scotland Football Club grounds at Lower Kilmardinny/Westpark is an inappropriate encroachment on the green belt, and conflicts with SPP 21: Green Belts and the provisions of the 2005 Local Plan. It also falls within the Buffer Zone of the Antonine Wall.</p> <p>Requests strengthening of UC1 Schedule C (7) to ensure that the stated landscaped green wedge between Milngavie and Bearsden is adequately provided by developers.</p> <p>Objects to development at the Lower Kilmardinny/ Westpark site as it is an existing flood plain</p> <p>Objects to the lowering of affordable housing targets from 40% to 10% and seeks clarification on targets.</p> <p>Bearsden North Community Council Suggest that the 'consultation' paragraph on page 10 is inaccurate as local community views were not 'mixed' but fully supportive of existing Schedule UC2C on Lower Kilmardinny.</p>		

Considers that the negative effects of over developing the Lower Kilmardinny/Westpark site are such that serious consideration must be given to reconsidering the release from the greenbelt. Also, no development should be allowed on this site as it contains Important Wildlife Corridors and is part of a floodplain.

The provision of a park and ride facility is important but should include a requirement for at least 500 spaces. The target for affordable housing should also be included.

Richard Booth

Objects to the development of the Lower Kilmardinny/Westpark site due to an adverse impact on and potential closure of Allander Leisure Centre, together with the potential for added pressure on Milngavie Road and other local public services.

John Mackintosh

Suggest that the 'consultation' paragraph on page 10 is inaccurate as local community views were not 'mixed' but fully supportive of existing Schedule UC2C on Lower Kilmardinny.

To carry forward the requirements of the adopted local plan policy Schedule UC2C on development at Lower Kilmardinny/Westpark. Also suggests including greater emphasis on avoiding development on flood plains. Developer contributions should contribute to the cost of Allander rail halt and park and ride. Also seeks to confirm protection of Allander Leisure Centre.

John Edwards

Incorrect to state that community views were 'mixed' in relation to Lower Kilmardinny/Westpark consultation.

The council should specify amount of land for a 'green wedge' (item 7), actively promote a rail halt and specify a requirement of 40% of affordable housing.

Milngavie Civic Trust

The statement under 'consultation' referring to mixed views for Urban Capacity at Lower Kilmardinny is inaccurate.

Seeks the creation of a park and ride site at Lower Kilmardinny/Westpark with 500 spaces.

Suggest that the Council take all possible steps to ensure this site is developed in line with Schedule UC2C of the current Local Plan. The emphasis should be on **affordable** housing

Lower Kilmardinny Residents Association

The document refers to 'mixed' local community views about Lower Kilmardinny. This is not considered an accurate description, which were instead unanimous in favour of retaining policy UC2C from the current local plan.

The wording of the proposal should include the requirement for at least 500 spaces at the park and ride location. The Council target for affordable housing on the site should be specified. The Council should make the final decision on overall capacity of this site rather than the Reporter.

Railfuture Scotland

Request for wording of UC1 Schedule C part (2) to read: 'Park and ride **primarily** associated the with rail halt **and feeder bus services**' to align with the Council's evaluation of the Atkins Study (2005), the A81 Corridor Study (2008) and evidence in the Kilmardinny/ Westpark Local Inquiry.

Burnbrae Residents Association

The document refers to 'mixed' local community views about Lower Kilmardinny. This is not considered an accurate description, which were instead unanimous in favour of retaining policy UC2C from the current local plan.

Considers that the wording of the proposal should include the requirement for at least 500 spaces at the park and ride location. The Council target for affordable housing on the site should also be specified, which should be integrated with market housing. The Council should make the final decision on overall capacity of this site rather than the Reporter.

Expresses the opinion that a park and ride facility near Allander is essential, and a rail halt desirable but appreciates that this would be more difficult to achieve in the short term. The Council must take a long term strategic approach to this.

Councillor Graeme Douglas

Any reference to the development of the Lower Kilmardinny/Westpark site should require the massing of car parking facilities for the Allander Sports Centre, West of Scotland Football Club, and park & ride site around the proposed rail halt. This would allow maximisation of car parking to accommodate both the rail halt and the football club parking.

Mr and Mrs A Grimstead

The UC1 Schedule C proposals will not strengthen the boundary (ribbon development).

Baldernock Community Council

A park and ride facility at Lower Kilmardinny/ Westpark is very important, and the plan should include the requirement for at least 500 spaces. Affordable housing requirements should also be specified.

Jo Swinson MP

Concerned that the housing capacity figure (300) has been removed from Policy UC1 Schedule C: Lower Kilmardinny/ Westpark and is "awaiting Reporter's decision".

Ian Carruth

Suggest that the 'consultation' paragraph is inaccurate as local community views were not 'mixed' but fully supportive of existing Schedule UC2C.

Considers that the negative effects of over developing the Lower Kilmardinny/Westpark site are such that serious consideration must be given to reconsidering the release from the greenbelt. Also, no development should be allowed on this site as contains Important Wildlife Corridors and is part of a floodplain.

The provision of a park and ride facility is important but should include a requirement for at least 500 spaces. The target for affordable housing should also be included.

The Council should also ensure the protection of Allander Leisure Centre, with the West of Scotland playing fields being retained on the current site.

Fairways Proprietors Association

Strongly supports rail halt and park and ride at this site, and that the Council should enforce this through any Masterplan.

Bearsden East Community Council

Considers that there are a number of contradictions between UC1 Schedule C and other parts of the plan. For example, under Local Plan Policy on page 36 it states that "with regards

to housing...land supply figures indicate that there is no requirement for green belt release”, yet Schedule C requires release of the green belt for housing. Requests that the original 300 houses are included as an allocation.

In addition, the *replacement* of Allander Sports Centre is inappropriate as Schedule C refers to a proposed “rail halt beside Allander Sports Centre”. The proposed location adjacent to the A81 is not a viable alternative location as the rail line is on the other side of the site.

Mr and Mrs J Hooper

Strongly supports a rail halt at the Allander Sports Centre and a park and ride site for 1000 cars.

Transport Scotland

Is of the opinion that the wording of Schedules B and C within Policy UC1 and TRANS 4 could be misleading as they do not contain any reference to the deliverability of the rail halt schemes or their current status in terms of requiring approval or commitment from Transport Scotland.

Request that all references in UC1 and TRANS 4 to rail proposals including new halts and supporting infrastructure are accompanied by text indicating the status of proposals with regard to their deliverability, commitment and requirement for appropriate appraisal.

Eleanor Haresign

Objects to the development of the Lower Kilmardinny/Westpark site due to an adverse impact on and potential closure of Allander Leisure Centre, together with the potential for added pressure on Milngavie Road and other local public services.

Modifications sought by those submitting the representations:

Dr Hugh MacAnespie

- Amend the ‘consultation’ paragraph on page 10 to state that views on Lower Kilmardinny were overwhelmingly opposed to development, rather than mixed.
- Delete reference to the reconfiguration of the West of Scotland Football Club ground from UC1 Schedule C and instead make it clear that it will be retained on its current site.
- Amend part 7 of Schedule C to state that the landscaped green wedge should be ‘adequately provided’.
- Remove any reference to development at Lower Kilmardinny/Westpark, due to the flood plain.
- Clarify the reasons for reducing affordable housing targets under the Housing and Mixed Uses chapter.

Bearsden North Community Council

- Amend the ‘Consultation’ paragraph on page 10 to state that views on Lower Kilmardinny were overwhelmingly opposed to development, rather than mixed.
- Change wording of Schedule C to include a requirement for at least 500 parking spaces at the proposed park and ride location.
- Change wording of Schedule C to clearly state the affordable housing target, and that it should be integrated with market housing.

Richard Booth

Delete Schedule C Lower Kilmardinny/ Westpark from Policy UC1.

John Mackintosh

- Amend Policy UC1 to emphasise the importance of avoiding development on potential flood plains.

- Amend wording of Schedule C to include a stronger requirement for developer contributions.

John Edwards

- Amend wording of Urban Capacity consultation paragraph to clarify that views were not 'mixed' on Lower Kilmardinny/Westpark development but fully supportive.
- Add specific amount of land for a green wedge (suggests 8 hectares).
- Amend proportion of affordable housing units (suggests 40%).
- Add specific number of parking spaces (suggests 500)

Milngavie Civic Trust

- Delete reference to "mixed" community views under the 'consultation paragraph.
- Add a specific requirement for at least 500 spaces at the proposed rail halt at Allander under Point 2 of UC1 Schedule C.
- Insert greater emphasis on affordable housing in point 6 of UC1 Schedule C.

Lower Kilmardinny Residents Association

- Amend reference to 'mixed' community views on page 10 to make clear that ALL residents were in favour of retaining policy UC2C of the adopted Plan.
- Amend wording of UC1 Schedule C to include a requirement for 500 parking spaces at the park and ride location. Also include a specific target for affordable housing.

Railfuture Scotland

Amend wording of UC1 Schedule C item 2 to read: 'Park and ride **primarily** associated the with rail halt **and feeder bus services**'.

Burnbrae Residents Association

- Amend reference to 'mixed' community views on page 10 to make clear that ALL residents were in favour of retaining policy UC2C of the adopted Plan.
- Amend wording of UC1 Schedule C to include a requirement for 500 parking spaces at the park and ride location. Also include a specific target for affordable housing.
- Amend wording to provide stronger support for the future of Allander Sports Centre.

Councillor Graeme Douglas

Ensure that UC1 Schedule C includes appropriate provision for reconfiguration of the car park.

A Grimstead

Remove Schedule C of Policy UC1.

Baldernock Community Council

Amend wording of UC1 Schedule C to specify a requirement for at least 500 parking spaces at the park and ride, and to include a target for affordable housing. Also confirm that Allander Sports Centre will remain open at all times.

Jo Swinson MP

Amend UC1 Schedule C to specify proposed housing numbers (suggested 300).

Ian Carruth

- Delete reference to 'mixed' community views on Lower Kilmardinny.
- Clearly state in UC1 that no development will be allowed on Important Wildlife Sites or floodplains.
- Change wording of Schedule C to include a requirement for at least 500 parking spaces at the proposed park and ride location.

- Change wording of Schedule C to clearly state the affordable housing target, and that it should be integrated with market housing.

Fairways Proprietors Association

Assume that this representation seeks stronger wording to Schedule C in support of the proposed rail halt and park & ride facility.

Bearsden East Community Council

- Amend wording of Schedule C to justify release of green belt to accommodate development at Lower Kilmardinny/Westpark and avoid contradictions with Green Belt chapter.
- Amend wording of Schedule C to state that Allander Sports Centre will be “refurbished”, rather than “replaced”.

Mr and Mrs J Hooper

Amend Schedule C to specify a requirement for 1000 cars at the proposed rail halt beside the Allander Sports centre.

Transport Scotland

Modify the text of UC1 Schedule C to indicate the status of proposals with regard to their deliverability, commitment and requirement for appropriate appraisal.

Eleanor Haresign

Delete Schedule C Lower Kilmardinny/Westpark from Policy UC1.

Summary of response (including reasons) by planning authority:

Background

A planning application by Cala Management Ltd and Stewart Milne Holdings Ltd for the mixed use development of land at Lower Kilmardinny/Westpark was refused by the Council in September 2007. The proposals included housing, offices, sports facilities, a rail halt with park and ride facilities, open space, landscaping, walkways and the formation of new access roads. The applicants subsequently appealed against this decision, and the appeal is currently under consideration by a reporter from the Directorate for Planning and Environmental Appeals. The reporter has indicated that she is minded to grant outline planning permission subject to the completion of a Section 75 Agreement along with 20 conditions. The details of this are set out in the ‘Appeal Notice of Intention’, dated 6 April 2009. Consequently, a Section 75 Agreement between the appellants and the Council is currently being progressed and a final decision from the Reporter is anticipated in April/May 2010 following approval of the Agreement.

Consultation

The ‘consultation’ paragraph on page 10 summarises the views on Urban Capacity that were expressed through the Key Policy Directions Report. It is important to note that the views expressed were for the overall development of the Lower Kilmardinny/Westpark site in general, rather than the views on any particular planning application. Whilst there were a significant number of concerns regarding specific elements of development at this site, there was also support from the local community particularly in terms of the rail halt, park and ride, affordable housing and landscaped green wedge between Bearsden and Milngavie. Therefore, it is considered appropriate to state that there were ‘mixed’ community views in this paragraph and no change is required.

Housing

At present, it is intended that a total of 550 houses will be provided on the site, of which it has

been agreed that approximately 10% will be affordable. The Council appreciate that national planning policy encourages that developments comprise 25% affordable housing, but notes that this is intended as a benchmark figure. Paragraph 87 of the Scottish Planning Policy states that “*policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding*”. The complex nature of this particular application and the characteristics of the redevelopment of the wider area require a degree of flexibility regarding affordable housing provision. The developer of the site will be required to meet other financial obligations towards public benefits including the significant decontamination costs, flood risk measures, the redevelopment of Allander Sports Centre and road infrastructure improvements. Taken together, these costs can be reasonably considered as exceptional and justify a reduction in affordable housing requirements. Whilst affordable housing is a critical element of the overall development proposals for Lower Kilmardinny/Westpark, it is equally important to ensure that the development does not become unviable.

Rail Halt with park and ride

Schedule C currently includes a rail halt with an associated park and ride facility as part of any future masterplan. Whilst the Council is strongly supportive of a rail halt at this location, it is important to note that other bodies – namely Transport Scotland and the railway operator – are ultimately responsible for its implementation. The Council will seek to safeguard land with a view to taking it forward through a partnership approach as established by Policies TRANS 3 and TRANS 4 and illustrated on the Proposals Map. However, it should be recognised that the provision of a rail halt is not a short term proposition and is unlikely to be delivered within the lifespan of the Local Plan (i.e. prior to 2016). A response is provided under the separate Rail Network and Park and Ride issue with regard to the deliverability of the rail halt.

The Council consider that the specific number of parking spaces that would be appropriate for any park and ride site should be established through the development management procedure rather than the Local Plan. However, it is noted that the Reporter’s Notice of Intention indicates that the conditions should reserve land for a park and ride facility for at least 150 spaces. The Council are agreeable to this figure in principle and are of the opinion that the 500 space figure suggested by many of the respondents is unrealistic and would conflict with Policy TRANS 1 by encouraging an increase in car use.

Allander Sports Centre

The Council is committed to ensuring the continued provision of a Sports Centre at Allander, as stated in Chapter 5 of the draft Plan under Policy CLF1 (Item 6). Policy CLF 1 makes it clear that “*the loss of existing facilities will be resisted, as will developments adversely affecting these uses, unless suitable replacements are found...*” A financial contribution towards a replacement of the Sports Centre is currently referred to in the Section 75 Agreement, which has yet to be finalised.

Flooding

Part of the Kilmardinny site has been identified as a flood risk area, as illustrated on the Proposals Map and referred to in Schedule C. The flood risk is associated with Manse Burn and Craigdhu Burn. Any proposed development will be strictly managed to avoid increasing the risk of flooding and subject to Policy DQ11 of the Local Plan. Scottish Planning Policy will also be relevant, where it states “*built development should only take place on functional flood plains where it will not affect the ability of the flood plain to store and convey water, where the development will not be at risk from flooding and where the development will not increase the risk of flooding elsewhere*”. The Council is of the opinion that issues relating to flood risk could be addressed by the conditions and Section 75 agreement as set out by the reporter, taking account of advice from the Scottish Environmental Protection Agency.

Recommendation:

The Council is committed to redeveloping and maximising the potential of the strategically important site at Lower Kilmardinny/Westpark under Policy UC1 Schedule C. It is acknowledged that there are a number of key issues regarding the development of this site that are of importance to the local community. In order to address these concerns and to reflect the reporters Notice of Intention, it is recommended that a number of amendments are made to the draft Plan to clarify the Council's position.

SUGGESTED CHANGES TO POLICY UC 1 SCHEDULE C:

- Include reference to a financial contribution to the replacement or refurbishment of Allander Sports Centre under UC1 Schedule C.
- Modify the relevant wording within Policies UC1 Schedule C and TRANS 4 to state that the Council will work with Transport Scotland towards the delivery of a rail halt at Allander.
- Modify the wording of Schedule C Item 5 to state that the housing element of the masterplan will include a proportion of affordable units in accordance with Local Plan policy.

Reporter's conclusions:

1. Planning permission in principle was granted by the reporter on 21 June 2010 for a mixed use development including housing, offices, sports facilities, rail halt with park-and-ride facilities, open space, landscaping, walkways and new access roads, on land at Lower Kilmardinny/Westpark, Bearsden. The reporter did not require the council and developer to enter a section 75 agreement. (See also reference to this matter under Issues 2.4 and 5.2).

2. There are 21 conditions attached to the planning permission in principle. I have identified the following key obligations contained in these conditions which relate to the matters raised by representees to the local plan:

- **Housing Numbers**
No more than 550 dwellings shall be constructed on the site.
- **Affordable Housing**
Affordable housing shall comprise at least 10% proportion of the dwellings built on the site. A legally binding agreement is to be concluded between the developer and the council or a Registered Social Landlord for the provision of affordable housing.
- **Rail Halt/Park and Ride**
A reservation for 150 park and ride spaces shall be provided adjacent to a location for a future rail halt.
- **Allander Sports Centre**
A legal agreement is to be put in place to oblige the developer to make a financial contribution (£10m) towards provision of a sports centre on the former Burnbrae bus garage site to replace the Allander Sports Centre (see also Issue 5.2)
- **Flooding**
Flood risk and drainage schemes are to be prepared, designed and implemented including proposals to address flood risk on and off the site.

3. Overall, I am content that the reporter's decision letter granting planning permission in principle (21 June 2010), and the conditions attached to the planning permission, have addressed the important policy and site development issues raised by representees to the local plan.

4. I do not consider it appropriate for the local plan to incorporate detailed requirements for landscaping and planting. These matters can be addressed through the council's normal development management arrangements on submission of further plans and particulars by

the developers. The existing wording in Schedule C item (7) is sufficient for a local plan document. Equally, I do not consider that policy UC 1 (Schedule C) needs to refer to feeder bus services at the proposed rail halt as suggested by Railfuture Scotland. This is a detailed matter to be determined with public transport operators at a future date.

5. I do not consider it necessary to amend the wording of the 'consultation' paragraph which summarises responses to the Key Policy Directions Report (KPDR). I accept the council's position that some elements of the masterplan approach to this site drew local support. I have no doubt that there was strong opposition to the release of the site for development but I consider the general term 'mixed local community views' reflects this position.

6. The representation by Transport Scotland on the deliverability of new rail schemes is addressed under Issue 12.6: Rail Network and Park and Ride Facilities where it is recommended that policy UC 1 Schedule C should be amended.

7. On the basis of all of the above, I consider that policy UC 1 (Schedule C) should be modified to reflect the terms of the planning permission granted on 21 June 2010 in relation to the key matters listed in paragraph 2 above.

Reporter's recommendations:

1. Delete the words '*Park and ride*' in Schedule C item (2) and replace with the words '*at least 150 park and ride spaces*'

2. Delete all the wording in Schedule C item (5) relating to housing and replace with the words '*Up to 550 house including at least 10% affordable housing.*'

3. Add the Lower Kilmardinny/Westpark site to HMU 1 Table A with appropriate details.

4. Add the following new item to Schedule C '*Relocation of the Allander Sports Centre to the site of the former Burnbrae garage with a developer funding contribution secured through a legal agreement.*'

5. Add the following new item to Schedule C '*Flood prevention and drainage schemes including off-site measures where appropriate*' and delete the general reference to flooding in the penultimate paragraph of Schedule C.

6. Delete Schedule C item (3) relating to the West of Scotland Football Club (see specific reference to this matter under Issue 2.4)

7. Modify the Proposals Map to include the approved Lower Kilmardinny/Westpark development site within the settlement boundary of Bearsden and Milngavie.

Issue (ref and handling):	Issue 2.4 - West of Scotland Football Club Ground	Reporter: IAIN URQUHART
Development Plan Reference:	Page 13 - Policy UC 1 – Urban Capacity, Schedule C	
Bodies or Person(s) submitting a representation raising the issue:		
Jennifer Wilson (82) Dr H MacAnespie (87) Milngavie Civic Trust – Andrew Ferguson (123) West of Scotland Football Club – Colin Gemmill (132) Lower Kilmardinny Residents Association - Alex Easton (145) Burnbrae Residents Association – Victor Budas (147)		
Provision of the development plan to which the issue relates:		
Item 3 of Policy UC1 Schedule C includes a release of the green belt for the “retention and if appropriate, reconfiguration of the West of Scotland Football Club grounds” through a masterplan.		
Council’s summary of the representation(s):		
<p>Jennifer Wilson Would like to understand how the West of Scotland Development on Green Belt can be at all justified based on the Green Belt protections which are stated within this report. Also there is a possibility of a Roman Fort on the site at Auchenhowie but no assessment was asked for from Historic Scotland.</p> <p>Dr H MacAnespie The proposed reconfiguration of the West of Scotland Football Club grounds at Lower Kilmardinny/Westpark is an inappropriate encroachment on the green belt, and conflicts with SPP 21: Green Belts and the provisions of the 2005 Local Plan. It also falls within the Buffer Zone of the Antonine Wall.</p> <p>Milngavie Civic Trust – Andrew Ferguson The West of Scotland Rugby club should not be relocated due to its adverse impact on the Antonine Wall Buffer Zone.</p> <p>West of Scotland Football Club – Colin Gemmill The terms of Schedule C item 3 remain unacceptable, as explained during consultation for the adopted Plan and at the Planning Appeal Public Inquiry (relating to the retention or reconfiguration of the football grounds).</p> <p>Lower Kilmardinny Residents Association - Alex Easton Serious consideration must be given to reconsidering the release of the greenbelt to accommodate the West of Scotland rugby club. The playing fields should be retained on the current site. The Council should seek new partnerships to develop this site.</p> <p>Burnbrae Residents Association – Victor Budas The West of Scotland rugby fields should the retained on the Kilmardinny site.</p>		

Modifications sought by those submitting the representations:**Jennifer Wilson**

None specified.

Dr H MacAnespie

Delete reference to the reconfiguration of the West of Scotland Football Club ground from UC1 Schedule C.

Milngavie Civic Trust – Andrew Ferguson

Delete reference to the reconfiguration of the West of Scotland Football ground.

West of Scotland Football Club – Colin Gemmill

None specified.

Lower Kilmardinny Residents Association - Alex Easton

Delete reference to the reconfiguration of the West of Scotland Football Club grounds.

Burnbrae Residents Association – Victor Budas

Delete reference to the reconfiguration of the West of Scotland Football Club grounds.

Summary of response (including reasons) by planning authority:

A final decision on a planning application for the relocation of the West of Scotland Football Club ground is currently pending the completion of a legal agreement, with the Planning Board minded to grant planning permission in principle. Its relocation is therefore a matter to be addressed through the development management procedure rather than the Local Plan Examination process. Nevertheless, given its inclusion within UC1 Schedule C and association with the appeal site at Lower Kilmardinny/Westpark currently under consideration, it is important to set out the Council's position regarding its retention or reconfiguration.

The West of Scotland Football Club has a long association with the Bearsden/Milngavie area and it is of significant value to the local community. The loss of the Club will be strongly resisted. However, as noted in the appeal reporters Notice of Intention, the Club's financial position is making it increasingly difficult for it to continue on its present site. High land values are likely to make it impractical for it to afford enough land on the appeal site for the type of facilities it requires for its current level of activities to continue. Relocation to a less expensive site in the local area has been agreed as the best way of securing its future.

The only alternative location suggested for replacement facilities is at Auchenhowie, a site considered by Sport Scotland in 2007 to be suitable for the development of high quality sports facilities. It is acknowledged that the proposed site at Auchenhowie is further from the built up area than its present site, however, it is considered that the vast majority of its users are likely to travel by car, as is the case at the present site and the adverse impacts in terms of accessibility would be minimal. It is important to note that any consent for the site at Auchenhowie will be conditional on the provision of enhanced access arrangements. Concerns have also been expressed regarding the proposed site being located within the green belt, however this is in common with its present site which is also in the green belt. In addition, as a recreational use, the proposed development would constitute an excepted category under Policy GB2 (outdoor recreation) and would also accord with Scottish Planning Policy. In terms of the Antonine Wall Buffer Zone, it is considered that the development would not have any adverse impact on the site or its setting at this location.

Whilst the future location of the West of Scotland Football Club ground is largely dependent

on the outcome of the Lower Kilmardinny/Westpark Section 75 agreement, it is the Council's view that the inclusion of the West of Scotland Football Club grounds within Schedule C is appropriate and does not need to be reconsidered. It should be noted that the wording of the Schedule is consistent with the existing Policy UC2C of the 2005 Local Plan.

Reporter's conclusions:

1. Planning permission in principle was granted, on appeal, in June 2010 for a mixed use development including housing, offices, sports facilities, rail halt with park-and-ride facilities, open space, landscaping, walkways and new access roads, on land at Lower Kilmardinny/Westpark, Bearsden (see also reference to this matter under Issues 2.3 and 5.2). The area covered by this permission includes land currently occupied by the West of Scotland Football Club. It is not intended to retain or relocate the football club within the mixed use development site. A condition (condition 4) attached to the Lower Kilmardinny/Westpark permission states that no development affecting the sports pitches shall begin until replacement facilities have been completed and made available in a location agreed with the council.
2. It is proposed that the football club relocate to land at Auchenhowie to the east of Milngavie. In September 2009 the council's Planning Board agreed to grant planning permission in principle to the West of Scotland Football Club for a sports club development at Auchenhowie subject to conclusion of a separate legal agreement. In his report to the Planning Board, the council's Head of Planning addressed issues raised by representees to the local plan. In particular, I note that matters relating to in the green belt development policy, the impact of the development on the Antonine Wall Buffer Zone, flood risk and wildlife and nature conservation matters were all considered. Any matters relating to Historic Scotland's involvement in the planning application are outwith the remit of this local plan examination.
3. Whilst I note that the Lower Kilmardinny/Westpark planning permission does not stipulate that replacement sports facilities must be located at Auchenhowie, I consider that the local plan should reflect the council's decision to grant planning permission and, therefore, should identify the site. I believe that it is important that the site be retained within the green belt to prevent encroachment of urban uses and retain the integrity of the green belt.
4. Policy UC 1 Urban Capacity (Schedule C) should also be amended to delete reference to retention of the West of Scotland Football Club grounds so that it accords with the planning permission granted in June 2010.

Reporter's recommendations:

1. Delete item (3) of policy UC 1 (Schedule C) referring to the West of Scotland Football Club grounds.
2. Identify the boundaries of the Auchenhowie site for which the council has agreed to grant planning permission in principle for sports club development and retain the site within the green belt.

Issue (ref and handling):	Issue 2.5 - St Andrews Campus	Reporter: IAIN URQUHART
Development Plan Reference:	Page 14 - Policy UC 1 – Urban Capacity, Schedule E	
Bodies or Person(s) submitting a representation raising the issue:		
Bearsden North Community Council (88) CBRE on behalf of Muse Developments (153) Mr and Mrs Carruth (180)		
Provision of the development plan to which the issue relates:		
Policy UC1: Urban Capacity supports the development of brownfield and infill sites within the urban area while protecting valued open space. Supports the developments/initiatives at St Andrews Campus as per relevant Schedule E. Preferred uses include business/employment and housing.		
Council’s summary of the representation(s):		
Bearsden North Community Council In relation to Schedule E ‘St Andrews Campus’, the Schedule should mention that any proposals must take account of the single access/egress from the site. Density must not be high and affordable housing should be included. Additional sports facilities should be required on the site for use by the school and the wider community.		
CBRE on behalf of Muse Developments The proposed business/employment element of the redevelopment of St Andrews campus is not ‘major’, and this may lead to confusion. Also, the identification of the Morven Road development requirement as part of local plan policy could be restrictive to the site and as it is currently the subject of ongoing negotiations in relation to the recent applications. Requests that the identification of St Andrews Campus as a Business Development Location is removed from Policy ECON 2 as it is not a significant amount in what is primarily a residential led development.		
Mr and Mrs Carruth In relation to Schedule E ‘St Andrews Campus’, the Schedule should mention that any proposals must take account of the single access/egress from the site. Additional sports facilities should be required on the site for use by the school and the wider community.		
Modifications sought by those submitting the representations:		
Bearsden North Community Council Change wording of UC1 Schedule E to state that any proposals must take account of the single access/egress from the site. Additional sports facilities should be required on the site for use by the school and the wider community.		
CBRE on behalf of Muse Developments Propose a rewording of UC1 E, replacing the phrase ‘a major component’ with ‘an appropriate level of’. This change would allow for the requirement for business land to remain, but would not be misleading.		

That the wording UC1 Schedule E be changed to state something similar to the following:
“Residential development would be subject to the provision of affordable housing in accordance with Policy HMU7 and other relevant site specific arrangements”.

Remove St Andrews Campus from the Business Development Location section of the Table in ECON 2. Make it clear that it is a residential led mixed use development opportunity.

Mr and Mrs Carruth

Change wording of UC1 Schedule E to state that any proposals must take account of the single access/egress from the site. Additional sports facilities should be required on the site for use by the school and the wider community.

Summary of response (including reasons) by planning authority:

88, 180

Policy UC1 Schedule E is intended to state the principle of development at St Andrews Campus and preferred uses, rather than to set out more detailed design requirements. However, it is acknowledged that access arrangements at the site are currently constrained. The specific and detailed arrangements relating to access would be addressed through any masterplan. Proposals for the development of this site will also be required to comply with Policies DQ1: Assessing Proposed Uses and DQ2: Design Quality. In addition, the road design and access to the site will be required to comply with Policy TRANS 2, including the accompanying Guidance Note which will be prepared in due course. Taking this into consideration, no modification to the Plan is necessary.

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The application relating to development at St Andrews Campus in Bearsden has progressed significantly since the publication of the draft Local Plan. Whilst a final decision is still pending, it has been agreed that this will be a housing led development, with business/employment uses provided in an alternative location through a Section 75 agreement. The current wording of Schedule E is therefore inaccurate, as the business/employment element is no longer a ‘major’ component. In relation to the housing element meeting the requirements of the Morven Road development (item 2), the Council agrees that the current wording may be overly restrictive and that the wording should be modified to accommodate a more flexible approach.

SUGGESTED CHANGE TO POLICY UC1 SCHEDULE E:

- Review the wording of Schedule E to reflect more accurately the outcome of the Section 75 agreement which is nearing completion.

Reporter’s conclusions:

1. Planning permission in principle was granted by the council in March 2010 for a mixed use development on the St Andrews site incorporating demolition of listed buildings, new residential development, business space, a care home and associated access, car parking and landscaping. Issue of the planning permission was subject to the conclusion of legal agreement which covers the delivery of on-site affordable housing, a financial contribution (£153,000) to the A81 Route Development Corridor and a financial contribution (£300,000) towards business development.

2. A condition (condition 3) attached to the planning permission requires submission of a masterplan including details of access arrangements and the location and numbers of housing units including affordable housing. There is no requirement to provide additional sports facilities.

3. I consider that policy UC 1 Schedule E should be updated to reflect the terms of the planning permission granted for the site. However, I do not consider it appropriate for me to exceed the requirements of the planning permission and to attach additional obligations to Schedule E. I acknowledge the concerns of the Community Council and Mr and Mrs Carruth regarding site access arrangements. But, these are matters for the council to determine as part of its consideration of any masterplan application submitted by the developer in compliance with the planning permission in principle. Equally, it would not be appropriate to require additional sports facilities when there is no such requirement included within the approved planning permission in principle. In any event, there has been no specific justification for additional provision put forward by the Community Council or Mr and Mrs Carruth. I also note that the part of the St Andrew's campus developed for the new Bearsden Academy includes sports pitches which satisfy the council's education service standards and the council's agreed pitches strategy.

4. I understand that the representation by Muse Developments regarding business and employment provision on the site has been resolved with the council. The Section 75 legal agreement now requires a financial contribution from the developer to business development rather than provision of on-site business floorspace.

5. I consider that the wording of Schedule E should reflect the terms of the planning permission in principle and the obligations contained in the separate legal agreement between the council and the developer.

Reporter's recommendations:

Delete the wording of policy UC 1 Schedule E and replace with the following wording:

'The land within St Andrew's campus which has not been developed for the new Bearsden Campus will be developed for residential purposes, including affordable housing, and care home accommodation, subject to approval of a site masterplan which shall determine the location and numbers of housing units, site access, layout, open space, landscaping, drainage, nature conservation protection measures and other infrastructure provision. Developer financial contributions will be required towards business development and the A81 Route Corridor Strategy.'

Issue (ref and handling):	Issue 3.1 - Community Aspirations for Housing and Mixed Use Developments	Reporter: IAIN URQUHART
Development Plan Reference:	Page 18 - Policy HMU1 Development Opportunities for Housing and Mixed Uses	
Bodies or Person(s) submitting a representation raising the issue:		
Bearsden North Community Council (88) Lower Kilmardinny Residents Association – Alex Easton (145) Mr and Mrs Carruth (180)		
Provision of the development plan to which the issue relates:		
Policy HMU 1: Development Opportunities for Housing and Mixed Uses – sets out a list of sites which are specifically promoted for housing or a mix of housing and other uses. Proposals for mixed use development opportunities will only be supported if they are delivered through an agreed Masterplan incorporating high standards of design and affordable housing targets.		
Council’s summary of the representation(s):		
Bearsden North Community Council – Keith Small For Housing and Mixed Use proposals, the aspirations of local communities should take priority of the wishes of developers and the Local Plan should emphasise this.		
Lower Kilmardinny Residents Association – Alex Easton For Housing and Mixed Use proposals, the aspirations of local communities should take priority of the wishes of developers and the Local Plan should emphasise this.		
Mr and Mrs Carruth For Housing and Mixed Use proposals, the aspirations of local communities should take priority of the wishes of developers and the Local Plan should emphasise this.		
Modifications sought by those submitting the representations:		
Bearsden North Community Council – Keith Small Change wording of Policy HMU1 to state clearly that the views and aspirations of local residents will take priority over the wishes of developers.		
Lower Kilmardinny Residents Association – Alex Easton Insert statement to Housing and Mixed Uses chapter emphasising that local community aspirations take priority over the wishes of developers.		
Mr and Mrs Carruth Insert statement to Housing and Mixed Uses chapter emphasising that local community aspirations take priority over the wishes of developers.		
Summary of response (including reasons) by planning authority:		
The purpose of the Local Plan is to guide the future development and use of land by promoting and facilitating development in appropriate locations, whilst protecting and		

enhancing the natural and built environment. Proper engagement with local communities is an integral part of the modernised planning system and the views of the community are taken into account in accordance with relevant planning legislation and guidance. However, it is not considered appropriate to state that the views and aspirations of local communities will take priority over the wishes of developers, as legislation requires that development proposals are assessed on their individual merits through the development management procedure. No change to the Plan would be required in this respect.

Reporter's conclusions:

1. The local plan sets out the council's policies and proposals for the future development and use of land in its area. It provides direction and guidance for prospective developers. The council, as planning authority, was required to consult with the community and stakeholders as part of its preparation of the local plan. The form and content of the local plan should reflect the consultation process. It should also reflect Government policy and advice.

2. Specific guidance on community engagement is set out in the Scottish Planning Policy (SPP) and PAN 3/2010: Community Engagement issued in August 2010. Ministers recognise that communities have an important role in the planning decision-making process. Planning authorities and developers are expected to take steps to engage with communities when planning policies are being developed.

3. The council published a Main Issues Report in 2005 and a Key Policy Directions Report in 2008. The views of interest groups, including community organisations and individuals, were sought on the contents of these reports and thereafter the council proceeded to publish the finalised local plan.

4. Inevitably, there have been different views expressed by various interest groups on policy and site specific matters. It is not always possible for a planning authority to reconcile differing views. The council must balance the various views it has received and then arrive at policy and land-use decisions based on their planning merits. However, it is not appropriate, as a general policy, for any local plan to state that the views or aspirations of a particular group or organisation will be given priority over the views of others.

Reporter's recommendations:

No modifications to the local plan are required.

Issue (ref and handling):	Issue 3.2 - Housing Land Supply – Market and Affordable	Reporters: MALCOLM MAHONY and KATRINA RICE
Development Plan Reference:	Page 7 - Policy SPD 1 – Strategic Policy Direction – Sustainable Growth Page 11 - Policy UC 1 – Urban Capacity Pages 16-23 - Policy HMU 1 – Development Opportunities for Housing and Mixed Uses HMU Table – Section A HMU Table – Section B Page 36 - Green Belt Local Plan Policy context Proposals Map	
Bodies or Person(s) submitting a representation raising the issue:		
Bearsden West Community Council (16) Penelope Sinclair (84) Dr H MacAnespie (87) Bearsden North Community Council (88) Places for People and Castle Rock Edinvar Housing (95) Twechar Community Action and Twechar Tenants and Residents Association (110) Milngavie Civic Trust (123) Milngavie Community Council (131) Homes for Scotland (137) CBRE, on behalf of Muse Developments (153)	Hillhead Housing Association (170), on behalf of: <ul style="list-style-type: none">• Hillhead Housing Association 2000• Cube Housing Association• Loretto Housing Association• Link Housing Association• Sanctuary Housing Association• West of Scotland Housing Association• Margaret Blackwood Housing Association• Castle Rock Edinvar Housing Association / Places for People• Trust Housing Association• Bield Housing Association• Cairn Housing Association Baldernock Community Council (172) Jo Swinson MP (173) John Warren (176) Mr and Mrs Carruth (180)	
Provision of the development plan to which the issue relates:		
Policy SPD 1 – Strategic Policy Direction – Sustainable Growth states that the Strategic Direction supports limited growth and population stabilisation to meet socially inclusive needs, such as affordable housing, but limits growth for market housing. Policy UC 1 – Urban Capacity states that the Council will support the development/initiatives at five specified sites, subject to conditions and requirements outlined in a schedule for each site. Policy HMU 1 – Development Opportunities for Housing and Mixed Uses: <ul style="list-style-type: none">• states that the Council will support the realisation of the development opportunities listed in the HMU Table, and will seek their implementation in partnership with the development industry and other agencies. Where stated, development will be subject to the approval of masterplans incorporating the mix of elements listed;• seeks to achieve a target for all new housing developments to incorporate affordable housing. The benchmark figure is that each site should contribute 25% of the total number of housing units as affordable housing for developments of 10 units or more; and		

- states that significant weight shall be given to detailed Guidance Notes to be developed by the Council on the principles to be taken into account in determining how this requirement shall be expected to be delivered.

HMU Table – Section A lists housing and mixed use development sites.

HMU Table – Section B lists specifically affordable housing opportunities.

Green Belt Local Plan Policy context (Page 36) states that with regard to potential development site identified in the consultation process, mainly for residential uses, there are no particular local circumstances of sufficient weight to justify green belt release.

Council's summary of the representation(s):

Bearsden West Community Council (16)

The requirement for the provision of affordable housing should remain the same as before.

Penelope Sinclair (84)

Sites at Woodilee and Broomhill must have a good percentage of affordable housing. The Lennoxtown travelling persons site should be redeveloped for affordable housing.

Dr H MacAnespie (87)

Seeks explanation for reduction of affordable housing requirements from 40%.

Bearsden North Community Council (88)

Seeks explanation for reduction of affordable housing requirements in Bearsden/Milngavie from 40% to 25%.

Places for People and Castle Rock Edinvar Housing (95)

Places for People and Castle Rock Edinvar Housing Association have been selected as East Dunbartonshire Councils overall regeneration partner and RSL development partner respectively for the regeneration of Twechar.

Note that sites identified under the HMU Table - Section B, Glen Shirva Road, 1 Glen Shirva Road and Gartshore Crescent and Davidson Crescent, are designated "Specifically Affordable Housing Opportunities" (East Dunbartonshire Local Plan 2 – Finalised Draft, pages 22-23). Places for People and Castle Rock Edinvar request that this classification be removed and re-classified as "Housing and Mixed Use Development Sites" (East Dunbartonshire Local Plan 2 – Finalised Draft, pages 18-21). Without re-classification, these sites are restricted from providing market sale housing, integral to delivering the vision of a mixed tenure community as identified in the Twechar Regeneration Masterplan (August 2005).

Note that the site location plan at Glen Shirva Road only includes the former economic development site. The site allocated in the Framework Agreement between East Dunbartonshire Council and Places for People incorporates a larger site to assist in achieving the overall desired number of housing units and to enable the creation of a high quality housing development adjacent to the canalside. Therefore request that the extent of this site is altered to include the area as identified on the attached plan.

Twechar Community Action and Twechar Tenants and Residents Association (110)

Twechar Community Action (TCA) and Twechar Tenants and Residents Association (TTRA) are two of the principal community groups who are members of the Twechar

Regeneration Group (TRG). TCA and TTRA note the site location plan at Glen Shirva Road only includes the former economic development site. Our understanding was that the site would be further extended to assist in accommodating housing and possible range of services adjacent to the canalside. Therefore request that the extent of this site is altered.

Milngavie Civic Trust (123)

There is insufficient affordable housing in East Dunbartonshire, and no need for added market housing. This is noted in the Structure Plan. Seeks explanation for the reduction from a 40% to a 25% target. Affordable housing should not be built in isolation.

Milngavie Community Council (131)

Considers that Milngavie is in serious need of more affordable housing, suggesting Craigdhu Road, Fire Station Field.

Homes for Scotland (137)

Policy UC 1: Land Supply

By their nature, these sites can be costly and complicated, and in the current recession the capacity of developers to fund the high overhead costs can be significantly reduced. The restraints on developer funding from banks and institutions are likely to remain in place for some years

In that context, the Council must be satisfied that these sites are capable of coming forward to meet housing and other requirements. If any prove unviable at present, the Council should present to an Inquiry evidence that it has a strategy to replace non-effective sites.

That strategy should include identification of longer-term housing options which could be accelerated to fill any deficiencies in the 5-year effective housing land supply required by national planning policy. Those options could include the release of additional greenfield land (including Green Belt release), or re-examination of land zoned for other uses such as industry and business.

Local Plan Policy Context (Page 17): Information on Affordable Housing

SPP3 requires that development plans set out the scale and distribution of affordable housing need, as well as identifying measures to deal with that need, which may include an affordable housing policy.

The Plan contains no background on the issue, no quantification of the scale and distribution of the problem as required by SPP3, and no reference to whether the combination of allocated sites and contributions from a 25% affordable housing policy will address the need.

Given that the Structure Plan identifies East Dunbartonshire as a pressured area for affordable housing, the Local Plan should follow this up by quantifying the problem.

The Council should provide a technical paper to the Public Local Inquiry addressing in detail the affordable housing needs in East Dunbartonshire and its approach to meeting these needs.

Policy HMU 1: Requirement for Percentage of Affordable Housing on Market Housing Developments

Given the emphasis in the adopted Local Plan on the severe shortage of affordable housing, it is strange that this issue is now a brief subsection of a wider policy.

The policy does not contain the key policy guidance which might be expected in a Plan, which can then be supported by Supplementary Planning Guidance. As a minimum, the policy

should discuss:

- the status and justification of the 25% figure in relation to assessed need;
- acknowledgement that 25% is a target;
- acknowledgement of the factors which could alter that target, including project viability, availability of resources to deliver social-rented housing in particular, and site suitability; and,
- the range of options for providing affordable housing as set out in PAN74.

These are policy matters which should not be left to Supplementary Planning Guidance, especially if that Guidance is not going to be available to inform discussion on the development plan at Public Local Inquiry

The Plan should contain a separate policy on affordable housing to cover these additional policy areas.

HMU Table – Section B (Specific Affordable Housing Opportunities)

This Table contains 21 sites specifically for affordable housing, only 10 of which have capacities listed. These total 254. It may be reasonable to estimate the total capacity of all 21 sites around 500. The Plan offers no assessment of the likelihood of delivering these sites, either in planning terms or in terms of resources. It is reasonable to expect a cross-reference to the Council's SHIP, in order to identify which of these sites have resources identified to allow them to progress.

This information would assist in understanding how the Council considers it can address the overall scale of affordable housing need in East Dunbartonshire. It would also assist in understanding what additional contribution is needed from other policy measures, including an affordable housing planning policy, to address needs.

Policy SPD 1 and Policy HMU 1: Land Supply for Affordable Housing

SPP3 is clear that Plans should allocate sufficient land to meet all housing needs, including affordable housing. SPP3 encourages planning authorities to identify a "generous" supply of land to ensure delivery of objectives. That can only mean "generous" in relation to any Structure Plan requirements and to any measures of need and demand.

Policy SPD 1 and Policy HMU 1 contain a fundamental contradiction:

- on the one hand, they resist additional housing allocations – taking guidance from the Structure Plan; and,
- on the other hand, they support limited growth to meet affordable housing need – in this regard the Council has long stated that it has a major shortfall of affordable housing, and the same Structure Plan identifies the East Dunbartonshire as a pressured area in terms of affordable housing need.

It is not logical to suggest that limiting land for market housing is compatible with trying to address the affordable housing issue.

The Local Plan is deficient in housing land allocations to provide both market housing and affordable housing to meet the needs acknowledged to exist by the Council and by the Structure Plan. While the LP2 identifies some sites solely or largely for affordable housing, it fails to address the overall level of that need. This policy response is insufficient. The only way to further address needs is to release housing land in sufficient quantity to provide for the scale of needs.

Scottish Government monitoring data on the contribution made by planning policies to meeting affordable housing need indicates that in 2008/09 East Dunbartonshire secured a commitment to land for 14 units through planning consents on sites subject to its affordable housing policy. In the period 2005-2009 land for 44 units was secured (there is no data on whether these have actually been built), and 40 units were provided direct by developers. In addition, the Council has received £300,000 in commuted sums in lieu of on-site provision.

Such low figures are due, in part, to the constrained supply of market housing available to bring forward in East Dunbartonshire. It demonstrates that the Council will simply fail to deliver any significant amount of affordable housing without enabling market housing development.

There is ample planning policy guidance allowing this to be dealt with in the Plan. Structure Plan Policy 9 identifies the criteria for assessment of proposals, and identifies affordable housing need as set out in a Local Plan as a factor. There are a number of precedents through Local Plan Inquiries for the release of additional housing land in order to enable the provision of affordable housing.

Local Plan Policy Context (Page 36)

Object to the Local Plan Policy context Paragraph 3. Affordable housing need is clearly a "local circumstance of sufficient weight" to justify further land allocations, including Greenfield land release. The failure of the Council to deliver significant affordable housing numbers is strongly related to the lack of market housing delivery, and that lack of market delivery is in turn related to the lack of allocated sites in the previous and draft Plans.

If some of the larger and more complicated sites become unviable or impossible to fund, and the 5-year land supply is deficient as a consequence, replacement sites, or at least reserve sites, have to be identified. This is likely to include greenfield sites.

Therefore, there are at least two "local circumstances of sufficient weight" to justify some extractions from the green belt:

- affordable housing delivery; and,
- availability of reserve/replacement housing sites.

The Structure Plan does not preclude such decisions. While it notes in Paragraph 8.30 that there is no case for "strategic" amendments to the Green Belt, it then acknowledges in Paragraph 8.32 that it is for local plan authorities to determine the detailed boundaries. Amendments can be justified where there is a need, for instance, for settlement expansion to meet needs and demands, and subject to the criteria of Strategic Policy 9.

CBRE, on behalf of Muse Developments (153)

Considers that the viability of affordable housing should be taken into consideration in the Housing policies. Where developers propose a figure less than 25%, it is appropriate that this should be fully justified in the context of viability. Requests that consultation be carried out in relation to proposed affordable housing guidance.

Hillhead Housing Association (170)

National and Strategic Planning Context (Page 16)

Contextual text does not reflect the current work to develop the Housing Needs and Demand Assessment (HNDA) and new Local Housing Strategy (LHS) and the importance and relevance of this to the Local Plan 2.

Local Plan Policy Context (Page 17): Masterplans

Contextual text lacks detail regarding statement that proposals for mixed use development will only be supported if they are delivered through an agreed masterplan.

Policy HMU 1: Implementation of Development Opportunities in Partnership

Policy should contain more detail regarding how the Council will seek the implementation of development opportunities in partnership with the development industry and other agencies.

Registered Social Landlords (RSLs) should be identified as one of the key partners in view of the target for a percentage of affordable housing on market housing developments.

Policy HMU 1: Land Supply for Affordable Housing

Land must be made available to the Council and RSLs to ensure that the number of new affordable houses delivered is maximised and that Scottish Government grant funding and all other investment is fully utilised.

The level of land release for affordable housing is not sufficient to meet the level of need identified in the Council's Housing Needs Assessment and Homelessness Housing Needs Assessment, as required by SPP3. Before adopting the LP2, the Council should reconsider its land release strategy to increase land supply for affordable housing.

Policy HMU 1: Requirement for Percentage of Affordable Housing on Market Housing Developments

The adopted Local Plan policy for a percentage of affordable housing on market housing developments has had little impact on increasing the supply of affordable housing:

- RSLs experience reluctance from private developers to developing affordable housing;
- the recession has halted many market housing developments which, in some cases, has prevented the delivery of affordable housing.

There is no certainty that the proposed planning policy for a percentage of affordable housing on market housing developments will create significant affordable housing opportunities in the short to medium term. Therefore, the best way to endure the delivery of affordable housing is to release land specifically for affordable housing.

RSLs support a policy for a percentage of affordable housing on market housing developments would also include a commuted payment contribution from developments between 2-10 units. Clarification requested as to whether this is proposed.

HMU Table – Section A (Housing and Mixed Use Development Sites)

There are few new development opportunities for RSLs:

- approximately 50% (20 out of 39) of sites on the list are currently featured in the adopted Local Plan;
- over 20% (9 out of 39) of the remaining sites have already received planning consent; and,
- the majority of the above sites have RSL commitment and feature in the Council's Strategic Housing Investment Plan (SHIP).

Many of these sites have been halted or abandoned due to the recession and it is uncertain when they will be taken forward. It is therefore unlikely that sites in this list will deliver affordable housing in the short to medium term.

It is estimated that only 10 modest new sites have been added to the LP2, of which four will not be subject to the policy for a percentage of affordable housing on market housing developments due to their size, and the remainder are already familiar to RSLs who requested their inclusion in the first instance.

HMU Table – Section B (Specific Affordable Housing Opportunities)

RSLs support the introduction of sites specifically for affordable housing.

The majority of the sites in Section B currently feature in the Council's SHIP. RSLs are either on site or in the process of seeking planning consent which will see the majority of these sites developed over the next 2-3 years. There are only two sites on the list that are additional and could potentially deliver around 25 new affordable homes.

Potential numbers have been overestimated as four of the sites should be removed from the list:

- Waterloo Close (52) and Loch Road (53) have been completed; and,
- Newdyke Road (48) and Highfield Road (50) are on site.

Housing capacity for Ivanhoe Drive, Hillhead (49) should be amended as the site has been the subject of a Reserved Matters Application for 87 units and not 80 units.

Twechar sites (58, 59 and 60) should be included in Section A as mixed tenure development for consistency with the Twechar Regeneration Masterplan, which highlights the need to attract inward investment through a diversification of the existing predominately affordable housing tenure.

In regard to the Glen Shirva Road site (58), the Proposals Map is not consistent with the Framework Agreement between East Dunbartonshire Council and Places for People which identifies a larger site to assist in achieving the overall desired number of housing units and to enable the creation of a high quality housing development adjacent to the canalside.

Baldernock Community Council (172)

Expresses disappointment that the affordable housing target has been reduced from 40% to 25% with no explanation. Any affordable housing should be integrated.

Jo Swinson MP (173)

Expresses disappointment at the reduction from 40% to 25% in affordable housing requirements.

John Warren (176)

Object to the proposed percentages of affordable housing targets in HMU 1. Considers that the actual requirement for affordable housing should be calculated individually through an assessment using the standard methodology.

Mr and Mrs Carruth (180)

Seeks explanation for reduction of affordable housing requirements in Bearsden/Milngavie from 40% to 25%.

Modifications sought by those submitting the representations:

Bearsden West Community Council (16)

Clarify the reasons for reducing affordable housing targets under the Housing and Mixed Uses chapter.

Penelope Sinclair (84)

Review allocations at Woodilee and Broomhill sites to ensure an appropriate percentage of affordable housing. Realign the greenbelt boundary to include the Lennoxtown travelling persons site, and allocate for affordable housing

Dr H MacAnespie (87)

Clarify the reasons for reducing affordable housing targets under the Housing and Mixed Uses chapter.

Bearsden North Community Council (88)

Clarify the reasons for reducing affordable housing targets under the Housing and Mixed Uses chapter.

Places for People and Castle Rock Edinvar Housing (95)

Move Twechar sites (58, 59 and 60) from Section B to Section A as mixed tenure development.

Amend Proposals Map to show an enlarged Glen Shirva Road site (58), consistent with the Framework Agreement between East Dunbartonshire Council and Places for People.

Twechar Community Action and Twechar Tenants and Residents Association(110)

Amend Proposals Map to show an enlarged Glen Shirva Road site (58)

Milngavie Civic Trust (123)

Provide explanation as to why affordable housing targets reduced from 40% to 25%. Include statement confirming that affordable housing is integrated with market housing.

Milngavie Community Council (131)

Insert comment that Craighdu Road, Fire Station Field is ideal for affordable housing.

Homes for Scotland (137)**Policy UC 1: Land Supply**

If the Council is not satisfied that these sites are currently viable, the Council should provide a strategy to replace non-effective sites, to include identification of options that could be accelerated to fill any deficiencies in the 5-year effective housing land supply.

Local Plan Policy Context (Page 17): Information on Affordable Housing

Set out the scale and distribution of affordable housing need, as well as identifying measures to deal with that need, which may include an affordable housing policy, as required by SPP3.

Provide a technical paper to the Public Local Inquiry addressing in detail the affordable housing needs in East Dunbartonshire and its approach to meeting these needs.

Policy HMU 1: Requirement for Percentage of Affordable Housing on Market Housing Developments

Include a separate policy on affordable housing to address, as a minimum:

- the status and justification of the 25% figure in relation to assessed need;
- acknowledgement that 25% is a target;
- acknowledgement of the factors which could alter that target, including project viability, availability of resources to deliver social-rented housing in particular, and site suitability; and,
- the range of options for providing affordable housing as set out in PAN74.

HMU Table – Section B (Specific Affordable Housing Opportunities)

Include assessment of the likelihood of delivering these sites. Include a cross-reference to the Council's SHIP, in order to identify which of these sites have resources identified to allow them to progress.

Policy SPD 1 and Policy HMU 1: Land Supply for Affordable Housing

Release market housing land in sufficient quantity to provide for the scale of affordable housing needs.

Local Plan Policy Context (Page 36)

Amend Paragraph 3 Local Plan Policy context text to reflect that there are at least two "local circumstances of sufficient weight" to justify some extractions from the green belt:

- affordable housing delivery; and,
- availability of reserve/replacement housing sites.

CBRE, on behalf of Muse Developments (153)

Amend wording of HMU 1 to acknowledge that the requirement for 25% affordable houses may not always be viable, to allow flexibility.

Hillhead Housing Association (170)**National and Strategic Planning Context (Page 16)**

Amend text to state that the HNDA will be the focus of future prioritisation of land use, making clear that:

- the outcome of the HNDA should inform future land release strategy for the Strategic Development Plan (SDP) and Local Development Plan (LDP);
- the LHS will present the housing system as a whole and address the requirement for housing of all tenures, including affordable housing based on the outcomes of the HNDA;
- the timescale for production of the next round of LHS has been amended to ensure alignment with the SDP.

Local Plan Policy Context (Page 17): Masterplans

Add text to clarify the statement that proposals for mixed use development will only be supported if they are delivered through an agreed masterplan:

- does this apply to small sites or to larger strategic sites; and,
- is it proposed to require master plans for the development site only, or for comprehensive areas including land outwith the development site?

Policy HMU 1: Implementation of Development Opportunities in Partnership

Add text to provide more detail regarding how, in practice, the Council will seek the implementation of development opportunities in partnership with the development industry and other agencies.

Identify RSLs as key partners.

HMU Table – Section B (Specific Affordable Housing Opportunities)

Allocate more land specifically for affordable housing, to meet the level of need identified in the Council's Housing Needs Assessment and Homelessness Housing Needs Assessment.

Remove four sites from list:

- Waterloo Close (52) and Loch Road (53) have been completed; and,
- Newdyke Road (48) and Highfield Road (50) are on site.

Amend housing capacity for Ivanhoe Drive, Hillhead (49) to 87 units.

Move Twechar sites (58, 59 and 60) from Section B to Section A as mixed tenure development.

Amend Proposals Map to show an enlarged Glen Shirva Road site (58), consistent with the Framework Agreement between East Dunbartonshire Council and Places for People.

Baldernock Community Council (172)

Amend wording of HMU 1 to explain the reduction in affordable housing targets, and to state that affordable housing must be integrated with market housing.

Jo Swinson MP (173)

Reinstate benchmark figure of 40% for affordable housing targets.

John Warren (176)

Amend HMU 1 to state that the actual requirement for affordable housing provision in developments should be based on a full housing assessment as set out in the latest good practice by the Scottish Government (not specified).

Mr and Mrs Carruth (180)

Include a statement in HMU 1 explaining the reduction in affordable housing targets.

Summary of response (including reasons) by planning authority:

LP2 Technical Note 2 – Housing Land Supply (April 2010) provides detailed information on housing land supply issues – both the context for the preparation of the LP2, and the approach the LP2 takes in response to the context.

National and Strategic Planning Context (Page 16)

The contextual text in the LP2 briefly refers to the future HNDA. Given that the Glasgow and Clyde Valley HNDA is currently under preparation and will inform the future SDP, LHS and LDP, it is not necessary to provide further detail in the LP2.

Policy UC 1: Land Supply

The effectiveness of individual sites is a fluid matter dependant on many factors, and is best monitored on an annual basis in the Housing Land Audit. It is not necessary or appropriate to confirm their effectiveness in the LP2.

The 2009 HLA has been discussed with Homes for Scotland. The capacity of each site has been agreed with the exception of two 'disputed' sites, neither of which are sites identified by Policy UC 1.

The sites identified in the LP2, when considered together with the 5-year effective land supply, will ensure a continuing generous supply of land for house building. In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase. No change to the LP2 is necessary in this respect.

Local Plan Policy Context (Page 17): Information on Affordable Housing

LP2 Technical Note 2 – Housing Land Supply (April 2010) provides detailed information on housing land supply issues – both the context for the preparation of the LP2, and the approach the LP2 takes in response to the context.

SPP does not specify the level of detail to be provided in a local plan, as part of the development plan, when identifying the scale, nature and distribution of the housing requirement for an area (Paragraph 70). The contextual text on Pages 16 and 17 provides an appropriate level of detail; signposting other relevant documents rather than repeating the detail contained in those documents. No change to the LP2 is necessary in this respect.

Policy HMU 1: Implementation of Development Opportunities in Partnership

The reference to *“implementation in partnership”* is a general statement signalling the Council’s intention to approach the development management process in a spirit of partnership. It is not necessary to provide further detail, or to specify key partners, within the LP2.

Local Plan Policy Context (Page 17): Masterplans

HMU Table – Section A identifies which sites will be subject to the approval of masterplans. The detail of individual masterplans will be determined through the development management process. It is not necessary to provide further detail in the LP2.

Policy SPD 1 and Policy HMU 1: Land Supply for Affordable Housing

It is not considered appropriate to release market housing land in sufficient quantity to fully meet the scale of need for affordable housing.

SPP (Paragraph 87) states that *“policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”*. In this regard, the SHIP (November 2009) states that indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop out all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, Page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if the balance of need were to be met by the percentage of affordable housing on market housing developments – for every one affordable house to be constructed, at least three additional market houses would be required to be built.

Policy HMU 1: Target for a Percentage of Affordable Housing on Market Housing Developments

Given the need to increase the supply of affordable housing in East Dunbartonshire it is considered appropriate to set a target for percentage of affordable housing on market housing developments, rather than establishing complete flexibility for the target to be calculated on a site-by-site basis. Policy HMU 1 articulates the figure of 25% as a target/benchmark rather than an exact figure, thus allowing an element of flexibility on the grounds of viability. As signalled within Policy HMU 1, detailed Guidance Notes will be developed by the Council on the principles to be taken into account in determining how this target will be expected to be delivered.

The change from a 40% target in some settlements in Policy HMU 2 of the adopted Local Plan to 25% in all settlements in Policy HMU 1 of the LP2 has been made for the following reasons:

- in acknowledgement of the fact that the 40% target has proved extremely challenging to achieve when negotiating with developers; and,
- to accord with the national benchmark of 25% articulated within Scottish Planning Policy – which will, in turn, strengthen the Council's position when negotiating with developers.

It is not considered necessary to provide this explanation within the LP2.

The LP2 policy for a percentage of affordable housing on market housing developments does not specify a commuted payment contribution from developments between 2-10 units. As signalled within Policy HMU 1, detailed Guidance Notes will be developed by the Council to provide further details of the affordable housing provision through market housing development. No change is necessary in this respect.

In the interest of producing a concise plan, it is not considered necessary to include a separate policy to address affordable housing.

The Guidance Notes will also address the range of options for providing affordable housing, expected standards of design, integration, quality and appearance, and guidance on how affordable housing is to be integrated with market housing.

HMU Table – Section A (Housing and Mixed Use Development Sites)

Woodilee Hospital Site (32) has already received planning permission and therefore a review of the allocation to ensure an appropriate percentage of affordable housing is not appropriate.

Broomhill Hospital Sites (23 and 23) will be subject to the target for a percentage of affordable housing and therefore a review of the allocation to ensure an appropriate percentage of affordable housing is not necessary.

Craigdhu Road, Fire Station Field site (35) was identified in the adopted Local Plan as a development opportunity for housing and mixed uses, has been identified in the LP2 as a housing and mixed use development site and will be subject to the target for a percentage of affordable housing. For these reasons, it is not considered appropriate or necessary to add a comment indicating that it is particularly suitable for affordable housing.

HMU Table – Section B (Specific Affordable Housing Opportunities)

With regard to including an assessment of the likelihood of delivering these sites, the effectiveness of individual sites is a fluid matter dependant on many factors, and is best monitored on an annual basis in the Housing Land Audit. It is not necessary or appropriate to confirm their effectiveness in the LP2.

The contextual text on Page 17 provides an appropriate level of detail by signposting the SHIP. In the interest of producing a concise plan, it is not considered necessary to provide detailed cross-referencing to the SHIP for each individual site. No change to the LP2 is necessary in this respect.

With regard to allocating more land specifically for affordable housing to meet the level of identified need, a range and choice of sites for affordable housing in each of the housing Sub-Market Areas of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association / public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (Paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, as noted above, SPP (Paragraph 87) states that *“policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”*. In this regard, the SHIP (November 2009) states that indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop out all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, Page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

In increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if the balance of need were to be met by the identification of more sites for affordable housing opportunities.

For these reasons it is not considered appropriate to allocate more land specifically for affordable housing within the LP2.

Local Plan Policy Context (Page 36)

The sites identified in the LP2, when considered together with the 5-year effective land supply, will ensure a continuing generous supply of land for house building. In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;

- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase. No change to the LP2 is necessary in this respect.

In increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if the balance of need were to be met by the identification of more sites for affordable housing opportunities.

For these reasons it is considered appropriate to state that with regard to potential development sites identified in the consultation process, mainly for residential use, there are no particular local circumstances of sufficient weight to justify release. No change to the LP2 is necessary in this respect.

SUGGESTED CHANGES TO HMU TABLE:

- remove Waterloo Close (52), Loch Road (53), Newdyke Road (48) and Highfield Road (50) from Section B;
- amend housing capacity for Ivanhoe Drive, Hillhead (49) to 87 units;
- move Twechar sites (58, 59 and 60) from Section B to Section A as mixed tenure development; and,
- amended Proposals Map to show enlarged Glen Shirva Road site (58), consistent with the Framework Agreement between East Dunbartonshire Council and Places for People.

Reporters' conclusions:

Market housing

Key points arising from hearing

1. At the hearing held to consider council-wide housing land supply issues, revised figures for housing land supply were agreed between, on the one hand, Homes for Scotland with Geddes Consulting, on behalf of several of those developers who had made representations, and, on the other hand, EDC. The council estimated that the total private sector housing supply over the plan period would be 1,183 units. For 5 year periods, calculated annually, over the life of the plan, private housing output was estimated at figures between 1,165 and 1,574 units.

2. There was no agreement, however, over the demand figures. The Council's position was that the structure plan imposed no requirement for additional housing over the plan period. On that basis, there was no shortfall and the overall provision would be generous.

3. In relation to the rolling 5 year land supply required by government policy, the Council maintained that this was best assessed by comparing the supply figures with a notional level of demand based on an annual completion rate of 166 units. The latter was based on an assumption that continuation of the 5-year mean housing completion figures drawn from the 5 most recent Housing Land Audits represented an optimistic forecast. The 166 units per annum translated to a 5 year rolling demand of 830 units. The estimated private housing output would comfortably accommodate that demand. In the years beyond the plan period, additional sites could be expected to come forward from the non-effective supply of 1,143 units. It was pointed out that, on the advice of Homes for Scotland, 242 of those units had been moved to the non-effective supply to take account of the current economic circumstances. It was reasonable to assume that, should an economic upturn take place, those same sites would be able to come forward again.

4. Homes for Scotland and those parties aligned with it conceded that the figure of 2,200 units in Table 11 of the structure plan was for anticipated output over the period 2011-2018. However, whilst it did not represent a requirement as such, it should be taken as a proxy for a requirement.

5. The Council argued that the effective land supply figure of 1,000 for 2004-2011 and the anticipated output figure of 2,200 units for 2011-2018 needed to be seen in the context of Tables 12 and 13 of the structure plan. These tables indicated local surpluses in the two housing Sub-Market Areas of which East Dunbartonshire forms a part at the end of both structure plan periods. In other words, this was an indication that the outputs of 1,000 and 2,200 would themselves represent a surplus of housing land for the council area. It was not therefore appropriate to take those figures as proxies for a requirement.

Conclusions

6. We find that, the structure plan makes no strategic requirement for additional housing in East Dunbartonshire. This is plainly set out in paragraph 12.8 and schedule 6b(ii) of that plan. The EDLP2 cannot therefore be criticised for failing to meet the requirement.

7. The structure plan is, however, based on assumptions and estimates with base dates of 2004 or thereabouts. Whilst paragraph 12.10 of the structure plan indicates that the assumptions will be monitored and rolled forward during the early period of the plan, that has not been done so far. In the absence of such updating, it is appropriate to assess whether the position has changed.

8. If, for the sake of argument, the figures in table 11 are taken as proxies for a requirement, the figures produced by Geddes, and agreed by the council, indicate that the effective supply for East Dunbartonshire over the years 2011-2018 will be less (by 240 units) than the output anticipated by the urban capacity study which informed the structure plan. On the other hand, part of that reduced supply can be accounted for by faster than expected completions during the first structure plan period (2004-2011). Taking those earlier completions into account, the average completions envisaged by the structure plan for each of the remaining years to 2018 would reduce to 263 (a total of 1,315 over the plan period). That total reveals a shortfall of 132 by comparison with the effective supply of 1,183 units referred to above.

9. We are, however, mindful that the table 11 figures do not tell the whole story. They simply indicate that the predicted outputs of 1,000 and 2,200 units would satisfy the demand, but not whether they would exceed that demand. Tables 12 and 13 indicate a surplus in the Greater Glasgow North and West Sub-Market Area at 2011 and in both Sub-Market Areas at 2018. This suggests that the predicted outputs might satisfy demand.

10. Given the uncertainties in the above calculations and the relatively modest size of shortfall calculated in paragraph 8 above, we do not consider that we have grounds for finding a de facto strategic shortfall.

11. As to whether Scottish Planning Policy (issued in 2010), by emphasising the need for housing land supplies to be generous, points to a need for higher requirements than are set out in the structure plan, we are satisfied that, as the plan was drawn up on the basis of optimistic growth assumptions predating the present economic downturn, and as it was stated to have left room for flexibility, it can reasonably be interpreted as generous.

12. Homes for Scotland/Geddes and the council agreed supply figures for 5 year periods starting with each year of the plan period. Those figures were: 1,183, 1,574, 1,488, 1,334, and 1,165. If the above figure of 263 units per annum and its 5 year equivalent of 1,315 are taken as an indication of likely demand through to 2018, the first period indicates a modest shortfall. In practice, it seems unlikely that any economic recovery will stimulate the market quickly enough to lead to high demand at the beginning of that period. The second and third periods exceed demand. The fourth and fifth periods extend beyond the end date for structure plan housing figures and cannot therefore be assessed accurately by this method, although a projection forward of the same annual figure would produce a shortfall in the fifth period.

13. However, as the council has pointed out, land with capacity for some 242 units was moved from the effective supply to the non-effective established supply on the basis of advice from Homes for Scotland that these sites would not be viable in the current recession. Completions at the rates assumed in the foregoing paragraph are likely to require an improved economic climate. In such an improved climate, it seems reasonable to assume that those same sites would come back into the effective supply. This therefore gives us comfort that the continuous 5 year supply could be maintained throughout the plan period.

14. The council's alternative approach using past construction rates as a surrogate for future demand would indicate a surplus of supply for all 5 periods.

15. These analyses lead us to conclude that, using either approach, the rolling 5 year supply is likely to be sufficient.

16. Whilst our conclusions so far indicate no strategic requirement or requirement to meet the rolling 5 year land supply, it does not follow that any proposal to make additional provision above those requirements would prevent the local plan from complying with the structure plan. In that respect, a number of the proposed sites can be considered on site specific terms, as being less than strategic in scale and avoiding excessive loss of green belt and greenfield land and therefore not offending those strategic objectives.

17. Scottish Planning Policy expects a generous supply of appropriate and effective sites being made available to meet need and demand, and on the timely release of allocated sites. Strategic Policy 6 of the structure plan also highlights the need to provide choice of housing size and type within each market area. The present effective land supply in EDLP2 has been criticised for an over-reliance on a few landowners and developers, and on a small number of large and complex sites. 67% of the supply is programmed from just 4 sites. We concur that these are weaknesses of the present supply, making delivery more vulnerable especially whilst the housing market is in recession. In these circumstances, the addition of some additional smaller and less complex sites may ease the programmed rate of completions. Consequently, in examining the sites proposed by representees, we have borne that in mind.

Affordable housing

Key points from the hearing

18. The council's Strategic Housing Investment Plan 2009 identifies a target figure of 2,487 new affordable housing units over the period 2010-2015 (which approximates to the local plan period). However, it estimates that only 551 new units over the same period would be fundable through Housing Association Grant. Consequently, only 19% of the total number of new affordable homes required to deliver the Local Housing Strategy targets would be provided. Indeed, at the hearing, the council's position was that the figure of 551 units was optimistic, and in practice only some 497 units were likely to be fundable.

19. The council calculates that over the plan period a total of 732 affordable housing units could be provided on land specifically allocated for such housing together with a 25% contribution from sites developed for market housing. This, it argues, is comfortably above the 497 units which are likely to be fundable.

20. However, the other parties at the hearing criticised the council for relying solely on publicly funded sources of affordable housing, and thereby ignoring the guidance in Scottish Planning Policy that "innovative and flexible approaches will be required to deliver affordable houses in suitable numbers."

Further information received

21. In response to our request for SEA of several sites, three EDC councillors argued that the demand for market housing land has been more than met by the generous supply within the housing market areas concerned.

22. They maintained that there was no available information on a consistent and reliable basis across the market areas in the Glasgow and Clyde Valley areas on which to base an assessment of the need for affordable housing. Nor was there any understanding of the relationship between affordable and market demand in a changing economic climate. Identifying sites for development for the range of affordable uses was therefore considered to be unreasonable in such an environment where the level of need and its character was poorly understood.

23. The recently issued Housing Needs and Demand Assessment would form a sound basis for engaging with stakeholders on an appropriate response to affordable housing issues through the forthcoming local development plan. This was preferable to premature judgements on ad hoc land allocation through the current local plan. At a time when government resourcing to deliver affordable housing opportunities, EDC's decision to defer consideration over allocating such land remained a prudent one.

Conclusions

24. The structure plan identifies East Dunbartonshire as an area "where local plans should bring forward, as a matter of priority, proposals to improve the range and choice of affordable housing." It suggests that local authorities may consider it appropriate to allocate sites specifically for affordable housing. Where urban/brownfield locations are "unavailable or insufficient ... limited incursion into greenfield sites currently designated green belt may be considered where the site is developed exclusively for affordable housing and ancillary purposes."

25. Scottish Planning Policy expects the needs of relevant housing market areas to be met in full unless there are serious local environmental or infrastructure constraints which cannot be resolved to allow development within the life of the plan. With reference to affordable housing, it expects the need to be met, where possible, within the housing market area where it has arisen. However, as the council acknowledges, the plan fails to meet that

identified need in full. In fact, we find that the position is one of considerable and growing shortfall of affordable housing in East Dunbartonshire. (In response to concerns expressed by some representees, it should be emphasised that this is a need which is generated within East Dunbartonshire, and does not represent overspill from Glasgow.)

26. We agree with those representees who argue that a wider range of approaches would help to meet what is evidently a pressing need. Reliance simply on a preferred list of tenure options in the Strategic Housing Investment Plan does not reflect the Scottish Planning Policy expectation for innovative and flexible approaches. This approach, together with a highly protective stance towards green belt land, has resulted in capping of the council's provision for affordable housing land when more ambitious allocations could encourage new schemes to come forward.

27. In particular, we could see no reason *in principle* for the council setting aside proposals from developers to build exclusively affordable housing on sites adjacent to three settlements for which the Strategic Housing Investment Plan has identified significant shortfalls in provision. As indicated above, the structure plan specifically allows for such development at green belt locations in circumstances which apply here.

28. In the case of market housing sites, the plan sets a benchmark contribution of 25% affordable housing. It could be argued that greenfield sites of the type being promoted by developers are more likely to achieve that level of contribution because they would have fewer encumbrances than typical brownfield sites.

29. That said, the council has calculated that the release of sufficient land to fully address the affordable housing shortfall through this mechanism would entail the release of some 200 hectares of land for market housing, even on very generous assumptions. Almost all of it would have to come from the green belt. We acknowledge that scale of land release to be contrary to strategic settlement policy, bringing the local plan into conflict with the structure plan. Moreover, since the structure plan requires no further strategic adjustments to the green belt in order to provide market housing in East Dunbartonshire, the extent of alterations to the green belt inner boundary would similarly conflict with structure plan policy. Consequently, we do not propose to recommend release of land for general purpose housing solely on the basis of providing a proportion of affordable housing. However, since the need is pressing, in our examination of proposed additional sites we place some weight on evidence to the effect that a site would be likely to generate affordable housing at or around the benchmark level.

30. For the same reason, that the need is pressing, and because of the structure plan and national policy expectations, we do not agree that attempts to tackle the shortfall should be deferred until stakeholder engagement over the recently published Housing Needs and Demand Assessment is complete.

31. To seek to address the shortfall (as well as to secure more robust green belt boundaries and for the reasons set out in paragraphs 16 and 17 above), we have been obliged to look again at over 30 sites which have been proposed for housing by developers and landowners, but were discounted by the council at an early stage in the plan process.

32. Our preliminary analysis and conclusions showed that the majority of those sites are clearly unsuitable, especially those which would conflict with the strategic policies of the structure plan, for example by the scale of green belt release proposed for market housing. However, we considered that 7 of the sites were not ruled out by that initial analysis. The sites were: Jellyhill (Cadder) Sewage Works, Bishopbriggs; Meadowburn Ave, Lenzie; Claddens East, Lenzie; Balglass Farm, Lennoxton; West Baldoran Farm, Milton of Campsie; Redmoss Farm, Milton of Campsie; and Kelvin View, Torrance.

33. Consequently, we required EDC to carry out Strategic Environmental Assessments (SEAs) and to provide other information so that we could determine whether any of these sites could be brought forward to address the shortfall (and for the other reasons mentioned above). At the same time, we requested SEA in relation to the council-supported enlargement of a site at Glen Shirva Rd, Twechar, as this had not been subject to pre-examination modifications procedures.

34. In response to our request for confirmation that appropriate assessment under the Habitats Regulations is not required for those 8 sites, and the council stated its view that assessment is not required.

35. Our recommendations on the 8 sites, found in the chapters 3 and 7 issues below, are for some modest additional land releases in relation to 5 of the sites (two of these being for affordable housing only), enlargement of the Glen Shirva Rd site, and no land release in relation to the other two sites.

25% target for affordable housing on market housing developments

36. A representation from J and L Edwards (119) has been omitted from the council's list, above. They contend that Milngavie and Bearsden have a greater than average shortfall of affordable housing, but no requirement for market housing. They contend that there is no reason to lower the 40% target to 25%. Affordable housing should not be concentrated into "ghettos".

37. Although a number of representees share such concerns over the council's intention to reduce its target for affordable housing provision on market housing development in the main communities, figures show that the policy in the adopted plan has resulted in very few affordable houses on the ground. The 40% target has proved very difficult to achieve in practice. Consequently, the 25% target now proposed for the whole of the council area appears to us to be more realistic, the more so in the current slow housing market. That target conforms with government guidance, and we see no need for its adjustment.

38. The flexibility of the target is also questioned. But it is clear that exceptions will be considered where they are thoroughly justified.

HMU Table: Section A

Kilmardinny/Westpark (119)

39. A point contained in representation 119 from J and L Edwards was omitted from the council's list. This argues that it is perverse for the council to state in Table HMU Section A of the plan that the capacity of the Kilmardinny/Westpark site in Bearsden should be determined by the outcome of an appeal for a specific proposal. Instead, the capacity should be assessed against that derived through the local plan process, as currently expressed in policy UC 2 of the adopted local plan. We note that the associated HMU Table 1 of that plan gives the estimated housing capacity of that site as 300 units whereas the appeal decision has allowed up to 550 units.

40. Whilst it was open to the council to indicate a capacity for the site at the time it published its draft finalised plan, it chose not to do so, but to rely on a forth-coming appeal decision. Kilmardinny/Westpark is one of a number of sites for which no capacity is stated in the plan. In practice, the site capacities indicated in local plans are no more than broad estimates. Their primary purpose is to ensure that sufficient land has been allocated for a particular land use. They are often conservative and, unless otherwise stated, are not intended to set a cap on development numbers.

41. We therefore see no reason to introduce a capacity figure for Kilmardinny/Westpark into the plan in place of that deriving from the appeal decision.

Fire Station Field, Craigdhu Rd, Milngavie (131)

42. Fire Station Field is presently listed in HMU Table A for mixed use development. The council accepts that the site would probably be suitable for affordable housing. However, it takes the view that because the site was released from green belt designation following the local plan inquiry recommendation into the current local plan for reasons unrelated to affordable housing, it would be unreasonable to change its designation now. It will be subject to a 25% target for affordable housing.

43. The community council's opinion that it would be ideal for affordable housing is not substantiated. We note that the site has lain undeveloped for several years even without a restriction on the type of housing development. In that time it will have been subject to the 40% affordable housing target set out in the current local plan. We have no evidence as to whether this has affected its developability, or, indeed, any other evidence to support a change in plan, as proposed.

Changes to HMU table (95, 170)

44. The council's suggested changes to the HMU table regarding Waterloo Close, Newdyke Rd, Highfield Rd and Ivanhoe Drive are acceptable as essentially updating matters.

45. The vision contained in the Twechar Regeneration Masterplan (2005) includes that the village will become "a growing residential community rising to over 2,000 inhabitants, including a higher proportion of economically active people with a wider range of house types and tenures, including a higher proportion of owner-occupied and family homes." We acknowledge that the transfer of 3 sites in Twechar from section B of the table (exclusively affordable housing) to section A (mixed tenure) would accord with that vision by providing diversity in the predominantly affordable housing tenure in the village. Whilst this would potentially reduce the number of affordable housing units on those sites, we accept that it is important to achieve a balance of housing tenures in the village, and that this is in line with the advice in Scottish Planning Policy. We are also mindful that a wide range of stakeholders and members of the local community were consulted during preparation of the masterplan.

Proposals map (58, 95, 110)

46. In response to a request from Places for People, the council has suggested a change to the proposals map by enlargement of the Glen Shirva Road site, Twechar (HMU 58). The suggestion was made following publication of the finalised draft plan and was not the subject of a pre-examination modification procedure to ascertain the views of the community or other stakeholders. For that reason, we requested SEA of the enlarged site, the results of which are summarised below.

Further information received

47. The council's Environmental Report Addendum summarised the effects of the proposal against 12 criteria as - very negative: 2; negative: 4; negative neutral: 1; positive/neutral 1; positive/uncertain: 2; positive: 2.

48. In response to consultation, Historic Scotland was satisfied that the Environmental Report Addendum provides an accurate account of the likely effects of the sites for the historic environment. Significant negative effects are predicted for the allocation at Glen Shirva Rd due to the potential impact on the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site and its setting. Mitigation to reduce that impact will be to require that development respects the outstanding universal value of the World Heritage Site and is brought forward in line with supplementary guidance which is currently being prepared for the site.

49. SEPA considered that the individual site assessment provided in the Environmental Report Addendum conveys the impacts clearly.

50. Scottish Natural Heritage considered that the assessment is generally more negative than that in the main Environmental Report (which relates to a smaller site) and is more accurate. The implication that the development could sever the wildlife corridor is a little strong. SNH agreed that there would be a negative effect on species and habitats. On this basis, the SEA should suggest ways of avoiding or mitigating the negative effects, e.g. pulling the built footprint back from the wildlife corridor, lower density housing, etc.

51. Strathclyde Partnership for Transport stated that the site benefits from having bus routes on two sides, with stops on Glen Shirva Rd. The services are likely to adequately support development.

52. Representations from third parties made the following arguments.

- More new housing is needed to address needs of younger people within village; there is currently a lack of housing choice forcing younger people to leave; the extended site at Glen Shirva Rd should therefore be supported.
- The greenspace which would be lost is not particularly important and is more often than not used for anti-social purposes, especially around the existing play area.
- A better overlooked play area could be provided through the new development.
- Redevelopment of adjacent housing will require to make provision for open space, in accordance with local plan policy and guidance.
- The site would not cover the entire open space area; linkage to Main St would still be possible; and the development could be designed to include links to the canal.
- There is more than enough open/accessible greenspace in Twechar.
- The declining housing market makes provision of housing for local people more essential than ever.
- The principles of developing the proposed site and loss of greenspace have already been established through the current local plan.
- The proposed site would help redress the existing fragmented form of the village.
- The site lies within 400 metres of a bus stop, giving it suitable public transport linkage.
- As the site in the current local plan was a scheduled ancient monument at the time of allocation (rather than a World Heritage Site), its historical importance will have been taken into account.

Conclusions

53. The proposal does not accord with the Twechar Regeneration Masterplan (2005), which retains all of the existing park. The landscape sensitivity analysis in the masterplan indicates much of the site as an “important and highly visible village/canal interface”. An analysis of developable land shows most of the existing park as non-developable on the basis that it is existing public open space with an important role in the landscape setting of the settlement.

54. However, the proposed change would reflect the more recent position as set out in the Framework Agreement between EDC and Places for People (August 2009), and is sought in order to achieve the desired number of units and to improve the quality of the housing development. Although the site is listed in the proposed plan as being specifically for affordable housing, the council suggests that should be amended to mixed tenure (see above). We note that the council’s 5 year Strategic Housing Investment Plan recognises the need for affordable houses in Twechar.

55. The enlargement represents more than doubling of the housing site to some 2.77ha

and would be at the expense of an attractive area of Gartshore Public Park, indicated on the proposals map as Parks and Open Spaces, along all of its frontage with the Forth and Clyde Canal. It would extend the site area located within an Important Wildlife Corridor. The northern boundary of the site as proposed lies on the line of the Antonine Wall, although it is not visible above ground in this location. A Roman camp, which also forms part of the World Heritage Site, lies immediately to the south. The whole site lies within the Antonine Wall buffer zone. The report also points out that development would result in the remediation of an increased area of moderately contaminated land.

56. There is local support and no expressed opposition to enlargement of the site, subject to satisfactory mitigation measures. Enlargement would allow flexibility in the design of the whole scheme, mix of housing types (to include affordable housing) and housing density. It would potentially provide housing accessible to local people, including younger people. The principle of developing in this location, the loss of part of the park, impacts on the World Heritage Site and other environmental impacts have already been established, to varying degrees, in the current local plan. Whilst some of those impacts would increase, at the same time the larger site would give scope for addressing the some of the environmental shortcomings identified in the SEA exercise by: retaining pedestrian links between Gartshore Park, the canalside area and Main St; providing overlooking of a replacement children's playground and the park; mitigation to reduce impact of development on the Antonine Wall World Heritage Site and its setting; and pulling the built footprint back from the wildlife corridor.

57. Overall, the social benefits and community support provide sufficient grounds to accept the environmental impacts, subject to mitigation.

Masterplans (170)

58. The text on page 17 of the plan should be clarified with an explanation that sites where masterplans will be required are those identified in the HMU table only. It should be made clear that masterplans are to be prepared for the entire site in each case unless otherwise stated in the HMU table. Any such exceptions should then be noted in that table.

Reporters' recommendations:

Market housing

59. No amendments are required.

Affordable housing

60. See our recommendations on issues 7.3, 7.4, 7.6 and 7.7.

25% target for affordable housing on market housing developments

61. No amendments are required.

HMU Table: Section A

62. No amendments are required.

Changes to HMU Table

63. Remove Waterloo Close (52), Loch Rd (53), Newdyke Rd (48), and Highfield Rd (50) from section B of the table. Amend the housing capacity for Ivanhoe Drive, Hillhead (49) to 87 units.

64. The sites in Twechar at Glen Shirva Rd (58), 1 Glen Shirva Rd (59) and Gartshore Crescent and Davidson Crescent (60) should be transferred from section B of the table (exclusively affordable housing) to section A (mixed tenure). In the comments section of the table for site 58, include the gist of the last sentence of paragraph 56 above.

Proposals map

65. Enlarge the Glen Shirva Road site (58) in line with the Framework Agreement between EDC and Places for People.

Masterplans

66. Make the amendments set out in paragraph 58 of our conclusions above.

Issue (ref and handling):	Issue 3.3 - Proposed Housing and Mixed Use Sites in Settlements	Reporter: IAIN URQUHART
Development Plan Reference:	Pages 18-21 - Policy HMU 1 Development Opportunities for Housing and Mixed Uses HMU Table	
Bodies or Person(s) submitting a representation raising the issue:		
Pollock Property Advisers on behalf of Scottish Water (127) Montagu Evans on behalf of Caledonian Properties (158) Dominic Notaranagelo (184) Stephen Dawes, Greystones Limited (213)		
Provision of the development plan to which the issue relates:		
Policy HMU 1 – Development Opportunities for Housing and Mixed Uses states that the Council will support the realisation of the development opportunities listed in the HMU Table, and will seek their implementation in partnership with the development industry and other agencies. Where stated, development will be subject to the approval of masterplans incorporating the mix of elements listed. HMU Table – Section A lists housing and mixed use development sites. HMU Table – Section B lists specifically affordable housing opportunities. The former Cadder Sewage Works, Bishopbriggs is located within the settlement boundary of Bishopbriggs and is currently unallocated but is covered by an Important Wildlife Corridor and is partly identified as a flood risk area. Crofthead, Bishopbriggs is located within the settlement boundary of Bishopbriggs adjacent to the Cadder Business Area: site ECON 2 (16). It is partly designated as a Local Nature Conservation Site, Important Wildlife Corridor, Tree Preservation Order and Conservation Area. In addition the site is located within the Antonine Wall Buffer Zone.		
Council’s summary of the representation(s):		
Pollock Property Advisers on behalf of Scottish Water (127) Considers that the Former Cadder Sewage Works (Jellyhill) in Bishopbriggs is suitable for a sustainable mixed use brownfield development opportunity. The site is surplus to operational requirements, and has been fully decommissioned and unused for 5 years. It would form a logical and defensible completion to the established urban area, supporting the adjacent site HMU 1(15) which is constrained in its current isolated form. Opportunities also exist to enhance leisure and recreation facilities associated with the canal side location.		
Montagu Evans on behalf of Caledonian Properties (158) Considers that the site at Crofthead, Bishopbriggs opposite Strathkelvin Retail Park could contribute to the Council achieving new housing and the delivery of quality affordable housing. This would represent a natural progression of Bishopbriggs bringing in new residents to the area, supporting local shops and services. It is suggested that East Dunbartonshire’s ageing population structure means that the Council should aim for population growth. The development would also contribute towards the funding of the Bishopbriggs Relief Road.		
Dominic Notaranagelo (184) Considers that the ECON 2 (13) site at St Mungo Street, Bishopbriggs should be redesignated for a mix of housing uses, including socially rented, low cost starter homes and		

small scale housing for elderly people.

Stephen Dawes (213)

Considers that the economic development opportunity site at St Mungo Street, Bishopbriggs – ECON 2 (13) should be redesignated as a development opportunity for Housing and Mixed Use (HMU). Suggests that the site could contribute towards affordable housing delivery and sustainable development because of its close proximity to public transport and local facilities. It is also suggested that the existing uses are piecemeal in nature and redundant, with very little architectural or townscape character.

Modifications sought by those submitting the representations:

Pollock Property Advisers on behalf of Scottish Water (127)

Designate the Former Cadder Sewage Works site, at the northern edge of Bishopbriggs, as a Housing and Mixed Use Development Opportunity. Amend the HMU Table and Proposals Map accordingly. Proposed number of units not specified.

Montagu Evans on behalf of Caledonian Properties (158)

The site at Crofthead, Bishopbriggs should be allocated within the Finalised Draft Local Plan as a housing and mixed use site under Policy HMU 1. The HMU Table and Proposals map should be amended accordingly.

Dominic Notaranagelo (184)

Remove the site from its current designation as ECON 2 (13) and re-designate as a Housing and Mixed Uses site with the HMU Table amended accordingly.

Stephen Dawes (213)

Remove the site from its current designation as ECON 2 (13) and re-designate as a Housing and Mixed Uses site with the HMU Table amended accordingly.

Summary of response (including reasons) by planning authority:

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 – Development Opportunities for Housing and Mixed Uses identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come

forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

A total of 12 separate sites have been identified within Bishopbriggs (including the town centre) as set out in the HMU Table and illustrated on the Proposals Map. This includes two sites allocated exclusively for affordable housing. This is considered sufficient to meet the housing requirements within Bishopbriggs at this time.

127

The former Cadder Sewage Works has access constraints, falls within a Local Nature Conservation Site – Important Wildlife Corridor, has potential for use as canalside open space and there is strong local resistance to development of the site.

158

The Crofthead site is designated as a Local Nature Conservation Site and Important Wildlife Corridor. Therefore, the site would be protected from development under the terms of Policy NE 1- Protection of Natural Diversity. The proposed site is also located within the Antonine Wall Buffer Zone for which Policy HE 1B is applicable. This Policy states a presumption against development within the buffer zone which would have an adverse impact on the Site and its setting.

With regard to the deliverability of the Bishopbriggs Relief Road, it would be inappropriate to allocate sites purely on the basis of their potential financial contribution. The BRR is expected to be delivered within the lifespan of the Local Plan and all proposed developments within the Transport Corridor Initiatives Buffer zone (i.e. not just developments in close proximity) will be required to contribute towards its delivery in accordance with Policy TRANS 3.

Taking these factors into account, it is considered that the proposed site at Crofthead should not be allocated for Housing and Mixed Uses and that no change to the Plan is required.

184, 213

Whilst it is acknowledged that certain buildings in this area are in need of improvement, the Council are keen to retain this site for small scale economic or light industrial uses (Use Class 4, 5 or 6) – this site is in full use and such sites are an important part of the business land portfolio. The requirement for additional affordable housing throughout East Dunbartonshire is recognised and the Council's position is set out within Issue 3.2. As such, it is considered that no modification is required.

Conclusion

Taking account of the above matters, no change to the LP2 is necessary in respect of this issue.

Reporter's conclusions:

Former Cadder Sewage Works (Jellyhill), Bishopbriggs

1. The structure plan makes no strategic requirement for additional housing allocations in East Dunbartonshire. However, in our conclusions under Issue 3.2: Housing Land Supply (paragraphs 16 and 17), we note that it is possible for the local plan to make additional provision where a site is not strategic in scale and does not involve excessive loss of green belt and greenfield land. In the case of Jellyhill, it is a brownfield site already located within

the existing Bishopbriggs settlement boundary. It is a former sewage works site situated on the edge of the built up area. It has partly regenerated with low tree and bush cover but may have some contaminated ground. It is an infill site where development would fit well with surrounding residential land-uses. There is a similar location immediately to the north-east which has a local plan residential development commitment (HMU1 Site 15).

2. Development of the site would not have any impact on the established green belt boundary which is clearly defined by the line of the Forth and Clyde Canal immediately north-west of the site. This is a robust and defensible boundary for a considerable length along this part of the Bishopbriggs settlement edge.

3. The council's Strategic Environmental Assessment (SEA) highlights several environmental designations that affect the site, namely a Local Nature Conservation Site and Important Wildlife Corridor and a Flood Risk Area. However, these designations should not prevent the development of the higher parts of the site closest to the existing housing area to the south-east. There is sufficient scope to design a low density housing layout which integrates open space, nature conservation and wildlife corridor areas and, at the same time, avoids the flood risk zone along the edge of the Bishopbriggs Burn. This approach would also allow the site to link into the wider green space, footpath and recreational network along the canal side.

4. I note the concerns of local residents regarding the impact of development on residential amenity and wildlife. There is no current evidence of protected species present on the site although there appears to be a range of bird and animal life consistent with a semi-natural urban fringe location. It should be possible to develop part of the site whilst retaining an important wildlife and nature conservation area corridor.

5. The total site area is 4.41 hectares but, in light of the environmental and amenity constraints and designations described above, I consider that only 50% of the site area should be considered for built development with an indicative housing capacity of 35 units.

6. Accessibility to local facilities is relatively good with local shops and bus services around 400 to 500 metres from the site although it is not well located for access to train services. Leisure and recreational facilities are also nearby, off Balmuldy Road.

7. Strategic Development and Transportation Service has identified access options to the local road network including utilising the former sewage works access. Although several of these are constrained, given the limited development capacity recommended above, I consider that the network is capable of servicing a site of around 35 units without prejudicing road safety.

8. The representation on behalf of Scottish Water also refers to the site's potential for canal related leisure and commercial development opportunities. I believe that vehicular access constraints and the proximity of the site to established housing areas make it unsuitable for such uses. In addition, development of those parts of the site closest to the canal and the Bishopbriggs Burn would impact on the flood risk area and could compromise the retention of a viable wildlife and nature conservation corridor.

9. Overall, I conclude that the site would be an acceptable, small scale, brownfield addition to the housing land supply. Development will not impact on the green belt and a robust settlement boundary will remain along the Forth and Clyde canal corridor.

Crofthead, Bishopbriggs

10. The approved structure plan makes no strategic requirement for additional housing in East Dunbartonshire and we have concluded under Issue 3.2 that there is no strategic requirement for the designation of additional housing land in the local plan.

11. The Crofthead site is located on the north-west edge of Bishopbriggs and within the settlement boundary. The residential area to the south and the retail park to the east provide some urban context for development of the site. The Forth and Clyde Canal and the Antonine Wall to the north and west establish clear limits to the further expansion of the town in this direction.

12. The site is designated as a combined Local Nature Conservation Site and Important Wildlife Corridor. It falls within the Antonine Wall World Heritage Site Buffer Zone. It is a large brownfield site with significant ground level differences within its boundaries. In addition, there is a large industrial use immediately to the north which may have amenity implications (e.g. noise, dust and hours of operation) which could impact on the development form and layout of the site.

13. I do not consider that the nature conservation and historic environment constraints, in themselves, necessarily preclude any form of built development on the site. I consider that further detailed assessments and appraisals would be required to determine these issues. However, I conclude that Crofthead is a large complex site which would not lend itself to a small-scale or piecemeal development approach. In addition, the infrastructure, nature conservation and historic environment constraints would require a comprehensive masterplan approach. In the absence of a strategic need for housing development in the local plan area, I do not find any justification for recommending release of this site for housing development. The potential for the site to contribute towards the costs of the Bishopbriggs Relief Road does not alter my view.

St Mungo Street, Bishopbriggs

14. The St Mungo Street area is characterised by small scale industrial uses, including vehicle-related businesses that occupy older buildings and yards. A number of properties are vacant and advertised for sale or rent. The area is very accessible and close to the town centre and rail and bus facilities.

15. The piecemeal land ownership and land use pattern in the area is likely to make it difficult to bring together a coherent development plan for the area. I have concerns that the introduction of a 'one-off' residential redevelopment to the area will create amenity and operational problems for potential residents and existing businesses respectively. I consider it inevitable that the interests of residents and businesses will conflict in such close proximity to each other.

16. The representation from Mr Dawes cites the nearby Crowhill Road site (HMU 1 (09)), allocated for housing, in support of his argument. However, the location of the site on the corner of Mavis Bank and Crowhill Road, opposite existing housing, is likely to offer an acceptable level of amenity for residents. I do not consider that this could be achieved in the case of the St Mungo Street site.

17. I consider it important that small scale light industrial and business premises continue to be available in accessible locations, and close to the town centre. Despite the presence of several vacant sites, and in the absence of comprehensive redevelopment proposals for the area, I do not consider that the St Mungo Street location is suited for housing development.

Reporter's recommendations:

1. Modify the local plan by designating the site of the former Cadder Sewage Works (Jellyhill) as a housing site and add it to HMU 1 Table A with an indicative capacity of 35 units.
2. No modifications to the local plan are required in respect of Crofthead, Bishopbriggs or St Mungo Street, Bishopbriggs.

Issue (ref and handling):	Issue 3.4 - Proposed Housing and Mixed Uses Sites in Green Belt (Please note that the Council's response on the green belt issued raised in these representations is set out in the relevant Schedule 4 forms for the Green Belt chapter, Issue Numbers 7.1-7.8.)	Reporter: MALCOLM MAHONY and KATRINA RICE
Development Plan Reference:	Pages 18-21 - Policy HMU 1 Development Opportunities for Housing and Mixed Uses HMU Table	
Bodies or Person(s) submitting a representation raising the issue:		
Keppie Design on behalf of Gleniffer Developments (89) Keppie Design on behalf of Taylor Wimpey, Ltd. (98) Keppie Design on behalf of AS Homes and Bearsden Golf Club (109) Ryden Consulting on behalf of CALA Homes (118) Geddes Consulting on behalf of CALA Homes (West) (122) Colliers CRE on behalf of Miller Homes West Scotland (141) Keppie Planning on behalf of Taylor Wimpey (142) Geddes Consulting on behalf of Giffnock Management Services Ltd. (165) Keppie Planning on behalf of H. Morris & Co Ltd (182) Ryden Consulting on behalf of CALA Homes (193) Keppie Design on behalf of Bellway Homes (Scotland) Ltd (211)		
Provision of the development plan to which the issue relates:		
Policy HMU 1 – Development Opportunities for Housing and Mixed Uses states that the Council will support the realisation of the development opportunities listed in the HMU Table, and will seek their implementation in partnership with the development industry and other agencies. Where stated, development will be subject to the approval of masterplans incorporating the mix of elements listed. HMU Table – Section A lists housing and mixed use development sites. HMU Table – Section B lists specifically affordable housing opportunities.		
Summary of representation(s):		
<ul style="list-style-type: none">• Keppie Design on behalf of Gleniffer Developments (89) Land at Hunter Road, Milngavie• Keppie Design on behalf of Taylor Wimpey, Ltd. (98) Land at Wester Lumloch Farm, Bishopbriggs• Keppie Design on behalf of AS Homes and Bearsden Golf Club (109) Land at Thorn Road Bearsden• Ryden Consulting on behalf of CALA Homes (118) Land to the south of Lenzie• Geddes Consulting on behalf of Cala Homes (West) (122) Land north west of Milngavie at Tambowie Farm• Colliers CRE on behalf of Miller Homes West Scotland (141) Land to the south of Lenzie• Keppie Planning on behalf of Taylor Wimpey (142) Land on the south east of Lennoxton• Geddes Consulting on behalf of Henderson's Chartered Surveyors (164) Land to the south of Torrance• Geddes Consulting on behalf of Giffnock Management Services Ltd. (165) Land to the south of Lennoxton		

- Keppie Planning on behalf of H. Morris & Co Ltd (182)
Land to the west of Haughead/Clachan of Campsie
- Ryden Consulting on behalf of CALA Homes (193)
Land to the east of Claddens, Lenzie
- Keppie Design on behalf of Bellway Homes (Scotland) Ltd (211)
Land to the west of Milton of Campsie

All representations grouped under this issue make specific objections to Policy HMU 1 and the associated table, on the basis that:

- a) a particular site is proposed for release from the green belt; and,
- b) it is therefore appropriate for the site be formally identified as a development opportunity in HMU 1.

Full summaries of each representation, including a summary of issues raised with respect to housing land supply, are set out in the relevant Schedule 4 forms for the Green Belt chapter.

Modifications sought by those submitting the representations:

That the release site be formally identified as a development opportunity in Policy HMU 1.

Summary of response (including reasons) by planning authority:

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 – Development Opportunities for Housing and Mixed Uses identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

No change to the LP2 is necessary in this respect.

(Please note that the Council's response on the green belt issues raised in these representations is set out in the relevant Schedule 4 forms for the Green Belt chapter, Issue Numbers 7.1-7.8.)

Reporters' conclusions:Key points from the hearing

1. At the hearing, representees criticised the council for failing to integrate the Local Housing Strategy, including the affordable housing shortfall, into the local plan process, in particular, that the Green Belt Boundary Review had not been informed by those matters. The SPP required that the green belt inner boundary should be drawn to ensure settlements are able to accommodate planned growth. In fact, it had been drawn too tightly to allow for such growth. The areas released from the green belt by the plan would accommodate no more than 21 housing units.
2. They contended that no evidence had been produced to show that release of land at the green belt inner boundary would cause unacceptable environmental damage. It was not credible to assume that the quality of the green belt land in East Dunbartonshire was so high as to make it inviolable. The review should have looked for less sensitive areas and examined whether these could accommodate the requirements of the settlement strategy.
3. In addition it was argued that the Green Belt Boundary Review had only looked at how to protect the existing greenbelt and not at how it could be enhanced through environmental improvements and landscape enhancements particularly in urban fringe areas. Also no account was taken of possible mitigation measures which could be introduced to lessen the impact of any development proposed within the existing green belt.
4. The council maintained that a strong preference for protection of the green belt had emerged through responses to consultation, and that the local political message reinforced that position. The council had therefore taken a protective stance. It regarded the environmental characteristics of the green belt in East Dunbartonshire as consistently very high. Its Green Belt Boundary Review had looked at the physical qualities of the boundary and how defensible it was. The review had not sought to find sites which could be suitable to accommodate any development needs identified.
5. Scottish Planning Policy expected local plans to reflect "the long term settlement strategy" which was set at city region scale. The council considered themselves to be bound by the metropolitan development strategy of the Glasgow and the Clyde Valley Structure Plan which required the continued designation of the green belt. The sites put forward by representees had not therefore been tested as part of the Green Belt Boundary Review. The council considered that it had taken a balanced approach between the need for amendments to the green belt boundary to accommodate development need and the resultant adverse impact on the environment and the community.
6. With regard to the wider enhancement of the green belt, the council maintained that it had taken this into account in the Green Belt Boundary Review which identified three areas where possible intervention would be required.
7. Further information received
8. See issue 3.2, paragraphs 21-23.

Conclusions

9. Whilst the structure plan states that no strategic adjustments are required to the general extent of the current green belt, it expects local plans to continue to review its inner boundaries within the structure plan framework. It allows for adjustments to meet other structure plan requirements such as those in strategic policy 6. These include providing housing opportunities to meet the requirement for a continuing 5-year effective owner occupied land supply, the need to provide for choice in terms of size and type of housing in

each housing market area and the needs for social rented housing identified in local plans and local housing strategies. The structure plan (at paragraph 12.21) allows for limited incursion into the green belt where the site is developed exclusively for affordable housing and ancillary purposes.

10. The council has justified, in part, its highly protective stance towards existing inner green belt boundaries by the strength of local feeling. We recognise that a large proportion of the representations received (approximately a third) expressed support for the protection of existing green belt boundaries. However on closer inspection, the overwhelming majority come from residents or community groups in Milngavie and Bearsden, with some 67 relating to a single site in Milngavie. This does not provide us with certainty as to the views of the East Dunbartonshire community as a whole.

11. The council also contends that to release further green belt land would result in unacceptable environmental harm. Given that only certain of the areas bounding settlements are designated for their natural history, cultural heritage or landscape quality, and that such designations as apply are mainly of local importance, that is not self-evident.

12. The main evidence before us with regard to potential environmental harm is contained in the Green Belt Boundary Review. We note that the review did not draw on the regional landscape character assessment. The assessments as reported in the review relate to broad areas. As the council admitted at the hearing, they did not involve a detailed assessment of any of the sites put forward by representees for development or consideration of other, less sensitive, sites.

13. Overall, we are concerned that the review appears to have proceeded on a restricted remit. There is little evidence that it balances green belt matters against other pressing issues, especially affordable housing needs.

14. The council's criteria for acceptable boundary features include hedgerows, fences and walls, whereas Scottish Planning Policy regards these as rarely sufficiently robust. It is therefore appropriate to examine whether amendments to that boundary could result in greater robustness.

15. In addition, in our conclusions on issue 3.2, we have found: that the housing land supply relies heavily on large complex sites; that there are uncertainties over the programming of such sites; and, most significantly, that there is a considerable and growing shortfall of affordable housing.

16. Drawing all the above points together, we found that there is a clear justification for examining the inner boundaries of the green belt with a view to release of limited areas of land for development where this would address the above issues whilst, in particular, not undermining the metropolitan development strategy.

17. That examination has resulted in recommendations for modest adjustment to the green belt boundary in two locations (Meadowburn Avenue and Claddens East in Lenzie) and land releases for affordable housing only in two locations (West Baldoran Farm, Milton of Campsie and Kelvin View, Torrance), which are to remain within the green belt in accordance with structure plan policy.

Reporters' recommendations:

See our recommendations on issues 7.3, 7.4, 7.6, and 7.7.

Issue (ref and handling):	Issue 3.5 - Housing Allocations in Milngavie	Reporter: IAIN URQUHART
Development Plan Reference:	Page 21 - Policy HMU1 Table Section A 33 & 34	
Bodies or Person(s) submitting a representation raising the issue:		
Richard Booth (90) Emma Parker-Morgan (91) John Warren (176) Jennifer Wilson (215) Eleanor Haresign (218)		
Provision of the development plan to which the issue relates:		
Policy HMU 1 – Development Opportunities for Housing and Mixed Uses states that the Council will support the realisation of the development opportunities listed in the HMU Table, and will seek their implementation in partnership with the development industry and other agencies. Where stated, development will be subject to the approval of masterplans incorporating the mix of elements listed HMU Table – Section A lists housing and mixed use development sites. Final numbers for housing allocations at Douglas Academy (South) (33) and Douglas Academy (East) (34) have yet to be determined, but the sites currently have outline planning permission.		
Council's summary of the representation(s):		
Richard Booth, Emma Parker-Morgan and Eleanor Haresign (90, 91, 218) Objects to development at Douglas Academy (South) (33) and Douglas Academy (East) (34) due to concerns about increases in traffic and safe access, the negative impact on quality of life for local residents, the proximity and potentially adverse impact on nearby Craigton Woods. John Warren (176) HMU1 Table 33 & 34 should include the capacity numbers – it is suggested that this is 13. Jennifer Wilson (215) Objects to a substantial increase in housing within Milngavie due to a lack of service capacity (schools, doctors, dentists)		
Modifications sought by those submitting the representations:		
Richard Booth, Emma Parker-Morgan and Eleanor Haresign (90, 91, 218) Delete Douglas Academy South and Douglas Academy East from HMU Table section A. John Warren (176) Amend HMU table to include numbers for Douglas Academy South and east (33 and 34) – suggested 13 units. Jennifer Wilson (215) Remove proposed housing sites relating to Milngavie from Policy HMU.		

Summary of response (including reasons) by planning authority:**(90, 91, 176, 218)**

Circumstances have progressed since the publication of the finalised Local Plan, and two separate planning applications for residential development at the Douglas Academy Campus have now been granted full planning consent. The site has permission for the erection of 13 residential dwellings on the southern boundary (HMU Table No.33) and 7 residential dwellings on the eastern boundary (HMU Table No.34). Arrangements for suitable access and safety in compliance with Policies DQ1, DQ2 and TRANS 2 will be matters addressed through the conditions. No modification to the Plan is considered necessary, apart from the relevant alterations to HMU Table – Section A.

SUGGESTED CHANGE TO HMU TABLE:

- Add the new housing capacity figures to Sites 33 & 34 (Douglas Academy) of HMU Table Section A and make the appropriate amendment to the 'comments' column to reflect that full planning permission has been granted.

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With regard to the infrastructure capacity in Milngavie, proposed housing developments throughout East Dunbartonshire will be subject to Policy DQ2. This requires development proposals to ensure adequate infrastructure provision in respect of education, drainage, including land drainage and effluent disposal arrangements. Where there is a deficiency in any respect, appropriate upgrading will require to be undertaken as a condition of planning permission or through a Section 75 agreement. The provision of doctors and dentists surgeries is not a land use planning matter. Taking this into account, there is no requirement to amend the draft Plan.

Reporter's conclusions:

1. Representations from 3 local residents object to residential development at Douglas Academy. However, the council has now granted detailed planning permission for residential development on 2 sites within the Academy grounds (sites 33 and 34 listed in the table accompanying policy HMU 1). A total of 20 housing units have been approved for the 2 sites subject to a number of conditions. Some of the matters referred to by the representees are addressed in the conditions including access arrangements.

2. Given the council's decision to grant planning permission on the 2 sites, it would not be appropriate to modify the local plan and exclude them from the HMU 1 table. The principle and scale of residential development has been established through the recent permissions and this should now be reflected in the HMU 1 table.

3. It is important that key infrastructure is in place to support development. Conditions can be attached to planning permissions requiring developers to provide new facilities or upgrade existing capacity and this may include schools, drainage, water and transport facilities. In some cases, legal agreements may be appropriate to guarantee specific developer commitments. I am content that policy DQ 2 - Design Quality adequately sets out the council's requirements and addresses the general infrastructure capacity issues raised by Ms Jennifer Wilson.

Reporter's recommendations:

1. Add the approved housing capacity figures for Sites 33 and 34 to the HMU 1 Table Section A and amend the supporting text for each site to reflect that planning permission has been granted.

Issue (ref and handling):	Issue 3.6 - Community Care Housing	Reporter: IAIN URQUHART
Development Plan Reference:	Page 23 - Policy HMU 2 – Community Care Housing Proposals Map	
Bodies or Person(s) submitting a representation raising the issue:		
<p>Regents Square Residents Association (12) Penelope Sinclair (84) Ryden LLP on behalf of Glasgow and Clyde Valley Health Trust (120)</p> <p>Hillhead Housing Association (170), on behalf of:</p> <ul style="list-style-type: none">• Hillhead Housing Association 2000• Cube Housing Association• Loretto Housing Association• Link Housing Association• Sanctuary Housing Association• West of Scotland Housing Association• Margaret Blackwood Housing Association• Castle Rock Edinvar Housing Association/Places for People• Trust Housing Association• Bield Housing Association• Cairn Housing Association		
Provision of the development plan to which the issue relates:		
<p>Policy HMU 2 – Community Care Housing supports proposals to meet community care housing needs. In particular a care home, a resource centre and associated facilities all for older persons, which may include an associated development of sheltered housing, at the former Lenzie Hospital.</p>		
Council’s summary of the representation(s):		
<p>Regents Square Residents Association (12) Expresses concern that the Green Belt boundary may need to be changed to accommodate a Care Home or Sheltered Housing at the Old Lenzie Hospital Site.</p> <p>Penelope Sinclair (84) Objects to the inclusion of Sheltered Housing at the former Lenzie Hospital under Policy HMU2, and would be more appropriate closer to the town centre. Suggests the Sainsbury’s grass area opposite the police station in Kirkintilloch as an appropriate site for Community Care Housing.</p> <p>Ryden LLP, on behalf of Glasgow and Clyde Valley Health Trust (120) Supports the principle of allocation for development at the former Lenzie Hospital.</p> <p>Objects to the permissible uses detailed in Policy HMU 2 – these are too restrictive and the demand / need for a resource centre on the site has not been clearly established.</p> <p>a) Permissible Uses for former Lenzie Hospital Site are Too Restrictive The provision of accommodation for elderly people has evolved into a diverse range of</p>		

products in response to an increasingly complex set of requirements. These products can be linked, providing a seamless transition from product to product for residents on the one site. This allows residents to benefit from an increasingly supportive range of products whilst minimising the disturbance associated with moving to another facility or town. A range of housing suitable for older persons includes:

- care homes/care homes with nursing;
- sheltered housing for rent or sale;
- extra care sheltered housing;
- sheltered housing developed to cater for elderly people who are becoming frail and require additional care;
- retirement homes;
- assisted living accommodation.

b) Demand/Need for a Resource Centre Not Clearly Established

Provision of a resource centre could be made elsewhere in the vicinity. This would negate the requirement to provide such a facility on the former Lenzie Hospital site. The Local Plan policy should anticipate this scenario.

Hillhead Housing Association (170)

Community Care Housing has been poorly addressed:

- Community Care facilities cover more than just care homes and facilities for older persons;
- there are a variety of Community Care client groups with varying degrees of housing need;
- certain client groups can be accommodated within mainstream housing with some housing support while other may need 24 hour supported accommodation.

This section should reflect the information in the SHIP, including the identification of sites for Community Care Housing, such as Baldoran, Milton of Campsie, Fern Avenue and Lenzie Hospital.

The LP2 should support the integration of mainstream and supported housing rather than specify sites for Community Care Housing.

The LP2 should recognise that sometimes Community Care Housing requires on-site facilities for staff, amenity spaces are often greater although there is a reduced requirement for car parking spaces.

Modifications sought by those submitting the representations:

Regents Square Residents Association (12)

Delete Policy HMU2 reference to development at the old Lenzie Hospital site, or find an alternative location not in the green belt.

Penelope Sinclair (84)

Amend reference to sheltered housing from HMU2 and designate on site closer to town centre. Designate the area opposite the police station as a Community Care Housing site.

Ryden LLP, on behalf of Glasgow and Clyde Valley Health Trust (120)

Amend Policy HMU 2 to:

“The Council will support proposals to meet identified community care housing needs, subject to satisfying detailed planning policy and guidance. In particular, a care home and other residential accommodation for older persons, providing a range of accommodation offering

different levels of care will be supported. A resource centre may also be provided should the need for such a facility be demonstrated at that time."

Hillhead Housing Association (170)

Amend policy to:

- address range of Community Care client groups;
- reflect SHIP information, including the identification of sites for Community Care Housing, such as Baldoran, Milton of Campsie, Fern Avenue and Lenzie Hospital;
- support the integration of mainstream and supported housing rather than specify sites for Community Care Housing; and,
- recognise site layout issues specific to Community Care Housing.

Summary of response (including reasons) by planning authority:

Policy HMU 2 currently addresses a range of Community Care client groups and supports the integration of mainstream and supported housing. In this regard, the first sentence of Policy HMU 2 supports proposals to meet community care housing needs subject to local planning policy and guidance being addressed. It does not specify any particular type of Community Care Housing, and does not specify any particular locations (other than requiring consistency with other local plan policies). Furthermore, the preceding supporting text states that *"wherever possible accommodation for a wide client base will be delivered within established residential areas"*. No change to the LP2 is necessary in this respect.

The LP2 currently reflects the information contained in the SHIP. In this regard, all but two of the named new development sites (i.e. excluding re-development sites) listed within the SHIP (Annex 7) are included within HMU Table Section A or Section B. The two sites not listed are Lammermoor Crescent and Barrhill Lodge. No change to the LP2 is necessary in this respect.

Policy HMU 2 supports the redevelopment of the former Lenzie Hospital site, primarily as a care home and resource centre for older persons but also including the potential provision of sheltered housing. This does not infer that sites closer to the town centre will not be considered for community care housing, but seeks to establish the principle of appropriate community care housing development at this site, utilising the existing infrastructure. The policy does not include any requirement to amend the greenbelt boundary in order to accommodate such development. No change to the LP2 is necessary in this respect.

It is acknowledged that there exists a range of accommodation types for elderly people, varying on the basis of the level of support and care provided. However, the former Lenzie Hospital site is located at a distance from the settlement boundary and from town and village centre facilities and, for this reason, provision of accommodation for fully active and mobile older persons would conflict with the sustainable travel objectives of Policy TRAN 1. It is considered that only those types of accommodation offering some level of care and support to less active and mobile older persons are appropriate and, therefore, the current wording of Policy HMU 2 provides an appropriate level of flexibility for appropriate community care housing for older persons at the former Lenzie Hospital site. No change to the LP2 is necessary in this respect.

Furthermore, this is a sensitive greenbelt location in which development for housing of almost any form could create pressure for coalescence between Auchinloch and Lenzie. No change to the LP2 is appropriate for this reason.

No evidence had been given to provide certainty that the provision of a resource centre could be made elsewhere in the vicinity. The current wording of Policy HMU 2 should therefore be

retained. No change to the LP2 is necessary in this respect.

Reporter's conclusions:

1. Policy HMU 2: Community Care Housing expresses general support for proposals to meet community care housing needs. Although the representation from Hillhead Housing Association seeks specific recognition for a range of community care facilities and client groups, I am satisfied that the policy wording does not preclude the provision of any type of community care accommodation to meet any client group needs. Further detail on these matters is more appropriately provided in the council's Strategic Housing Investment Plan (SHIP). However, I agree with the housing association that it would be useful for the policy to explicitly state that the council supports the integration of supported and mainstream housing where appropriate.

2. I accept the council's position that the local plan reflects the site information contained in the SHIP and there is no requirement to identify additional sites for community care housing.

3. The site of the former Lenzie Hospital is redundant and semi-derelict. It sits in the greenbelt on the edge of the settlement. It is a brownfield site where reuse should be supported. It is well-contained with established wooded boundaries. In my view, redevelopment and reuse would not prejudice the integrity of the greenbelt in this location nor would it be a precedent for further urban expansion into the greenbelt. The site is easily accessible and relatively close to a range of amenities and facilities within Lenzie, and so I am content that it is suited for accommodation for older people, including sheltered housing. There is therefore no requirement to consider alternative locations as proposed by Ms Sinclair.

4. At this stage, it is clear that Glasgow and Clyde Valley Health Trust and the council do not yet have specific redevelopment proposals for the site although both agree that it should provide a mix of accommodation for older people. Therefore, I consider that policy HMU 2 should be less prescriptive and allow more scope within the site for a range of housing and care accommodation types to meet the varied needs of older people.

5. Similarly, at present, there are no proposals from organisations involved in the procurement and operation of a resource centre to develop this type of facility at Lenzie Hospital during the local plan period. I am reluctant to recommend inclusion of a resource centre in the absence of specific partner commitments. Again, I prefer a more flexible policy which does not specifically require provision of a resource centre but, equally, does not preclude its provision if there is demand and partner commitment.

Reporter's recommendations:

Delete the wording of policy HMU 2 and replace it with the following wording:

'The Council will support proposals to meet identified community care housing needs subject to satisfying detailed local planning policy and guidance. The Council supports the integration of supported and mainstream housing, where appropriate. The Council will support the redevelopment of Lenzie Hospital for a care home and other residential accommodation for older people providing a range of accommodation and offering different levels of care.'

Issue (ref and handling):	Issue 4.1 - Town Centre Uses	Reporter: KATRINA RICE
Development Plan Reference:	Page 26 Policy TCR 1 Prime Retail Policy TCR 4 Retaining Residential Policy TCR 6 Town Centre Policies and Proposals Policy R 2 Village and Local Shopping Centres	
Bodies or Person(s) submitting a representation raising the issue:		
John Warren (179)		
Provision of the development plan to which the issue relates:		
<p>Policy TCR 1 states that any change of use of ground floor retail units to non-retail will only be considered where it has been unsuccessfully marketed for 12 months, and only then subject to certain criteria.</p> <p>Policy TCR 4 seeks to retain and increase town centre populations and resist any change of use to non residential uses.</p>		
Council's summary of the representation(s):		
<p>Considers that TCR 1 represents outdated thinking, as many Class 1 uses can have negative impacts, or contribute little to, vitality and viability (e.g. vacant premises or dead frontages). Conversely, Class 3 uses can often be favourable.</p> <p>Objects to Policy TCR 4 and TCR 6 support for residential development in town centres, specifically in premises above shops. Argues that they are often appropriate for small business and class 2 uses due to their location relative to public transport networks and contribution to sustainability.</p> <p>Also considers that Policy R2 relating to the preservation of retail units in villages and neighbourhood shopping centres should be deleted and be considered as per the proposed changes to TCR 1.</p>		
Modifications sought by those submitting the representations:		
<ul style="list-style-type: none">• Remove the first paragraph of Policy TCR 1.• Amend wording of TCR 4 & TCR 6 to also accommodate business uses on the first floor of town centre buildings.• Delete Policy R2 and incorporate into TCR 1.		
Summary of response (including reasons) by planning authority:		
<p>It is recognised that Class 2 and Class 3 uses, including cafes and restaurants, can make a valuable contribution to the vitality of a town centre. However, it is the Council's view that retailing should remain the core function of its town centres. Scottish Planning Policy makes it clear that the 'vitality and viability' of town centres should be protected, and it is considered that Class 1 uses are the most important means of achieving this. This principle is also established through the Structure Plan where it states "town centres should be the preferred locations for focusing the social and economic potential of new retailing developments". The</p>		

town centres within East Dunbartonshire to be safeguarded for this purpose under Schedule 1 (a) of the Structure Plan include Bearsden, Bishopbriggs, Kirkintilloch and Milngavie. Any non-retail uses (including cafes and restaurants) may be considered within the town centres, but only if potential retail units have been unsuccessfully marketed for at least 12 months. This remains appropriate in terms of ensuring that retailing development proposals are prioritised within the prime shopping areas, whilst enabling non-retail uses to come forward where it is clear that there is a lack of interest for Class 1 uses.

Small businesses can benefit from the use of first floor (or above) accommodation in town centre locations and it is agreed that this can contribute towards sustainable travel patterns. Many small businesses in East Dunbartonshire's district centres currently make use of such space. However, town centres are equally sustainable locations for residential uses. Enabling a healthy retail sector and residential population are the key elements of protecting the vitality and viability of East Dunbartonshire's town centres. It is important that the vitality of town centres in the evenings is retained, thus ensuring an attractive and secure environment for residents and visitors alike. The Council will therefore continue to encourage the conversion of appropriate properties to residential use where this does not conflict with other town centre policies, particularly on floors above retail premises where floorspace is often underused. This principle is established through national planning policy guidance which sets out clear support for the promotion of residential uses within town centres. Scottish Planning Policy states that the *"range and quality of shopping, wider economic and social activity in both the day and the evening, integration with residential areas and the quality of the environment are key elements of successful town centres"*.

In addition, Planning Advice Note 59 contends that *"towns with people living in or near their centres generally feel livelier, safer and more pleasant places. The promotion of housing in town and city centres can help to widen the diversity of uses and to sustain a broad mix of daytime and evening activities"*. Policies TCR 1 and TCR 4 are worded to ensure the economic health of the town centres by encouraging an appropriate mix of homes and businesses.

In the interests of sustaining and enhancing the provision of retail and residential uses within town centres, the Council does not consider that it is necessary to modify either Policy TCR 1 or Policy TCR 4. The performance of town centres will be monitored to ensure their continued vitality and viability.

Reporter's conclusions:

1. I agree with the arguments put forward by the council in support of policy TCR 1. There are already some Class 2 or Class 3 uses within the prime retail areas identified and these will remain. Additional premises will still be able to locate in other secondary areas of the town centre or on upper floors in the prime retail areas. In addition where premises have been unsuccessfully marketed for a period of at least a year, their change of use will be considered. While acknowledging the contribution which other uses can make to the vitality and viability of a town centre as a whole and the fact that some class 1 uses may have poor frontages, I agree that the retention of a core area where retail uses predominate is appropriate. This policy provides an adequate balance between the need to ensure that this continues to be achieved and allowing other uses elsewhere in the town centre.

2. Similarly I agree with the council policy to generally resist the change of use of existing residential properties to non-residential uses within the town centres identified (policy TCR 4). Guidance in Scottish Planning Policy (SPP) recommends that the evening economy within town centres should be encouraged to ensure life and activity outside normal retail (or office) hours. It does not differentiate between larger and smaller centres. It also promotes the

provision of housing in sustainable locations. Encouraging people to live in town centres by supporting new residential developments and protecting existing housing/flats will help to achieve this. Businesses may still locate on upper floors where there are non-residential uses within the prime retail areas and similarly where there are non-residential uses on ground or upper floors elsewhere in the town centre. I consider that this provides ample opportunities for business users.

Further information received

3. I note that the representation also objects to policy TCR 6 along the same lines as to the other retailing policies. I have considered this as an objection to the reference to Policy TCR 1 in policies TCR 6A, 6B, 6C and 6D. The council has responded to reiterate its summary response regarding policy TCR 1 set out above. In addition reference is made to the East Dunbartonshire Retail Capacity Study (2009) which concluded that “a policy response to improve the attractiveness of East Dunbartonshire’s town centres as shopping destinations is vital to maintain and increase market share and retail town centre vitality and viability”. The council therefore consider it vital that local planning policy provides an adequate level of protection for retail uses in town centres.

4. In response to the comments on policy R2 the council considers that village and neighbourhood shopping centres have a slightly different role to that of town centres and that the need to protect retail uses can normally be relaxed to accommodate a more diverse range of uses. It is therefore considered appropriate that a distinction is made between “town centres” and “village and local shopping centres”. Within these “non-prime” shopping areas, the council will accept a mix of retail and non-retail uses, allowing up to 50% of frontages as non-retail.

Conclusions

5. For the reasons given in paragraph 1 above I consider that the council is correct to reflect the wording of policy TCR 1 in policy TCR 6.

6. I consider it is appropriate to preserve the availability of retail units in villages and local centres as proposed in policy R2. This will help to retain local shopping facilities and reduce the need to travel for basic shopping needs. I consider the figure of 50% to provide adequate flexibility for the provision of other uses.

Reporter’s recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 4.2 - Sequential Approach	Reporter: KATRINA RICE
Development Plan Reference:	Page 26 - Policy TCR2 – Sequential Approach	
Bodies or Person(s) submitting a representation raising the issue:		
GVA Grimley on behalf of Caledonian Property Investments (11) West Dunbartonshire Council (44) Muir Smith Evans on behalf of Forrest Developments Ltd (140) Coates and Co on behalf of Home Retail Group (167)		
Provision of the development plan to which the issue relates:		
Policy TCR 2 Sequential Approach states that the council will not favour major new retail development (over 1000sq m gross) outside town centres and all proposals will be subject to the sequential test.		
Council's summary of the representation(s):		
GVA Grimley on behalf of Caledonian Property Investments Policy TCR2 should be amended and expanded as it does not accord with the approved structure plan or SPP8: Town Centres and Retailing.		
West Dunbartonshire Council Policy TCR2 does not make reference to other relevant assessments required for retail developments such as capacity or impact assessments, to assess the impact on the vitality and viability of existing centres.		
Muir Smith Evans on behalf of Forrest Developments Ltd Policy TCR2 provides insufficient detail about the assessment of proposals for retail development on sites outwith identified town centres. Paragraphs 15 and 16 of SPP8 clearly indicate that while town centre sites should be the first preference, edge-of-town-centre sites and other accessible out-of-centre sites can be considered in certain circumstances.		
Coates and Co on behalf of Home Retail Group Concerned that policy TCR2 is poorly worded as it implies that no new major retail development will be approved outside town centres, and presumably no new leisure either.		
Modifications sought by those submitting the representations:		
GVA Grimley on behalf of Caledonian Property Investments Amend Policy TCR 2 as follows: <i>"For retail developments first preference should be for town centre sites, where sites or buildings suitable for conversion are available, followed by edge of centre sites followed by commercial centres and only then by out of centre sites which can be made accessible by a variety of means of transport."</i>		
West Dunbartonshire Council Include reference to other appropriate assessments within the policy.		

Muir Smith Evans on behalf of Forrest Developments Ltd

Revise wording of TCR2 to provide guidance on the assessment of proposed developments. The rewording should acknowledge that, where appropriate town centre sites are not available, consideration can be given to edge-of-centre sites.

Coates and Co on behalf of Home Retail Group

Amend wording of TCR2 to:

"In accordance with national planning policy, any proposals for new major retail development (over 1.000 sqm gross) outside town centres will be subject to a sequential test".

Summary of response (including reasons) by planning authority:

The current policy wording demonstrates the Council's preference for town centre sites, which is in accordance with the SPP on town centres and retailing. Developers can still identify and make proposals for edge of centre, other commercial centres and out of town centre sites through the sequential approach. National planning policy clearly states that where such development proposals are made, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing centres is acceptable. It is not considered necessary to set out full details of the Sequential Approach within Policy TCR 2, given that reference is made to national planning policy. No changes to the plan are recommended in this respect, however it is agreed that it would be appropriate to replace the word 'Test' with 'Approach' to provide a more accurate reflection of Scottish Planning Policy wording.

With regard to the need for other appropriate assessments, the new Scottish Planning Policy states in paragraph 65 that:

"A retail impact analysis should be undertaken where a retail and leisure development over 2,500 square metres gross floorspace outwith a defined town centre is proposed which is not in accordance with the development plan".

Whilst applicants of large developments should be familiar with this SPP requirement, it is agreed that a statement in the Local Plan stipulating this requirement may be appropriate, especially considering our background research shows there to be limited capacity in the area and over provision could negatively impact on existing centres.

SUGGESTED CHANGE TO POLICY TCR2:

- Make reference to the potential requirement for retail impact assessments and to amend the wording from 'sequential test' to 'sequential approach'.

Reporter's conclusions:

1. I consider that the current wording of policy TCR 2 reflects guidance in the Glasgow and the Clyde Valley Joint Structure Plan, in particular strategic policy 6, which seeks to protect, manage and enhance town centres as the preferred locations for retailing activities. I regard the council's wording "will not favour" as appropriate in this context. I do not consider that the policy needs to set out the sequential approach in full as this would unnecessarily repeat what is already clearly stated in both Scottish Planning Policy (SPP) and the structure plan.

2. I have however recommended changes to the wording of the policy to refer to how such retail proposals outside town centres will be considered, in order to provide adequate guidance and for clarity.

3. I agree that reference should be made to the other capacity and impact assessments required by both national and structure plan guidance. This will help to ensure that the vitality and viability of existing town centres are protected.

4. I also accept that the wording of the policy should be amended to refer to "sequential approach" rather than "sequential test". This reflects the wording used in SPP.

Further information received

5. The council has suggested the following amendment to the policy wording:

"The Council will not favour new major retail development (over 1,000 square metres gross floorspace) outside town centres, and in accordance with national planning policy and the joint Structure Plan, proposals will be subject to the sequential approach and other relevant capacity impact assessments."

Conclusions

6. I accept the suggested wording in part but have split the policy into two sentences for clarity and have referred to both capacity "and" impact assessments. I do not consider it necessary to refer to the structure plan as well as national planning policy in the policy wording. This would lead to unnecessary duplication.

Reporter's recommendations:

Modify policy TCR 2 – Sequential Approach as follows:

"The Council will not favour new major retail development (over 1,000 square metres gross floorspace) outside town centres.

Any such proposals will, in accordance with national policy, be subject to the sequential approach and to capacity and impact assessments, as appropriate."

Issue (ref and handling):	Issue 4.3 - Bearsden Town Centre	Reporter: KATRINA RICE
Development Plan Reference:	Page 27 - Policy TCR 6A – Bearsden	
Bodies or Person(s) submitting a representation raising the issue:		
Jo Swinson MP (173)		
Provision of the development plan to which the issue relates:		
Promotes the town centre for Class 1 (shops) uses and will resist further conversion of class 1 uses in the prime retail area for non retail uses, except in the circumstances specified in Policy TCR1.		
Council’s summary of the representation(s):		
Expresses disappointment at the lack of detail for the development of Bearsden (TCR 6A), in particular regarding the town’s Roman heritage.		
Modifications sought by those submitting the representations:		
Expand TCR6A to provide more detail on how Bearsden will be improved, especially in terms of its Roman Heritage.		
Summary of response (including reasons) by planning authority:		
<p>The Council is committed to maintaining the good performance of Bearsden town centre by resisting the loss of Class 1 uses. Its Roman Heritage – specifically the Antonine Wall World Heritage Site – is recognised on the Proposals Map and protected by Policy HE1A.</p> <p>Although the Town Centre policies for Milngavie and Kirkintilloch refer to the importance of the West Highland Way and Antonine Wall respectively, the visible remains of the Wall are at a distance outwith the town centre of Bearsden and it is not considered necessary to make reference to it in the town centre policy.</p>		
Reporter’s conclusions:		
<p>1. The “East Dunbartonshire Town Centre Review – April 2007,” recognises the Roman history of Bearsden which can be traced back to the second century AD when the Romans had a fort there. The remains of the Roman Bath House, located on Roman Road, date from around 142-143 AD and have been preserved as one of Scotland’s ancient monuments. Although the Bath House is located outside the town centre boundary, the town centre review acknowledges that its proximity may attract visitors outside the local catchment. In its conclusions, the town centre review notes that the Roman Bath House is another good selling point for the town centre and the marketing of the Roman Heritage close to the centre is recommended as one of the actions in its action plan.</p> <p>2. Although this may relate more to a marketing initiative than a land use planning issue, in order to be consistent with the approach applied by the council for other town centres, I agree with the representee that reference should be made to the Roman heritage of Bearsden and in particular the proximity of the Roman Bath House in the policy.</p>		

Reporter's Recommendations

Modify policy TCR 6A – Bearsden to refer to the Roman heritage of Bearsden and in particular the proximity of the Roman Bath House as a means of attracting more town centre visitors.

Issue (ref and handling):	Issue 4.4 - Bishopbriggs Town Centre	Reporter: KATRINA RICE
Development Plan Reference:	Page 24 – Consultation – Green box (Bishopbriggs) Page 27 - Policy TCR 6B – Bishopbriggs	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council (86) CBRE on behalf of Muse Developments (153)		
Provision of the development plan to which the issue relates:		
<p>Policy TCR 6B encourages a range of improvements within Bishopbriggs Town Centre including the provision of:</p> <ul style="list-style-type: none">• new convenience retail floorspace;• centrally located building(s) suitable for community uses;• an improvement to non vehicular access by providing well defined street patterns and all ability pedestrian and cycle routes, cycle lanes and cycle storage; and,• park and ride facilities.		
Council’s summary of the representation(s):		
<p>Bishopbriggs Community Council (86) Considers that the stated term ‘food retail’ is too restrictive, and that the Masterplan should support various forms of retail.</p> <p>Objects to the lack of reference within the Community and Leisure Facilities Chapter to Bishopbriggs Town Centre improvements and Strathkelvin Retail Park.</p> <p>CBRE on behalf of Muse Developments (153) Expresses the view that there is no need to state that community uses and civic areas are to be located ‘centrally’, as this is considered overly restrictive in terms of the possible location for such buildings.</p> <p>Concerned that the requirement for ‘cycle routes’ ‘cycle lanes’ and ‘cycle storage’ is too prescriptive, in relation to the need for non-vehicular access in Bishopbriggs town centre.</p> <p>Does not consider that Bishopbriggs is suitable for park and ride.</p>		
Modifications sought by those submitting the representations:		
<p>Bishopbriggs Community Council (86) Change wording of the Bishopbriggs section within the green box on page 24 to: “Redevelopment to include an increase in retail Class 1 floorspace, provision of a central civic area, additional car parking, commercial floorspace, and retention of existing community facilities.</p> <p>Include reference to Bishopbriggs town centre improvements in the Community and Leisure Chapter as follows: “Town Centre Bishopbriggs – a need for centrally located buildings suitable for community use, a new central civic area and improvement in the existing public realm</p>		

Strathkelvin Retail Park – Encouragement of applications for community and leisure activities such as cinema, dance club, bowling alley, ice rink, children’s adventure play area etc ”.

CBRE on behalf of Muse Developments (153)

- Amend wording of TCR 6B bullet point 3 to “Provide centrally located building(s) for *accessible* community uses”.
- Amend wording of TCR 6B bullet point 4 to “Provide appropriately located civic areas and improve existing public realm”
- Amend wording of TCR 6B bullet point 6 to require ‘Improve non-vehicular access by providing well defined street patterns and all ability pedestrian and cycle routes with acceptable facilities for cyclists’.
- Remove requirement for park and ride in TCR 6B bullet point 8.

Summary of response (including reasons) by planning authority:

It is important to note that the reference to Bishopbriggs redevelopment (including an increase in food retailing) within the green box on page 24 is merely a summary of the recommendations that came out of the KPDR and do not therefore form part of the Local Plan policy currently under examination. The new Policy TCR 6B encourages proposals which *“provide new convenience retail floorspace that links well with existing uses”*.

It is not considered appropriate to include improvements to the town centre and Strathkelvin Retail Park within the Community and Leisure chapter as requested, as this would constitute a duplication of the provisions of Policy TCR 6B and R1 respectively.

The Council does not agree that the statement requiring ‘centrally’ located buildings suitable for community uses is unnecessary. The use of the words “centrally located” is intended to add clarity in terms of the locational requirements.

In relation to the requirement for a new civic area, the Council does not agree that the wording should be amended to *“appropriately located civic area”*. The policy is aimed at encouraging the provision of a high quality, sustainable and vibrant civic area and public realm in the heart of Bishopbriggs in accordance with PAN 59 (Improving Town Centres) and the new Scottish Planning Policy. As such, the existing wording is considered appropriate and does not require to be modified.

The Council is committed to improving and encouraging non-vehicular access to Bishopbriggs town centre, in the interests of sustainable travel patterns. Therefore, it is considered appropriate to specify the need for improved cycle lanes, routes and storage facilities rather than the more ambiguous requirement of “acceptable facilities for cyclists” as suggested. In terms of park and ride facilities, there is a recognised need for an appropriate level of additional parking close to the town centre to encourage footfall, support the local economy and address the lack of parking at Bishopbriggs Railway Station. The policy wording of this item does not require to be amended.

Reporter’s conclusions:

1. I accept the council’s argument that the green box on page 24 repeats the contents of the council’s Key Policy Directions Report (page 36) and therefore cannot be amended.
2. I do not consider that further reference in the Community and Leisure Resources chapter of the local plan to the town centre and Strathkelvin Retail Park proposals as

suggested by Bishopbriggs Community Council would be appropriate. I consider that this would lead to unnecessary repetition and would not add anything to the contents of the local plan.

3. I consider that the use of the word “centrally” and “central” in relation to the provision of community uses and the civic area is very important. The Masterplan will cover quite a large area and I agree that the civic area and any community facilities should be located within its core where they are both easily accessible and visible, adding to the vibrancy of the area.

4. The importance of shifting travel to more sustainable modes of transport is recognised in Scottish Planning Policy (SPP) as is the need to provide safe and convenient opportunities for walking and cycling. Cycle routes and storage are specifically referred to in the SPP and their enhancement encouraged, where relevant. The Bishopbriggs Masterplan provides the opportunity to improve cycling facilities within the town centre and I regard the references to improved cycle lanes, routes and storage within policy TCR 6B to be both appropriate and necessary.

Further information received

5. The council now proposes, in response to the representation from Bishopbriggs Community Council, that the wording of the first bullet point of Policy TCR 6B be amended to reflect the contents of the Retail Capacity Study (2009). This study indicates a shortfall in comparison goods floorspace across East Dunbartonshire. It is proposed to amend the wording as follows:

“Provide an extension to the retail floorspace (convenience and comparison) that links well with existing uses.”

6. The council now accepts that a dedicated park and ride facility for Bishopbriggs train station cannot be realised through the Town Centre Redevelopment but has sought to secure through a legal agreement an amount of unrestricted long stay car parking for all town centre users, which could include commuters. This would in the council’s view go some way to meeting the desire for a park and ride facility. Taking this into account the council suggests the following amendment to bullet 8 of the policy wording:

“Provide unrestricted long stay parking facilities to encourage town centre footfall and reduce through flow of commuter traffic on Kirkintilloch Road.”

7. The representee, CBRE, has responded to say that their client is not keen to support the proposed wording given that it is basically seeking the same thing as the original wording. A requirement for any parking on their site other than for the town centre uses would not be supported.

Conclusions

8. I agree that ideally the local plan should reflect the contents of the council’s Retail Capacity Study. However it was published in December 2009 after the finalised local plan which was published in September. Its contents have not therefore been the subject of any public consultation or other scrutiny by interested parties. Given that, with limited exceptions, my recommendations are binding and there will be no further opportunity for public comment, I do not consider it appropriate to amend the wording as suggested. The Retail Capacity Study will however still be a material consideration to be taken into account by the council in determining planning applications under its development management function.

9. I accept that the reference to park and ride facilities should be removed from the policy wording to reflect the up to date council position and agree that reference should instead be

made to the provision of unrestricted long stay parking facilities. I do not consider that this amounts to asking for the same thing as there is a clear difference between providing a dedicated park and ride facility and providing some long stay parking as part of the overall parking provision on site. Furthermore, the policy does not “require” the provision of those items listed but “will support and encourage” such proposals.

Reporter’s recommendations:

Modify policy TCR 6B - Bishopbriggs as follows:

Bullet 8

- “Provide *unrestricted long stay parking facilities* to encourage town centre footfall and reduce through flow of commuter traffic on Kirkintilloch Road.”

Issue (ref and handling):	Issue 4.5 - Milngavie Town Centre	Reporter: KATRINA RICE
Development Plan Reference:	Page 27 - Policy TCR 6C	
Bodies or Person(s) submitting a representation raising the issue:		
Dr H MacAnespie (87) Milngavie Civic Trust (123) Milngavie Community Council (131) A and B Grimstead (169) Jo Swinson MP (173) Jennifer Wilson (215)		
Provision of the development plan to which the issue relates:		
Sets out proposals for Milngavie town centre including an expansion of retail floorspace by 1500 sq. metres, improvements to the West Highland Way start/finish, and the protection of Class 1 retail uses. States that Milngavie town centre’s main convenience retailing is through the Tesco store.		
Council’s summary of the representation(s):		
<p>Dr H MacAnespie Objects to further expansion of retail floorspace within Milngavie Town Centre (above the identified need for 1,500 square.metres), with reference to the proposal by Tesco to increase by 4,645 square. metres.</p> <p>Milngavie Civic Trust A larger Tesco store is not supported due to its impact on Milngavie town centre.</p> <p>Milngavie Community Council Seeks clarification of where the additional 1,500 square metres of bulky retail floor space is to be located.</p> <p>A and B Grimstead Questions the legitimacy of allowing Tesco to expand by 4,700 square metres, given that a need for just 1,500 square metres has been identified, and it would be contrary to Strategic Plan policy 1.</p> <p>Proposed Tesco development does not accord with Policy DQ1 or DQ2 as it does not fit into the character of Milngavie and surrounding areas, and would reduce the availability of potential recreational land.</p> <p>Considers that Tesco’s proposal would contravene Policy HE2 due to its impact on nearby listed buildings.</p> <p>Jo Swinson MP Greater detail needed in TCR 6C on how Milngavie can maximise the potential of the West Highland Way starting point. Also, not enough recognition is given of the importance of independent traders, and the tension between Tesco and the precinct local businesses</p>		

should be recognised in the Plan. Considers that the Plan ignores the negative impact that any expansion of Tesco would have on the precinct.

Jennifer Wilson

Considers that the expansion of Tesco in Milngavie should not be permitted. Also states that the Council should relax its policy on restricting coffee shops and restaurants in the town centre.

Modifications sought by those submitting the representations:

Dr H MacAnespie

Amend Policy TCR 6C to state that any increase on the identified need for an extra 1,500 square metres of retail floorspace will not be supported.

Milngavie Civic Trust

Modify wording to remove any suggestion that the Tesco store will be expanded.

Milngavie Community Council

Amend wording to specify where the extra 1,500 square metres floorspace is to be located in TCR 6C.

A and B Grimstead

Amend wording to remove any suggestion that the Tesco store will be expanded by 1,500 square metres.

Jo Swinson MP

Amend TCR 6C to reflect the potential difficulties that the expansion of Tesco may have on the precinct, and provide more detail on how the West Highland Way can improve the town centre.

Jennifer Wilson

Remove reference to the expansion of Tesco in TCR 6C.

Summary of response (including reasons) by planning authority:

The Council's Retail Capacity Study and the Town Centre Review (EDC 2007) both identify the need to carefully consider the allocation of additional floorspace and any associated parking facilities in order to avoid further fragmentation of the town centre. Improvements to facilities supporting the West Highland Way are supported under Policy CLF1, but as a land use planning document, it is not considered necessary for the Local Plan to provide specific details of how such facilities will be developed. The Retail Capacity Study (December 2009), which has been finalised since the finalised Local Plan was prepared, shows limited capacity district wide, with up to 600 square metres identified for Milngavie. To reflect the recent publication of the Retail Capacity Study, it is recommended that the second paragraph of Policy TCR 6C is amended to refer to the opportunity to expand convenience retail floorspace by 600 square metres, rather than 1,500 square metres.

In relation to the Tesco expansion proposal, a planning application is currently pending and this is therefore a matter for the development management procedure. However, it should be noted that as a town centre site, the Council is not able to restrict the increase in floorspace proposed. Scottish Planning Policy (paragraph 63) states that "*where development for town centres is proposed within a town centre, assessment of its impact on the viability of similar uses in that centre will not be necessary*". The applicant is therefore not under any obligation to provide a retail impact assessment and the Council has not requested one as part of the

planning application.

The following **CHANGES TO POLICY TCR 6C ARE SUGGESTED:**

- amend second paragraph to read *“The Council’s retail capacity study identified an opportunity to expand convenience retail floorspace **by 600 square metres.**”*
-

Reporter’s conclusions:

1. I agree that ideally the local plan should reflect the contents of the council’s Retail Capacity Study. However it was published in December 2009 after the finalised local plan which was published in September. Its contents have not therefore been the subject of any public consultation or other scrutiny by interested parties. Given that, with limited exceptions, my recommendations are binding and there will be no further opportunity for public comment, I do not consider it appropriate to amend the convenience retail floorspace figure as proposed by the council. The Retail Capacity Study will however still be a material consideration to be taken into account by the council in determining planning applications under its development management function.

2. I am unable to comment on the pending Tesco expansion proposal as it is not before me as part of this local plan examination but is being dealt with through the council’s development management procedures. The local plan policy as currently worded does not refer to the expansion of the Tesco’s store.

3. Policy TO 3 encourages well designed and suitably located facilities which support the West Highland Way. The council’s Tourism Strategy and Action Plan 2008-2011 sets out the priorities for developing the tourist sector in East Dunbartonshire. This is the most appropriate document in which to provide more detail about how the West Highland Way can be exploited as a tourism asset. I do not consider that further reference is necessary under policy TCR 6C.

4. I agree that independent traders are an important aspect in a town centre’s selection of shops but this is not distinctive to Milngavie and is important in all town centres. I do not consider that a selective reference to their importance in Milngavie is appropriate.

Further information received

5. The council has clarified that the reference to the additional 1,500 square metres of bulky floorspace in policy R1 referred to by Milngavie Community Council is in accordance with Schedule 6(c)(iv) “Additional Retailing Opportunities” of the Glasgow and the Clyde Valley Joint Structure Plan. The schedule states that:

“The requirement for up to 6,000 square metres gross floorspace for comparison retailing in the Bearsden/ Milngavie area of East Dunbartonshire, identified in the 2000 Structure Plan, has been included in the East Dunbartonshire Local Plan but which has not yet been consented.”

6. The council has not identified any specific location for this additional bulky goods floorspace as there are no current proposals for its provision.

7. In response to Jennifer Wilson’s representation regarding coffee shops and restaurants, while acknowledging that certain Class 3 uses such as cafes and restaurants can bring benefits to a town centre, the council considers that there is a threat to the vitality and viability of its town centres represented by the loss of retail floorspace to non retail uses. The council argues that the preference for retail uses in town centres is firmly established by national planning policy and non-retail uses should only be considered where a retail use

cannot be found. A marketing period for retail purposes of 12 months is considered appropriate. The council also refers to the East Dunbartonshire Retail Capacity Study which concluded that a policy response to improve the attractiveness of East Dunbartonshire's town centres as shopping destinations is vital to maintain and increase market share and retain town centre vitality and viability.

Conclusions

8. I accept that the additional 1,500 square metres figure relates to the contents of the structure plan with regard to additional retailing opportunities in the Bearsden/ Milngavie area. I do not consider that the council needs to state explicitly in policy TCR 6C where this additional floorspace will be located. Any proposals will be expected to conform with the locational requirements of the other policies of the local plan.

9. While acknowledging that uses such as coffee shops and restaurants can add to the vitality and viability of a town centre I agree with the council that the retention of a core area (the prime retail area), where retail uses predominate is appropriate. As Ms Wilson states there are already some coffee shops/restaurants within the prime retail areas and these will remain. Additional premises will still be able to locate in other secondary areas of the town centre or on upper floors in the prime retail areas. Furthermore where retail premises within the prime retail areas have been unsuccessfully marketed for a period of at least a year, their change of use will be considered. I therefore consider that this policy provides an adequate balance between the need to ensure that the loss of retail units in the prime retail areas is curtailed while allowing other uses elsewhere in the town centre.

Reporter's recommendations:

No modification to the local plan is required

Issue (ref and handling):	Issue 4.6 - Kirkintilloch Town Centre	Reporter: KATRINA RICE
Development Plan Reference:	Page 27 - Policy TCR 6D – Kirkintilloch	
Bodies or Person(s) submitting a representation raising the issue:		
Penelope Sinclair (84) Penelope Sinclair (125) Jo Swinson MP (173)		
Provision of the development plan to which the issue relates:		
Aims to create a strong place identity for Kirkintilloch town centre through a range of public realm, access, parking and business improvements. Specifically aims to increase convenience floorspace by expanding or relocating existing stores, increasing or improving comparison retail and enhancing built heritage designations. Resists loss of Class 1 uses.		
Council's summary of the representation(s):		
<p>Penelope Sinclair (84) Objects to the proposal to increase retail floorspace in Kirkintilloch (Policy TCR 6D) due to current oversupply.</p> <p>Penelope Sinclair (125) Considers that there is a lack of parking facilities in Kirkintilloch town centre.</p> <p>Jo Swinson MP (173) Expresses doubt as to whether Kirkintilloch town centre will be helped by the proposal to “increase convenience retail floorspace” and “increase or improve the comparison retail” – surplus retail space may have a negative effect. The plan is considered short on detail on how inward investment will be achieved.</p>		
Modifications sought by those submitting the representations:		
<p>Penelope Sinclair (84) Remove support in TCR 6D for an increase in retail floorspace within Kirkintilloch.</p> <p>Penelope Sinclair (125) Amend Policy TCR 6D to require additional parking within Kirkintilloch town centre.</p> <p>Jo Swinson MP (173) Amend wording of TCR 6D to explain that an increase in retail space will only be considered when existing space is occupied. Provide more detail on how Kirkintilloch town centre will be improved.</p>		
Summary of response (including reasons) by planning authority:		
<p>84, 173 At existing market shares, the Council's Retail Capacity Study (December 2009) has established that there is capacity for a limited amount of additional convenience floorspace in</p>		

the East Dunbartonshire area. Assuming the area maintains its present share of expenditure across the wider Structure Plan area, Kirkintilloch has capacity for between 334 square metres (net) of supermarket convenience floorspace or 915 square metres (net) discount convenience floorspace. It is important that East Dunbartonshire maintains an adequate supply of retail floorspace to prevent the loss of trade to surrounding areas, and this is reflected by the Retail Capacity Study.

Scottish Planning Policy indicates that retail development within town centre boundaries cannot be limited. Therefore in principle an increase in retail provision would be permissible.

Expanding Kirkintilloch town centre's retail provision could also help make the area more attractive to shoppers and increase pedestrian flow. To retain a degree of flexibility, Policy TCR 6D does not identify a precise square metre figure of desired development, but rather supports a general increase of convenience retail floorspace. It is envisaged that the precise details of any expansion will be established, planned and designed through the proposed Masterplan approach. It is not however considered necessary to dilute the very clear direction for Kirkintilloch town centre retail policy by changing the reference to convenience retail floorspace.

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The Council acknowledges the current parking problems within Kirkintilloch town centre. In seeking to address this, Policy TCR 6D sets out a strategy for creating a strong identity within the town centre, including improvements to the public realm, access and parking, business support, retail expansion and enhancements to the built heritage. Elements of the Kirkintilloch Initiative – set out in Policy UC1 Schedule B – also aim to address the parking situation, including an investigation into the feasibility of a rail halt with park and ride and additional car parking at Glasgow Road/Achill Place. In addition, all new proposals will be required to conform to Policy TRANS 2 which states that they must meet the Council's design and parking standards whilst also taking on board urban design best practice. Further guidance on parking and traffic management improvements in Kirkintilloch town centre are addressed in the Local Transport Strategy, but there is no requirement to modify the draft Plan.

Reporter's conclusions:

1. I accept that the council's Retail Capacity Study identifies capacity for both convenience and comparison floorspace within Kirkintilloch. The Study was published in December 2009 after the finalised local plan which was published in September and its contents have not been the subject of any public consultation or other scrutiny by interested parties. I am therefore able to give its contents only limited weight.

2. However the wording of policy TCR 6D only seeks to support and encourage proposals to increase convenience retail floorspace through the expansion or relocation of existing stores. I consider this to be a reasonable approach in a town centre location. It is not proposing a large increase in new convenience retailing. In addition Schedule b(c)(iv) on additional retailing opportunities in the Glasgow and the Clyde Valley Joint Structure Plan states that additional comparison floorspace provision will be supported in Kirkintilloch to meet the future shortfall in bulky goods floorspace up to 12,500 square metres gross. The finalised local plan policy reflects this strategic guidance by supporting new comparison retailing in the town. For these reasons I consider the references to an increase in both convenience and comparison retail floorspace in policy TCR 6D to be appropriate.

3. Policy TCR 6D already refers to improvements in parking throughout the town centre and I consider that this together with the other references in the local plan quoted by the council, are adequate in seeking to address current parking problems. I do not consider that

further references under the masterplan area are necessary.

4. I accept the council's argument that policy TCR 6D is as detailed as it can be with regard to how the overall aims for Kirkintilloch will be achieved. Further detail will emerge in the Kirkintilloch Initiative proposals and in the area's masterplan.

Further information received

5. I note that Penelope Sinclair's representation also suggests a possible car park location on the canal bank in Southbank Road. The council has responded that a proposal for 66 flats on the land in question was granted consent on 1st August 2008 and is included as a Housing and Mixed Use Development Site in HMU Table – Section A (25) on page 20 of the finalised draft local plan. Its allocation for a car park would therefore not be possible.

Conclusions

6. I agree that given the existing planning approval, this site is not a possible location for a car park.

Reporter's recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 4.7 - Strathkelvin Retail Park	Reporter: KATRINA RICE
Development Plan Reference:	Page 28 - Policy R1 – Out of Centre Retailing	
Bodies or Person(s) submitting a representation raising the issue:		
GVA Grimley on behalf of Caledonian Property Investments Ltd (11) Penelope Sinclair (84) Bishopbriggs Community Council (86) CBRE on behalf of Muse Developments (153) Coates and Co on behalf of Home Retail Group (167)		
Provision of the development plan to which the issue relates:		
Supports bulky goods retailing where it cannot be accommodated in or on the edge of a town centre and promotes incorporation of leisure uses to enhance its vitality and attractiveness.		
Council's summary of the representation(s):		
<p>GVA Grimley on behalf of Caledonian Property Investments Ltd Seeks to ensure that Strathkelvin Retail Park is identified as a commercial centre, and is given appropriate protection. Considers that referring to it as an out of centre location is inappropriate as it does not reflect SPP8 and is identified in the Structure Plan as a commercial centre. Also suggests that Strathkelvin Retail Park is suitable for non bulky goods retailing.</p> <p>Penelope Sinclair Objects to the provision of Class 1 uses (shops) at Strathkelvin Retail Park as this would divert trade from Kirkintilloch and Bishopbriggs.</p> <p>Bishopbriggs Community Council Re-designate Strathkelvin Retail Park completely as a leisure area with separately managed venues.</p> <p>CBRE on behalf of Muse Developments Suggests that Strathkelvin Retail Park should be used for bulky goods only, and this is not adequately reflected in Policy R1.</p> <p>Coates and Co on behalf of Home Retail Group Considers that Policy R1 should support retailing at Strathkelvin Retail Park for all retail purposes and not just bulky goods.</p>		
Modifications sought by those submitting the representations:		
<p>GVA Grimley on behalf of Caledonian Property Investments Ltd</p> <p>Insert the following sentence to the 4th paragraph of page 25, under Local Plan Policy:</p> <p><i>"Strathkelvin Retail Park should be supported as a commercial centre in accordance with the uses permitted in this location".</i></p>		

Insert the following sentence as a bullet point to the green box on page 25:

"Strathkelvin Retail Park shall be given the appropriate protection in terms of its role as a commercial centre and its position in the hierarchy of network of centres in East Dunbartonshire."

The Policy text in R1 under Strathkelvin Retail Park should be deleted and replaced with the following:

"The Council continues to support Strathkelvin Retail Park as a commercial centre in accordance with the retail uses allowed at the Park at present."

Add the following sentence to Policy R1: Strathkelvin Retail Park:

"The Council will encourage any further proposals to relax the remaining bulky goods restrictions in the retail park, subject to accordance with other policies in the Plan."

Penelope Sinclair

Remove support for Class 1 uses at Strathkelvin Retail Park as necessary.

Bishopbriggs Community Council

Include reference to Bishopbriggs Town Centre and Strathkelvin Retail Park improvements in the Community and Leisure Chapter as follows:

- a. Town Centre Bishopbriggs – a need for centrally located buildings suitable for community use, a new central civic area and improvement in the existing public realm.
- b. Strathkelvin Retail Park – Encouragement of applications for community and leisure activities such as cinema, dance club, bowling alley, ice rink, children's play area etc.

CBRE on behalf of Muse Developments

Amend wording of R1 to state that the retail park will be restricted to bulky goods.

Coates and Co on behalf of Home Retail Group

Amend wording of R1 to:

"Improving the range and quality of East Dunbartonshire's retail offer at Strathkelvin Retail Park will allow East Dunbartonshire to compete more effectively with surrounding areas, including Robroyston, Cumbernauld, Clydebank and Glasgow. The Council will continue to support retailing at this location where it has been demonstrated that these cannot be accommodated in or on the edge of a town centre. In particular there may be opportunities to incorporate leisure uses in order to enhance its vitality and attractiveness."

Summary of response (including reasons) by planning authority:

The Council has already agreed to lift the bulky goods constraint on a significant proportion of the retail park. It will however continue to support bulky goods on the remainder of the Park (including computer and pet supplies) as a priority, to improve the range and quality of its bulky goods retail offer. This will allow East Dunbartonshire to compete more effectively with Glasgow North Retail Park in Robroyston and Glasgow generally. Structure Plan policy makes it clear that the primary purpose of a retail park is *"to provide bulky goods retail outlets which have not been able to be accommodated in or adjoining town centres."* Any further relaxation of the bulky goods restriction will be resisted as this may have the effect of having an adverse impact on nearby town centres, particularly Bishopbriggs and Kirkintilloch. Such

uses will only be encouraged where it has been demonstrated that these cannot be accommodated in or on the edge of a town centre. It is considered that the current wording adequately sets out the Council's support for bulky goods retailing and its town centres.

With regard to terminology, the definition of Strathkelvin Retail Park as an 'out of centre' location is in accordance with the Structure Plan (Schedule 6 (c) (iii)) which includes Strathkelvin as a 'Retail Warehouse Park'. The policy wording provides for the opportunity to incorporate leisure uses to provide a degree of flexibility where it states "there may be opportunities to incorporate leisure uses in order to enhance its vitality and attractiveness." This reflects Scottish Planning Policy which recognises that commercial centres "*generally have a more specific focus on retailing and leisure uses*". However, it would not be appropriate to specifically include a requirement for a cinema, dance club, bowling alley, ice rink or children's play area as suggested.

It should also be noted that Scottish Planning Policy indicates that there is no distinction between out of centre retail parks and commercial centres. Paragraph 54 states that "*Examples of commercial centres include out of centre shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres*". Therefore, Strathkelvin Retail Park can currently be considered a 'commercial centre' under the terms of Scottish Planning Policy and so no modification would be required. Similarly, the Council do not agree with the suggested addition "*Strathkelvin Retail Park should be supported as a commercial centre in accordance with the uses permitted in this location*" to paragraph 4 of page 25. This paragraph is intended to refer to the four established Town Centres within East Dunbartonshire (Bearsden, Bishopbriggs, Milngavie and Kirkintilloch), rather than out of centre/commercial centres. Furthermore, the green box on page 25 is intended to set out the general principles and land use aspirations which new town centre and retail developments will be expected to accord with, rather than to set out the Council's position on individual areas. Therefore it would not be appropriate to include the statement that "*Strathkelvin Retail Park shall be given the appropriate protection in terms of its role as a commercial centre and its position in the hierarchy of network of centres in East Dunbartonshire*" as suggested.

To avoid duplication, it is not considered appropriate to include reference to Bishopbriggs Town Centre improvements or Strathkelvin Retail Park within the Community and Leisure Facilities chapter. The Council's position on these areas is clearly set out in Policy TCR 6B and Policy R1 respectively.

Taken together, the Council's position on Strathkelvin Retail Park is clear and there is no requirement to modify the wording of Policy R1.

Reporter's conclusions:

Representation 11

1. Schedule 6(c)(iii) of the Glasgow and the Clyde Valley Joint Structure Plan identifies Strathkelvin as an "out of centre" retail warehouse park not a "commercial centre" and I agree with the council that it should also be identified as an "out of centre" location in the local plan.

2. The purpose of policy R1 is to improve the range and quality of East Dunbartonshire's bulky goods offer in order to compete more effectively with surrounding areas. Many of these bulky goods require large premises/sites which are not readily available in town centres. Some of the units on the retail park have already been lost to non-bulky goods uses. To allow non-restricted retailing on an out of centre retail park would be contrary to government advice in Scottish Planning Policy (SPP) and structure plan policy in strategic policy 6 which both seek to protect the vitality and viability of town centres. Policy R1 has already widened the

appropriate uses to include computers and pet supplies and will allow leisure uses in some circumstances. I consider that this provides adequate flexibility in an out of centre location.

3. I note that the representation also objects to the reference to town centre or edge of centre locations in this policy as the sequential approach is already addressed in policy TCR. 2. Given that this is a supportive policy for bulky goods in an “out of centre” location and that government policy is clear that a sequential approach should be adopted, I regard the reference to town centre and edge of centre locations as necessary for clarity.

4. I do not consider that the suggested changes to policy R1 or the text of the plan are therefore appropriate.

Representation 84

5. Policy R1 supports bulky goods retailing at this location, not all class 1 uses. It also requires any proposals to show that they cannot be accommodated in or on the edge of a town centre. In addition policy TCR 2 states that the council will not favour any new major retail development (over 1,000 square metres gross) outside town centres. I consider that this provides adequate safeguards for town centres such as Kirkintilloch and Bishopbriggs.

Representation 86

6. The current policy wording already permits leisure uses in certain circumstances. The main purpose of this policy is to improve the range and quality of East Dunbartonshire’s bulky goods retail offer in order to compete with surrounding areas. I therefore agree with the council that the current wording is most appropriate and do not consider that specific leisure uses should be named or that the retail park should be redesignated as a leisure area.

7. I also agree that further reference in the Community and Leisure Resources chapter of the local plan to Strathkelvin Retail Park would be inappropriate. I consider that this would lead to unnecessary repetition and would not add anything to the contents of the local plan.

Representation 153

8. Policy R1 is a supportive policy and I agree that its current wording does not restrict development on the retail park to only “bulky goods”. However Policy TCR 2 states that the council will not favour new major retail development (over 1,000 square metres gross floorspace) outside town centres and I regard this together with the support for bulky goods provision included in policy R1 to provide adequate safeguards against uncontrolled retail development on the site. I do not consider that further changes to the wording of the policy are necessary.

Representation 167

9. The purpose of policy R1 is to improve the range and quality of East Dunbartonshire’s bulky goods offer in order to compete more effectively with surrounding areas. Many of these bulky goods require large premises/sites which are not readily available in town centres. Some of the units on the retail park have already been lost to non-bulky goods uses. To allow non-restricted retailing on an out of centre retail park would be contrary to government advice in SPP and structure plan policy in strategic policy 6 which seek to protect the vitality and viability of town centres. Policy R1 has already widened the uses appropriate to include computers and pet supplies and will allow leisure uses in some circumstances. I consider that this provides adequate flexibility in an out of centre location and do not agree that the wording of policy R1 should be amended.

Reporter’s recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 4.8 - Town Centres and Retailing Policy Omissions	Reporter: KATRINA RICE
Development Plan Reference:	Pg26-28 - Town Centres and Retailing Policies	
Bodies or Person(s) submitting a representation raising the issue:		
J & L Edwards (119)		
Provision of the development plan to which the issue relates:		
<p>The Town Centres and Retailing chapter sets out an effective land use policy response to tackle issues facing East Dunbartonshire's town centres, to maintain and improve their attractiveness as shopping and visitor destinations and improve centre vitality and viability. Policies RET 2 and RET 4 of the adopted Local Plan relate to Development within Existing Shopping Centres and Large Retail and Commercial Leisure Proposals respectively.</p>		
Council's summary of the representation(s):		
<p>Policies RET 2 (Development Within Existing Shopping Centres) and RET 3 (New Retail Development Opportunities) should be carried over from the adopted Plan. The Council should resist expansion in retail floor space which is greater than the identified capacity, especially where there is a risk of monopolisation and closure of other shops, leading to a reduction in vitality and viability of the town centre. The Council should also resist the loss of ALL Class 1 retail in village and local shopping centres (R2)</p>		
Modifications sought by those submitting the representations:		
<p>Add policies RET 2 and RET 4 from adopted Plan.</p>		
Summary of response (including reasons) by planning authority:		
<p>The retail policies of the adopted Local Plan have been reviewed following the emergence of updated national and strategic planning policy guidance. Whilst the specific wording and headings of the policies have changed, the underlying principles have been retained and, where necessary, updated to reflect national and strategic planning policies. With specific reference to policies RET 2 and RET 4 of the adopted Local Plan, relating to development within existing shopping centres and large retail and commercial proposals, these issues have been incorporated into the draft Local Plan. For instance, Policy TCR 1 sets out the Council's policy on retail development within town centres, and Policy TCR 6 addresses each town centre individually. In addition, Policy TCR 2 refers to the 'sequential approach' (previously included within RET 4 of the adopted Plan) whilst Policy R1 covers matters relating to out of centre retailing. As such, it is considered that the provisions of policies RET 2 and RET 4 of the adopted Plan have been adequately addressed in the policies of the draft Plan and no modification is required.</p>		
Reporter's conclusions:		
<p>1. I agree with the council that the main underlying principles included in policy RET 2 of the adopted local plan have been rolled forward into the finalised draft local plan if the policies in the town centre and retailing, design quality and transport chapters are looked at as a</p>		

whole. Criteria (b) to (e) are all covered in these chapters and policies TCR 6A to D seek to encourage and support retail development within the main town centres. The encouragement and support of retail development in village and local shopping centres is however no longer referred to. Given the importance of providing shopping facilities for local residents and contributing to the economy and employment in these smaller settlements I consider that this should be added to the wording of policy R 2.

2. Similarly I consider that adopted policy RET 4 is adequately reflected in the wording of proposed policy TCR 2 if read with other policies in the local plan and subject to my recommended changes (see Issue 4.2). I have recommended changes to the wording of policy TCR 2 to refer to how retail proposals outside town centres will be considered. In addition in order to ensure that the vitality and viability of existing town centres are protected, I have recommended changes to make reference to the other capacity and impact assessments required by both national and structure plan guidance. I do not consider that the policy needs to set out the sequential test in full as this would unnecessarily repeat what is already clearly stated in both Scottish Planning Policy (SPP) and the structure plan.

Further information received

3. The council considers that the current wording of policy R2 is appropriate as villages and local shopping centres have a slightly different role to that of town centres. The need to protect retail uses can in their view normally be relaxed to accommodate a more diverse range of uses and it would be inappropriate to resist all changes of use out of retailing. The council considers that the 50% figure will enable an appropriate range of uses, particularly in rural areas, where there is restricted accessibility or where some people may not have access to a car.

4. I note that the representation also objects to policy TCR 6C on Milngavie as being largely descriptive and lacking any specific policies unlike TCR 6A and 6B. It is suggested that the council should firmly resist expansion in retail floorspace which is greater than the identified capacity especially where there is a risk of monopolisation and closure of other shops. The council has responded to propose that the 1,500 square metre figure should be amended to 600 square metres to reflect the council's Retail Capacity Study (2009). The council also proposes that the following sentence should be added to paragraph 2 of the policy:

"The council will support the extension of convenience retailing as identified in the retail capacity study."

5. And the following wording added to the policy:

"The Council will support the augmentation of tourist related activities in the Town Centre (see also Policy TO 3)."

6. I note that the representation also proposes that the town centre boundary should be extended to include the Town Hall, the Lillie Art Gallery and perhaps the listed railway station. The council has responded that the purpose of the boundary is to clearly define the core retail area. Although these are all valuable assets of Milngavie, the council sees no benefit in retail policy terms in including them within the town centre boundary. The buildings are regarded as dislocated from the main retail core of the town and any extension to the boundary would include properties to the north of Woodburn Way which might lead to inappropriate uses being proposed under the terms of the town centre policy.

Conclusions

7. I agree with the council that it is appropriate to apply a more flexible approach to changes of use to non-retail uses outside town centres and their prime retail areas. It would

be unnecessarily restrictive to not permit a mix of uses in villages and local centres. Resisting the loss of more than 50% of class 1 retail units will permit a healthy mix of uses while still retaining retailing in the majority. I consider that policy R 2 as currently worded is sufficiently balanced in its approach.

8. The level of detail contained within policy TCR 6 for each town centre reflects the size of the town centre and the level of development proposed within it. Bishopbriggs and Kirkintilloch are both the subject of masterplans and therefore more detail is provided in the policy wording than for Bearsden or Milngavie. I therefore consider the existing wording to be appropriate.

9. I accept that ideally the local plan should reflect the council's Retail Capacity Study. However it was published in December 2009 after the finalised local plan which was published in September. Its contents have not therefore been the subject of any public consultation or other scrutiny by interested parties. Given that my recommendations are binding and there will be no further opportunity for public comment, I do not consider it appropriate to amend the floorspace figure as proposed or to add the suggested sentence to paragraph 2. The Retail Capacity Study will however still be a material consideration to be taken into account by the council in determining planning applications under its development management function. I do not consider that further reference to its contents in this local plan would be appropriate. I consider that the council's proposed tourism related modification would merely repeat what is already said in policy TO 3. Given this and the status of the council's Retail Capacity Study, I do not consider that any of the proposed amendments to the policy wording are acceptable.

10. I agree that the Town Hall and Art Gallery referred to are important public buildings within the town of Milngavie. However from my site visit it was clear that they are separated from the main retail core of Milngavie located along Main Street/Douglas Street/Station Road, by residential properties and St Joseph's Church. Hillhead Street provides a logical boundary to the town centre and I agree with the council that to expand the town centre boundary further east along Station Road to include these two buildings and all of the other buildings in between would not be appropriate.

11. The railway station although connected to the main retail core by a subway is clearly separated from it by a busy road, Woodburn Way. However the Tesco supermarket has been included within the town centre boundary and it is even further separated from the main retail core of Milngavie by both Woodburn Way and car parking. The railway station building is located adjacent to the existing town centre boundary and its inclusion within the town centre boundary would not require the inclusion of any other buildings. However it would extend the town centre designation across the railway line which currently provides a logical boundary to the east. On balance and despite the inclusion of the Tesco store, I consider that there is insufficient justification for the amendment of the town centre boundary to cross the railway line and include the railway station.

Reporter's recommendations:

Modify Policy R2 – Village and local shopping centres as follows:

"Retail development of an appropriate scale will be encouraged and supported within village and local shopping centres. The Council will seek to preserve the availability of retail units and resist the loss of more than 50% Class 1 retail in these areas."

Issue (ref and handling):	Issue 5.1 - Community and Leisure Facilities	Reporter: IAIN URQUHART
Development Plan Reference:	Page 30-31 - Policy CLF 1 – Community and Leisure Facilities	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council (86) Homes for Scotland (137) CBRE on behalf of Muse Developments (153)		
Provision of the development plan to which the issue relates:		
Policy CLF 1 – Community and Leisure Facilities states that the Council supports the provision of new and improved leisure and recreational facilities, including religious buildings. The loss of existing facilities will be resisted, as will development adversely affecting these uses, unless suitable replacements are provided or there is significant demonstrable community gain.		
Council’s summary of the representation(s):		
Bishopbriggs Community Council Objects to the lack of reference in the Community and Leisure Facilities chapter to the ‘strategy for the use of leisure and halls facilities’, as referred to in the adopted 2005 plan.		
Homes for Scotland Policy CLF 1 omits one key component of consideration of community and leisure facilities, i.e. the need and demand issue. It cannot be the case that every existing community and leisure facility remains well used and in demand, or that they will remain so indefinitely. Policy should always reflect the possibility that facilities fall out of use and can be closed, redeveloped or their sites reused.		
CBRE on behalf of Muse Developments Suggests that Policy CLF1 should include wording to state that the loss of community and leisure facilities is resisted unless it is identified that their use is no longer viable.		
Modifications sought by those submitting the representations:		
Bishopbriggs Community Council Include reference to the Leisure and Halls Strategy within Chapter 5.		
Homes for Scotland A further clause be added to the policy: "...or the facility has become surplus to operational requirements."		
CBRE on behalf of Muse Developments Insert wording to CLF1 to emphasise that the loss of facilities will be resisted unless proved that their use is no longer viable.		

Summary of response (including reasons) by planning authority:**86**

It is intended that the Leisure and Halls Strategy will assess local needs and demands for leisure, recreation and cultural facilities throughout East Dunbartonshire. As a result of a number of factors, work on the Strategy as referred to in the adopted Local Plan is still ongoing. The Council therefore reserves its position on the final status of the strategy, but will ensure that the Community Council is fully informed of any progress.

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The Council is committed to the consolidation and improvement of existing communities and will endeavour to ensure that adequate community and leisure facilities are provided and readily available should opportunities arise. Existing facilities will therefore be strongly protected. However it is acknowledged that in some cases, certain facilities may become surplus to operational requirements and that their sites may be of greater social benefit as an alternative use. It is agreed that the Policy should reflect this by including wording to the effect that the loss of such facilities will be resisted unless their use is no longer viable.

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It is agreed that the policy would be improved by reflecting the possibility that facilities may in some circumstances fall out of use and be closed, and their sites be redeveloped or reused.

SUGGESTED CHANGE TO POLICY CLF 1:

*"The Council supports the provision of new and improved leisure and recreational facilities, including religious buildings. The loss of existing facilities will be resisted, as will development adversely affecting these uses, unless suitable replacements are provided or there is significant demonstrable community gain, **or the facility has become surplus to requirements.**"*

Reporter's conclusions:

1. The provision of community and leisure facilities should reflect existing and future need and demand in the local area. There may be circumstances where the retention of a facility may no longer be feasible for a number of reasons including lack of use and financial viability. So, I agree with the representations from Homes for Scotland and Muse Developments that policy CLF 1 seeks to resist the loss of all existing community and leisure facilities without acknowledging that local demand and viability may be matters to take into account in reaching a decision on redevelopment or reuse of a particular facility.

2. I also consider it important that any proposal involving the loss of a facility should be justified against the council's strategy for leisure and community property in the local area. In this way, the community can be confident that decisions on individual facilities are taken in the context of a wider assessment of local needs and provision. Therefore, I accept the Community Council's comments regarding the absence of any reference to a strategy for leisure and halls facilities whereas the adopted local plan (2005) includes such a reference.

3. I note the council proposes to change the policy by adding a clause proposed by Homes for Scotland. I consider that this additional clause should be expanded to include a reference to a local strategy for leisure and halls facilities as proposed by the Community Council.

Reporter's recommendations:

Modify the local plan by adding the following clause to the end of the 2nd sentence of policy CLF 1: Community and Leisure Facilities:

'or the facility has become surplus to operational requirements and its loss is justified against the council's strategy for provision in the local area.'

Issue (ref and handling):	Issue 5.2 - Allander Sports Centre	Reporter: IAIN URQUHART
Development Plan Reference:	Page 31 - Community and Leisure Facilities – Emerging Proposals	
Bodies or Person(s) submitting a representation raising the issue:		
<p>Margaret Robertson (69) Bearsden North Community Council (88) John Mackintosh (116) Milngavie Civic Trust (123) Milngavie Community Council (131) Lower Kilmardinny Residents Association (145) Burnbrae Residents Association (147) Baldernock Community Council (172) Mr and Mrs Carruth (180) Bearsden East Community Council (198)</p>		
Provision of the development plan to which the issue relates:		
<p>Policy CLF1 provides support for the provision of new and improved leisure and recreational facilities. The loss of existing facilities will be resisted unless suitable replacements are found or there is significant demonstrable community gain. The refurbishment or replacement of Allander Sports Centre is included as an emerging proposal likely to be progressed within the next five years. The plan states that this will be dependent on the outcome of the Public Local Inquiry regarding the surrounding Lower Kilmardinny/ Westpark site.</p>		
Council’s summary of the representation(s):		
<p>Margaret Robertson Supports retention of Allander Sports Centre but states that there is a lack of detail on how the Council will alleviate associated traffic problems at peak times.</p> <p>Bearsden North Community Council The Council should ensure the protection of Allander Leisure Centre, with the West of Scotland playing fields being retained on the current site.</p> <p>John Mackintosh Seeks to confirm protection of Allander Leisure Centre.</p> <p>Milngavie Civic Trust Allander Sports Centre should be protected.</p> <p>Milngavie Community Council Only a fully comprehensive sports centre will be acceptable to the community as has just been developed in Kirkintilloch. If the centre were to be developed on a different site then the new centre must be operational before the old one is taken out of operation or demolished.</p> <p>Lower Kilmardinny Residents Association The Council must ensure that there is continuity of provision of sports facilities at the Allander Sports Centre location.</p>		

Burnbrae Residents Association

The Council must ensure that there is continuity of provision of sports facilities at the Allander Sports Centre location. Also, the West of Scotland rugby fields should be retained on the Kilmardinny site.

Baldernock Community Council

Seeks to ensure that there is continuity of provision of sports facilities at Allander.

Mr and Mrs Carruth

The Council should also ensure the protection of Allander Leisure Centre, with the West of Scotland playing fields being retained on the current site.

Bearsden East Community Council

The *replacement* of Allander Sports Centre is inappropriate as Schedule C refers to a proposed "rail halt beside Allander Sports Centre". The proposed location adjacent to the A81 is not a viable alternative location as the rail line is on the other side of the site.

Modifications sought by those submitting the representations:**Margaret Robertson**

Provide more detail in relevant section of the Plan on how to alleviate traffic problems in the Allander area resulting from the refurbishment of the Sports Centre.

Bearsden North Community Council

Modify wording of Community and Leisure Facilities Table (Page 31) Number 6, to confirm that, with respect to the Allander Sports Centre, there is continuity of provision of sports facilities at this location. Any proposal to replace the existing facility must demonstrate that there is sufficient funding to provide at least the range and size of current facilities.

John Mackintosh

Confirm protection on Allander Sports Centre in Policy CLF 1.

Milngavie Civic Trust

Modify wording of Policy CLF to confirm that Allander Sports Centre will be retained regardless of the outcome of the Public Local Inquiry.

Milngavie Community Council

Insert clarification that Allander Sports Centre will remain operational, whether it remains on site or is relocated.

Lower Kilmardinny Residents Association

Amend wording to provide stronger support for the future of Allander Sports Centre.

Burnbrae Residents Association

Amend wording to provide stronger support for the future of Allander Sports Centre.

Baldernock Community Council

Amend wording of Policy CLF1 to confirm that Allander Sports Centre will remain open at all times.

Mr and Mrs Carruth

Change wording of Community and Leisure Facilities Table (Page 31) Number 6, to confirm that Allander Sports Centre will be retained.

Bearsden East Community Council

Amend wording of Schedule C to state that Allander Sports Centre will be “**refurbished**”, rather than “**replaced**”.

Summary of response (including reasons) by planning authority:

Policy CLF 1 sets out support for the provision of new and improved leisure and recreational facilities. It also states that the loss of existing facilities will be resisted, unless suitable replacements are provided. Page 31 includes Allander Sports Centre as one of 8 identified such facilities/assets. It is acknowledged, however, that the wording of this statement may cause confusion in terms of the Sports Centre’s continued use being dependent on the outcome of the Public Local inquiry on the proposals for the wider Lower Kilmardinny/Westpark site.

SUGGESTED CHANGES TO ‘ALLANDER SPORTS CENTRE’ (PAGE 31):

- Modify the wording of this paragraph to clarify that Allander Sports Centre will be either refurbished or relocated to provide continuity of sports provision, depending on whether satisfactory arrangements can be put in place to design, resource and programme the construction of a new sports centre, clearly stating that it will not be removed without a suitable replacement.

Further details on the status of the Sports Centre in respect of the wider redevelopment of Lower Kilmardinny/Westpark are provided under Issue 2.3.

Reporter’s conclusions:

1. Planning permission in principle was granted, on appeal, in June 2010 for a mixed use development including housing, offices, sports facilities, a rail halt with park-and-ride facilities, open space, landscaping, walkways and new access roads, on land at Lower Kilmardinny/Westpark, Bearsden (see also reference to this matter under Issue 2.3). The site of the approved development includes land currently occupied by Allander Sports Centre. It is proposed to relocate the Centre to the adjacent site of the former Burnbrae bus garage. The planning permission in principle requires that no development take place until a legal agreement is concluded between the council and the developer to control the exchange of the former bus garage site and the Sports Centre site, and to oblige the developer to pay the council a sum of £10 million as a contribution to a new sports centre on the Burnbrae site.

2. The future of Allander Sports Centre is a matter for the council as owner and operator of the facility. However, I understand that the council has decided to keep the Centre open and fully operational until a replacement facility is available for community use.

3. Together, the terms of the planning permission granted in June 2010 and the council’s stated intention to keep open the Sports Centre should provide sufficient comfort to those organisations and individuals who have made representations regarding the retention of the Sports Centre. However, I also consider it important that policy CLF 1 now reflects the recent grant of planning permission in principle so far as it relates to the Allander Sports Centre.

4. Several representees seek the retention of the West of Scotland Football Club on its existing site which is also included within the Kilmardinny/Westpark site which was recently granted planning permission in principle. However, the approved mixed use scheme for the site makes no provision for the retention or relocation of the Football Club. So, on this basis, I do not recommend any modifications in relation this issue.

Reporter's recommendations:

Delete the wording relating to Allander Sports Centre in item 6 on the schedule of projects accompanying policy CLF 1 and replace it with the following wording:

Refurbishment of Allander Sports Centre or its replacement on the site of the former Burnbrae bus garage as part of an approved mixed use development scheme on land at Lower Kilmardinny/Westpark, Bearsden (see policy UC 1 Schedule C).

Issue (ref and handling):	Issue 5.3 - Kirkintilloch Cemetery	Reporter: IAIN URQUHART
Development Plan Reference:	Page 30-31 - Policy CLF 1 Community and Leisure Facilities Emerging proposals Item 5 (green box)	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council (86)		
Provision of the development plan to which the issue relates:		
Policy CLF1: Community and Leisure Facilities supports the provision of new and improved community and leisure facilities, subject to satisfying normal planning and environmental criteria. Item 5 of Policy CLF1 (page 31) refers to the expansion of Campsie Cemetery in Lennoxton.		
Council's summary of the representation(s):		
Concerned at the lack of reference to the expansion of the cemetery at Kirkintilloch in the Community and Leisure Facilities chapter.		
Modifications sought by those submitting the representations:		
Amend wording to include support for the extension of the Old Aisle Cemetery in Kirkintilloch in Item 5 on page 31, as stated in the adopted 2005 Plan.		
Summary of response (including reasons) by planning authority:		
The Council has recently consulted on options for cemetery provision for the Kirkintilloch area. Until such time as proposals are confirmed, it would be inappropriate to make specific land allocations in the local plan.		
Reporter's conclusions:		
<p>1. The adopted East Dunbartonshire Local Plan (2005) stated that the council had plans to expand 3 cemeteries to meet local needs including Auld Aisle Cemetery in Kirkintilloch. However, the council is now reviewing options for cemetery provision in the Kirkintilloch area.</p> <p>2. The schedule accompanying Policy CLF 1: Community and Leisure Facilities lists those projects to be implemented over the next 5 years. Effectively, the previous local plan proposal for Auld Aisle Cemetery has been withdrawn. In these circumstances, I accept that it would not be appropriate to identify a specific location for a new cemetery in the local plan if it is not to be provided in the next 5 years, and when the council has yet to take a decision on how and where such provision should be made.</p>		
Reporter's recommendations:		
No modification to the local plan is required.		

Issue (ref and handling):	Issue 5.4 - Torrance Community Facilities	Reporter: IAIN URQUHART
Development Plan Reference:	Page 30 - Community and Leisure Facilities Page 36 - Green Belt	
Bodies or Person(s) submitting a representation raising the issue:		
Torrance Community Initiative (7) Douglas Slowman (8) David Crowe (21)		
Provision of the development plan to which the issue relates:		
Policy CLF1 supports the provision of new and improved leisure and recreational facilities. Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council's summary of the representation(s):		
<p>All three representations raise concerns at the statement in the LP2 Community and Leisure Facilities chapter that <i>"consultation responses on the MIR and KPDR confirmed there were views in the community overwhelmingly against the [mechanism for] delivery of a new community hall for Torrance"</i>. A statement in the Green Belt chapter (Page 36) states the community view was "predominantly" against. No evidence is provided to back up these statements. It could also be implied the community is against the very principle of a new community hall. Nor does it consider whether the objections are to the principle of a community hall, or whether objections are founded on a proposal to link a new hall to green belt residential development.</p> <p>In addition the Torrance Community Initiative (7) note reference in the 2005 Local Plan to undertake a review of leisure facilities in Torrance has been dropped; the field has consent for a sports pavilion and was, in part, previously a rubbish tip; there are no suitable alternative brownfield sites for a community facility, and a similar wedge site reserved for a future nature park is not greenbelt.</p>		
Modifications sought by those submitting the representations:		
No specific modifications are requested.		
Summary of response (including reasons) by planning authority:		
<p>The Council remains of the view statements in the LP2 reflect community opinions on this matter.</p> <p>The proposals constituted a package of measures which included significant housing development on sites currently occupied by existing community facilities and on a greenbelt site.</p> <p>As a result of a number of factors, work on a Leisure and Halls Strategy as referred to in the adopted Local Plan is still ongoing.</p>		

Reporter's conclusions:

1. The Main Issues Report (MIR) published in March 2007 noted Issue 8 as :

"Views are sought on the proposals for Torrance, and in particular whether the release of a small area of greenbelt land for housing in order to help fund the building of community facilities would be appropriate."

2. Clearly, community views were sought on a package linking the development and funding of a new community facility with the release of greenbelt land. I understand the arguments presented in the representations that there is support for a new community facility in Torrance but, not if it is to be delivered by releasing land from the greenbelt for development as suggested by the council in Issue 8 of the MIR.

3. In my view, the wording now used by the council in Chapter 5 of the local plan is slightly misleading and may give the impression that there was strong opposition to development of a community facility in the village rather than to the mechanism for delivering the project through greenbelt release. I consider that the wording in the 'Consultation' section in Chapter 5: Community and Leisure Facilities should be amended. However, the wording of the 'Consultation' section in Chapter 7: Green Belt (page 36) on the same issue is a better reflection of the original Issue 8 in the MIR and so does not require amendment.

Reporter's recommendations:

Delete the sentence under 'Consultation' in Chapter 5: Community and Leisure Facilities and replace it with the following sentence:

'Consultation responses on the MIR and KPDR confirmed there was strong opposition to a package of proposals linking residential development in the green belt to the funding and development of new community facilities in Torrance.'

Issue (ref and handling):	Issue 6.1 - Open Space & Physical Activity	Reporters: MALCOLM MAHONY KATRINA RICE (representations 33 and 154)
Development Plan Reference:	Page 32-33 - Policy OS1 and OS2 Proposals Map	
Bodies or Person(s) submitting a representation raising the issue:		
Bearsden West Community Council (16) Save Cluny Park Campaign (33) Caroline James (79) Baljaffray Residents Association (103) Sally Mudge (113) Sport Scotland (117) Strathclyde Partnership for Transport (130) Muir Smith Evans on behalf of Mrs F Robertson and Mrs G McKinley (139) Graham and Sibbald on behalf of BP (154) Mosshead Residents Association (162) Bearsden East Community Council (198)		
Provision of the development plan to which the issue relates:		
Policy OS 1 - Protection and Enhancement of Open Space protects existing open space. Developments adversely affecting scale and quality will generally not be permitted, unless replacement facilities have been provided. Policy OS2 requires an appropriate level of open space to be provided in new developments through developer contributions. This will be set out in Guidance Notes.		
Council's summary of the representation(s):		
Bearsden West Community Council (16) <ul style="list-style-type: none">Land east of Allander Park should be marked as Green SpaceWoods between Maxwell Ave and Henderland Road should be marked as Green Space. Save Cluny Park Campaign (33) <p>There have been several proposals to build on Cluny Park, the most recent in 2002, rejected on appeal following an Inquiry. A subsequent meeting in August 2003 with the landowners - British Petroleum, a local Councillor and the SCPC agreed in principle to a long lease, to protect the Park as open space and prevent developers from making further applications. Regrettably, despite subsequent representations, a long lease has yet to be concluded and the long term future of the Park remains uncertain.</p> <p>The 2005 Local Plan includes a policy statement:- "On sites at Cluny Park, Bearsden and Callieburn Road, Bishopbriggs, which are not in Council ownership, long leases or management and access agreements will be sought by the Council to enable the Council to invest in improvements." I would be interested to know the current position regarding progress in this regard.</p> <p>No specific reference is made to Cluny Park in the finalised draft Local Plan. I would request a similar sentence be inserted to emphasise the importance placed on obtaining a long</p>		

lease to protect this precious Open Space. It would be even better if the sentence was strengthened by adding at the end after "improvements", the words "and protect these Open Spaces from any building developments."

Ms. Caroline James (79)

Kilmardinny Loch and its environs should be delineated as a Local Landscape Area.

Land opposite No's 76 to 80 Kilmardinny Crescent is heavily wooded with more than 62 mature specimen trees. The meadow area contains many species of protected flora and fauna and is an essential contributor to maintenance of local biodiversity. It is under imminent threat of development for housing. This land could be included as part of the Kilmardinny Loch SSSI and SINCE in the new local plan since it immediately adjoins these areas.

Baljaffray Residents Association (103)

Various open spaces in Bearsden are identified as suitable for designation as 'natural green belt'.

Sally Mudge (113)

Kilmardinny Loch and environs should be given a Local Landscape Quality designation

An application for Local Nature Reserve status is being processed at the present time; it is therefore requested that Kilmardinny Loch and its surrounding woodlands should be classified on the Proposals Map as a potential LNR.

Sport Scotland (117)

There should be a policy reference to the presumption against the development of playing fields, as required by paragraph 48 of SPP11 Open Space and Physical Activity. This could be included in either the Community and Leisure Facilities chapter or the following chapter on Open Space and Physical Activity. It is also considered playing fields and sports pitches should have a separate allocation in the proposals map, and not be included within general open space.

Strathclyde Partnership for Transport (130)

SPT would suggest that Policy OS 2 - Provision of Open Space in New Developments is altered to include a reference to providing good links to open space for new and existing residents, ensuring that all of the community gain the benefits of open space.

Muir Smith Evans on behalf of Mrs F Robertson and Mrs G McKinley (139)

The objectors own land at Kilmardinny Avenue/Kilmardinny in what were the grounds of White Lodge. The current Local Plan Proposals Map shows the site lying within the urban environment where Policies DQ1 and DQ2 apply. The LP2 Proposals Map alters this allocation to one of "Parks and Open Spaces" where Policies OS1, NE2 and NE3 apply.

Objections are lodged to this change on the following grounds. The text of the finalised local plan provides no justification whatsoever for the change. There have been no similar alterations to extend the provisions of the "Parks and Open Spaces" policies to include other, privately owned land. The site has previously been subdivided to build two detached houses. The objectors' retained land lay within the application boundary. No conditions were attached at that time to preclude further development. Much of allocated land is actually already developed or constitutes private garden ground. When White Lodge, the adjoining houses and access road and the solum of Kilmardinny Avenue are all removed this leaves only the portion of the site retained in the ownership of the objectors. Again there is no sound reason why this small area of privately owned garden ground should be picked out for special protection. All trees on site are covered by a Tree Preservation Order and there are no other features of note requiring special protection.

The objectors have discussed the reason for the proposed change to the Proposals Map with a relevant planning official. It was suggested that the site (or part thereof) contributed to the setting of Kilmardinny Loch and that this in some way justified the proposed change. However on closer examination it became clear that it is the mature trees around the perimeter of the site that contribute to the setting of the loch. As these are already protected by a relevant order there is no need for any further protection through the application of Policies OS1, NE2 and NE3.

The proposed change to the Local Plan Proposals Map would introduce a presumption against the principle of development that does not exist at present. It also does absolutely nothing to ensure the proper ongoing management and maintenance of the trees on the objectors' site. Indeed it has the very opposite effect. In contrast a single villa development would provide on-site management and maintenance. Revised proposals demonstrate there would be no adverse visual impact on the setting of Kilmardinny Loch and ensure retention of trees.

Graham and Sibbald on behalf of BP (154)

BP's land ownership at Canniesburn incorporates the Petrol Filling Station (PFS) to the east of Canniesburn Toll and land extending east towards the junction with Killermont Avenue.

The following options are being considered for this land:

- in the short term, expanding the existing shop within the PFS to improve customer offer and facilities – this would require to be accommodated on and to the immediate rear of the existing PFS; and,
- in the medium term, developing part of the land to accommodate small commercial and business units, and gifting the remainder of the land to the Council in perpetuity as open space.

The Local Plan 2 – Finalised Draft identifies all land outwith the petrol filling station as protected open space; this creates a potential conflict with the options being considered by BP.

Mosshead Residents Association (162)

We strongly encourage the inclusion of the common grounds of Lennox Court/Rotherwood Court flats as a protected space against any future building development. Any such development would require the agreement of all 109 owner-occupiers through their Factor.

Bearsden East Community Council (198)

Suggest that the centre island of Canniesburn Toll be designated as Open Space, as well as a small piece of Woodland at the southern tip of the Canniesburn Toll triangle.

Modifications sought by those submitting the representations:

Bearsden West Community Council (16)

Modify the Proposals Map to identify these areas as open space.

Save Cluny Park Campaign (33)

Modify wording of open space protection policy to include reference to a long term lease to protect and manage Cluny Park, and preclude further development.

Ms. Caroline James (79)

Modify plan to identify Kilmardinny Loch and its environs as a Local Landscape Area, and include land opposite No's 76 to 80 Kilmardinny Crescent as an SSSI and SINCL.

Baljaffray Residents Association (103)

Modify the Proposals Map to identify these areas as green belt.

Sally Mudge (113)

Modify plan to identify Kilmardinny Loch and its environs as a Local Landscape Area, and include land as an LNR.

Sport Scotland (117)

Include policy reference presuming against the loss of playing fields and identify playing fields and sports pitches on the proposals map.

Strathclyde Partnership for Transport (130)

Policy OS 2 - Provision of Open Space in New Developments is altered to include a reference to providing good links to open space for new and existing residents, ensuring that all of the community gain the benefits of open space.

Muir Smith Evans, on behalf of Mrs F. Robertson and Mrs G McKinley (139)

Delete the open space allocation for the site.

Graham and Sibbald on behalf of BP (154)

Remove the Parks and Open Spaces designation from part of the land east of BP's Petrol Filling Station at Canniesburn Toll.

Mosshead Residents Association (162)

Modify the proposals map to identify these areas as open space.

Bearsden East Community Council (198)

Designate centre island of Canniesburn Toll, and woodland to south as Open Space.

Summary of response (including reasons) by planning authority:**Bearsden West Community Council (16)**

In relation to the land east of Allander Park/south of North View, it is not the role of the Local Plan to designate small and isolated patches of incidental space. No modifications are required in this respect.

In relation to the area of land between Maxwell Ave and Henderland Road, this area links to much larger open space and, therefore, the Council is agreeable to designating this as Green Space.

Cluny Park/Land East of BP's Petrol Filling Station at Canniesburn Toll (33 & 154)

The representations received from the Save Cluny Park Campaign (33) and Graham and Sibbald on behalf of BP (154) refer to the same area of land.

- Save Cluny Park Campaign (33)**

LP2 sought to follow advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing.

LP2 clearly designates and protects the site as open space/green space and, though in private ownership, the Council also maintains the site. Long term arrangements for the management and lease of this site is only indirectly a land use planning issue, and should be promoted through separate channels.

- **Graham and Sibbald on behalf of BP (154)**

Cluny Park is protected by a Parks and Open Spaces designation in the adopted Local Plan. This protection is maintained in the Local Plan 2 – Finalised Draft. Cluny Park provides valuable open space and visual amenity and, for this reason, it is not considered appropriate to amend the protection designation.

Ms. Caroline James (79) and Sally Mudge (113)

Kilmardinny Loch has now been designated a Local Nature Reserve, though this does not include land opposite No's 76 to 80 Kilmardinny Crescent. LP2 identifies this land as open space/green space and the Council remains of the view this offers sufficient protection under the terms of Policies OS1 and NE2. Kilmardinny Loch is within the built up area and therefore does not merit designation as a Local Landscape Area.

Baljaffray Residents Association (103)

These sites are all established areas of open space, laid out in association with the adjoining residential estates and integral to the built up area of Bearsden. It therefore would be contrary to national policy guidance to alter their designation to green belt.

Sport Scotland (117)

LP2 sought to follow advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing.

Playing fields and sports pitches are often integral features of wider areas of open space and their precise boundaries can therefore be difficult to identify. The Council is though agreeable to modifying the wording of Policy OS1 to make clear open space includes pitches and playing fields.

Strathclyde Partnership for Transport (130)

The Council fully recognises the need to ensure that open spaces are accessible by new developments. Guidance notes will be prepared to accompany this Policy, and will set out the requirements for access and networking (as well as a wide range of other issues relating to open space) in accordance with Scottish Planning Policy and PAN 65: Planning and Open Space. Therefore, it is not considered necessary to amend the policy wording, as this will be addressed by the relevant Guidance Note.

Muir Smith Evans, on behalf of Mrs F. Robertson and Mrs G McKinley (139)

The objection site is part of a historic garden and designed landscape, as highlighted in EDC's Survey of Historic Gardens and Designed Landscapes in East Dunbartonshire (November 2006). The Survey describes the locality as a: "A small estate designed landscape which is now fully absorbed into the built up area of Bearsden but where the house, loch and wooded hillsides and tree belts continue to contribute to local facilities and amenities." The open space designation, which included the grounds of Kilmardinny House was further extended to also include the treed grounds of the 'B' listed White Lodge and adjacent properties, to round off the open space designation already shown on the 2005 Local Plan proposals map. Kilmardinny Loch and its environs is the principle public open space for this densely developed quarter of Bearsden, most of which is now a Local Nature Reserve. The extended open space allocation in LP2 thus better defines the visual appearance and heritage value of the Kilmardinny Loch locality.

The Council therefore remains of the view the allocation of the objections site as open space remains valid and justified.

Mosshead Residents Association (162)

This land forms the privately owned and maintained garden ground and open space associated with the adjoining flats. It is therefore inappropriate to designate as open space or green space.

Bearsden East Community Council (198)

In relation to Canniesburn Toll, the Council do not believe that it would be appropriate to designate the centre island as Open Space. This area is not accessible or suitable for public use, being surrounded by a major road. It should be noted however that the island is currently protected by a Tree Preservation Order, and also falls within a designated Important Wildlife Corridor, in recognition of the mature trees present. In relation to the area of woodland at the southern tip of the Canniesburn Toll triangle, it is not the role of the Local Plan to designate such small patches of incidental space. No modifications are required in this respect.

SUGGESTED CHANGE TO POLICY OS 1:

- Modify the wording to make clear open space includes pitches and playing fields.

SUGGESTED CHANGE TO PROPOSALS MAP:

- Designate land between Maxwell Ave and Henderland Road as Green Space.

Reporters' conclusions:**Land east of Allander Park and south of North View, Bearsden (16)**

1. Allander Park is designated HMU1 (41) for 31 affordable housing units. At the time of writing, that development is under construction. The land in question is an adjacent smaller triangular area, somewhat overgrown and with a building in its south-east corner. It is not the role of the local plan to designate each small isolated patch of incidental open space. Although a public footpath runs along the western side of the land, it is fenced off and bounded on two sides by railway lines on embankments. It does not appear to afford access for recreation or to have much amenity value for the surrounding area. There is therefore no justification for its allocation as open space.

Woods between Maxwell Ave and Henderland Rd, Bearsden (16)

2. Cairnhill Woods, designated Parks and Open Spaces, and a smaller wooded area just over the boundary into Glasgow are linked by a strip of woodland running between the back gardens of houses on Maxwell Ave and Henderland Rd. A signposted footpath extends through that strip. All of these wooded areas appear to be well used for local amenity purposes. Designation of the linking strip as Parks and Open Spaces would be logical, sensible and likely to be uncontroversial.

Cluny Park/Land East of BP Petrol Filling Station at Canniesburn Toll, Bearsden (33)

3. Arrangements for the management and lease of the site are not strictly land use planning issues; direct reference to them is not appropriate in a local plan policy. Such issues would be better dealt with in the council's open space audit and strategy which is referred to in policy OS 1 of the finalised draft local plan. Policy OS 1 also states that the council will encourage the enhancement of existing open space where necessary through partnerships with other stakeholders which would include the landowners. A more detailed reference to obtaining a long lease for the site is not necessary in the local plan.

4. The wording "and protect these open spaces from any building developments" should not be added to the policy. This blanket ban on development on any open space would not conform with government guidance in Scottish Planning Policy (SPP). Policy OS 1 already states that existing open space will be protected, taking into account the findings of its current

open space audit and strategy. This is in line with guidance in SPP which states that only where there is strong justification should open space be developed partly or fully for a purpose unrelated to use as open space. Such justification should include evidence from the open space audit. The existing policy wording is therefore appropriate.

Cluny Park/Land East of BP Petrol Filling Station at Canniesburn Toll, Bearsden (154)

5. The council has confirmed that the overlap of the open space designation with the filling station site is a drafting error. A site survey will be carried out prior to the preparation of the proposals map for the adopted Local Plan to ensure the western boundary of the open space designation coincides with the eastern boundary of the operational land of the filling station. The drafting error should be corrected.

6. The site is located to the south east of Bearsden. It is surrounded by a dense network of residential streets and is adjacent to the A81. It is designated as a park and open space in both the adopted and finalised draft local plans. An Important Wildlife Corridor runs along much of the south of the site and it is covered by the Bearsden Tree Preservation Order. Footpaths cross the well maintained, grassed, open space with several trees spread across the site and along its boundaries. The petrol filling station is located to the west of the open space and includes a shop providing a wide retail offer including hot and cold food and drinks and alcohol.

7. It is argued that the open space designation should be amended in the short term to allow for the expansion of the existing shop and in the medium term to accommodate small commercial or business units. No evidence is provided to justify the need for the increased retail floorspace, other than to improve customer offer and facilities, or the need for the commercial/business units. The shop already provides an extensive range of goods. Government guidance in SPP is clear in stating that only where there is strong justification should open space be developed partly or fully for a purpose unrelated to use as open space. Such justification should include evidence from the open space audit.

8. From a site visit it was clear that the open space is well used by the public and that its green appearance adds to the amenity and character of the area providing a welcome break in what is a built up, urban area. No evidence to the contrary has been provided from the council's open space audit nor evidence to show that circumstances have changed from the designation of this site as open space in the adopted local plan.

9. Therefore no justification has been provided for the release of any of this open space for development in the short or medium term. The offer to gift any remaining land to the council does not alter that position.

Kilmardinny Loch and environs; land opposite 76-80 Kilmardinny Crescent, Bearsden (79, 113)

10. The representees argue that the loch and its environs should be given a local landscape quality designation. The only policy in the plan which might apply is NE 4. This relates to the protection of landscape character in the green belt, Kilpatrick Hills and Campsie Fells. Those are all large swathes of land in rural locations. That policy would not be appropriate to a few hectares of land within a built up area.

11. Status as a Site of Special Scientific Interest (SSSI) is determined by Scottish Natural Heritage on the basis of scientific characteristics. It is not open to the local plan to extend the area of an SSSI.

12. Sites of Importance to Nature Conservation are now referred to as Local Nature Conservation Sites. The loch has been declared a Local Nature Reserve and is therefore protected under policy NE 1 of the plan. No technical evidence has been provided to support

the view that the designation should have been extended to land off Kilmardinny Crescent. Whether that land is under threat of development is not relevant to its nature conservation status.

Kilmardinny Ave/Kilmardinny, Bearsden (139)

13. The re-designation of land near White Lodge as Parks and Open Spaces followed a systematic survey of Historic Gardens and Designed Landscapes in East Dunbartonshire. The survey was carried out for the council by specialist consultants and a report published in November 2006. The survey of Kilmardinny included the contested area of land within the designed landscape. A site inspection revealed no reason to question that attribution. It follows that extension of the Parks and Open Spaces designation to the land in question is appropriate in the interest of consistency.

14. The planning history and details of discussions with planning officials are a separate matter, which has no bearing on whether the Parks and Open Spaces designation is justified.

15. Whether development would do more to ensure ongoing management of the trees, as is claimed in the representation, is a matter to be weighed along with all other factors in any subsequent planning application as part of the normal development management process.

Common grounds of Lennox Court/ Rotherwood Court flats, Bearsden (162)

16. As the council points out, the common grounds form privately owned and maintained garden ground and open space associated with the adjoining flats. However, to formally designate such land as Parks and Open Space would not be consistent with designations over the rest of the plan. The Parks and Open Space designation is not designed to protect against future building development, so that is not a basis for using it as proposed by the residents' association.

Various open spaces in Bearsden (103)

17. The open spaces in question are those bounded by:

- Baljaffray Rd, Kilpatrick Drive, Moorfoot Way and Patterson Place
- Baljaffray Rd, Moorfoot Way and Cromalt Crescent
- Menteith Gardens, Kilbreck Gardens, Wyvis Ave, Glen Lyon Court and Scholars Way.
- Stockiemuir Rd, Stockiemuir Ave and Bailie Drive
- Grampian Way, Ochil Rd, Cruachan Rd and Ledi Drive.

18. All are established areas of open space laid out in association with the adjoining residential estates and are integral to the built up area of Bearsden. They do not serve the purposes of green belt as set out in Scottish Planning Policy. It would therefore be contrary to that policy to alter their designation to green belt.

Canniesburn Toll, Bearsden (198)

19. The landscaped traffic island at Canniesburn Toll and the small parcel of woodland to the south of the Toll are small patches of incidental space. The traffic island is not accessible to the public. Their effectiveness as part of a wildlife corridor, together with Canniesburn Hospital site and Garscube Estate, is adequately protected by the existing Tree Preservation Order and designation as part of an Important Wildlife Corridor. Formal designation as Parks and Open Spaces would not be consistent with the application of that designation elsewhere in the plan area.

Playing fields and sports pitches (117)

20. National policy presuming against the development of playing fields is contained in Scottish Planning Policy. There is no need to repeat this in the local plan. In practice, identifying the precise boundaries of playing fields and sports pitches within wider areas of

open space can be difficult; consequently, giving them a separate designation is impractical. However, it would be appropriate to make it clear within the text that open space includes pitches and playing fields.

Accessibility of open space (130)

21. Detailed matters such as the need to provide good links to open space for new and existing residents of a particular area, are more properly addressed in the guidance notes which the council is to publish.

Reporter's recommendations:

Land east of Allander Park and south of North View, Bearsden, (16)

1. The woods between Maxwell Avenue and Henderland Road should be designated as Parks and Open Spaces on the proposals map.

Playing fields and sports pitches (117)

2. It should be made clear within the text that open space includes pitches and playing fields.

Cluny Park/land east of BP petrol filling station at Canniesburn Toll, Bearsden (154)

3. On the proposals map, amend the boundary of the parks and open space designation to the east of the BP petrol filling station at Canniesburn to omit operational land associated with the filling station.

Other representations

4. No amendments are required in respect of other representations.

Issue (ref and handling):	Issue 7.1 - Proposed Housing and Mixed Use Sites in Green Belt – Bearsden	Reporter: MALCOLM MAHONY
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
<p>Mr Ian Buchanan & Mr Russell Buchanan (9)</p> <p>Muir Smith Evans on behalf of the University of Glasgow (25)</p> <p>Keppie Design on behalf of AS Homes and Bearsden Golf Club (109)</p> <p>McInally Associates on behalf of Stewart Milne Homes (190)</p> <p>McInally Associates on behalf of Stewart Milne Homes (191)</p>		
Provision of the development plan to which the issue relates:		
<p>On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.</p>		
Council’s summary of the representation(s):		
<p>Mr Ian Buchanan & Mr Russell Buchanan (9)</p> <p>In conjunction with representations from both Bearsden Golf Club and A S Homes Ltd. (109) support the release of land for residential development in the vicinity of Bearsden Golf Course Club House, to facilitate the extension and improvements to the Golf Course.</p> <p>A change of agricultural land to golf course use is justified on the following grounds:-</p> <p>It has not been farmed for over 20 years, is subject to fly tipping and anti-social behaviour, is isolated from other agricultural businesses, and no tenants are interested.</p> <p>The loss of one existing hole for a small housing development to fund this golf course extension is worth developing to improve the overall environment, improve the quality of the golf course and ensure a viable use for the longer-term for our fallow land.</p> <p>Muir Smith Evans on behalf of the University of Glasgow (25)</p> <p>The University has extensive interests in the Garscube Estate, part in Glasgow and part in East Dunbartonshire. It contains a range of world standing teaching and research facilities, and sporting and recreational facilities. There should be a logical and integrated planning policy framework for the whole of the Garscube Estate, allowing for limited, appropriate development of world-class facilities without undermining the parkland environment.</p> <p>Glasgow City Councils City Plan 2 has replaced the green belt designation with a green space policy. Despite previous submissions it is disappointing the Finalised Draft Local Plan doesn’t take on board the University’s concerns regarding a positive policy framework for Garscube.</p> <p>The University objects to Policy GB1 being applied to the Garscube Estate. Subject to further discussions and without prejudice, the University suggests that Policy NE2 – Protection of Greenspaces maybe an appropriate policy to consider. In support of this:-</p>		

The lands at Garscube represent a unique resource for a high quality environment for University activities and buildings.

- Continuation of green belt policy will discourage development, that otherwise would benefit the Council's strategic aim to locate jobs and investment.
- The green setting is important to the University. However green belt designation will frustrate the realisation of the potential of the land.
- With the removal of the green belt designation on the Glasgow side there is left a small 'island' of green belt entirely surrounded by existing development and other policy designations. It is questioned whether this is consistent with Scottish Planning Policy 21 (Green Belts) guidance on the purpose, location, test for robustness and visual identification.

Keppie Design, on behalf of AS Homes and Bearsden Golf Club (109)

Seek the release, for residential development (max. 40 houses), of land at Thorn Road Bearsden, currently part of Bearsden Golf Course, to facilitate the extension and improvements to the Golf Course.

Release is justified on the following grounds:

Housing Land Supply

The Council continued to fail to address issues highlighted in SPP3 – Planning for Homes, in respect of delivering, choice, quality of range of opportunities for all types of housing sites.

Object to the level of effective housing supply. Detailed analysis demonstrates additional land should be released in LP2, capable of accommodating at least 300 units, to maintain an effective local market within the Bearsden and Milngavie area. This should be identified on a number of sites released from the green belt, as no alternative effective brownfield sites exist, or are indeed identified in LP2. Though the GCVSP 2006 does not require East Dunbartonshire to release land for wider conurbation needs, this does not mean land should not be identified to meet a local market. This was the justification for past releases at Bearsden Golf Club, and more recently, following a Local Plan PLI, at Lynn Drive and the Fire Station Field, Milngavie.

In addition, when combining a modest housing release with improved leisure facilities and the long term management of the greenbelt, this proposed masterplan also fulfils the terms of SPP11 - Planning for Sport and Recreation.

Green Belt

SPP21 requires local plans to take a 20 year look (para. 16) at defining the urban edge of settlements. *"Inner boundaries should not be drawn too tightly around the urban edge. The area of land between the current settlement edge and the greenbelt should be identified in development plans on the broad extent of future growth."*

The Council's greenbelt review appears not to require any boundary adjustment for the next 20 years in Bearsden and Milngavie. This cannot be a sustainable, based on the need to continue to form an effective housing land supply and maintain a vibrant greenbelt.

A S Homes and Bearsden Golf Club consider a limited extension of the urban area at Bearsden is appropriate. The residential and recreational split protects the green belt separating Bearsden from Glasgow and West Dunbartonshire.

Key objectives of greenbelt policy would be met:- planned growth directed to an appropriate location; countryside access and recreational use enhanced; the character and landscape

setting of Bearsden protected; substantial boundaries and significant remaining greenbelt land would not lead to coalescence or merging; residential development would control the growth of Bearsden in perpetuity, through a Section 75.

Removal of a modest and defensible area adjacent to Bearsden would not offend the objectives of the Structure Plan Greenbelt Policy for the same reasons.

Antonine Wall and Core Footpath Issues

Concerned a golf course development is considered acceptable relative to the Antonine Wall. Wall, and are anxious to have the support of Policies HE1A and 1B (Antonine Wall and Buffer Zone) for this recreational proposal which does conform with the greenbelt and recreational policies of the Plan. There will be no built development other than the clubhouse and a maintenance shed within the Amenity Zone and none under the monument itself.

Object to the line bisecting the golf course, as it affects Castlehill Farm and Bearsden Golf Club, particularly if it affords the route a legal status, similar to a right of way. There would not be an objection to providing a pedestrian link but its precise line would rely on a finalised golf course layout.

McInally Associates, on behalf of Stewart Milne Homes (190)

Seek the release of land, mostly in agricultural use but also including a Council owned sports pitch and recreation space at Langfaulds, Bearsden, for the following purposes:-

- Private houses and low cost/affordable housing
- Integrated sports facilities (including pavilion and pitches)
- Additional open space, and recreational and sporting facilities

Submission supported by a Community Facilities and Public Transport Services report.

Release is justified on the following grounds:

Housing Land Supply

SPP 3 - Planning for Homes seeks quicker release of land to increase house building by 10,000 units to 35,000 per year. Local authority development plans should provide a generous supply of land to meet identified housing requirements across all tenures for a period of up to 10 years. This can include extensions to existing towns and villages which can be integrated with public transport, walking and cycling networks. On balance the release of certain areas of greenfield land may result in a more sustainable pattern of development than relying on brownfield sites.

These aspects of SPP 3 are fully reflected in the proposals including upgrade to the existing golf course facilities and provision of affordable housing, the sites relationship to the existing settlement, its location and accessibility to existing public transport and community facilities.

Green Belt

SPP 21 Green Belts (April 2006) states that "Inner boundaries (of the green belt) should not, therefore, be drawn to tightly around the urban edge. They should create an area between the current settlement boundary and the green belt suitable to accommodate planned growth over the 20 year period without the need to encroach on green belt land." The current Green Belt boundary adjoining Bearsden does not ensure planned long term growth can be accommodated. Langfaulds should be as the site can meet demand for future growth and potential requirement for housing (including affordable), ensure rounding-off of the urban form and produce a more rational defensible long term boundary, avoid the need for incremental amendments, and improvements the landscape setting of Bearsden.

Accessibility

SPP 17 AND PAN 75 : Planning for Transport state new land allocations should be appraised in relation to transport opportunities and constraints. With reference to the supporting Community Facilities and Public Transport Services report the site is accessible to existing public transport services. Furthermore additional housing at this location will also increase the viability of existing community and public transport facilities.

McInally Associates on behalf of Stewart Milne Homes (191)

Seek the release, for residential development, of agricultural land (2 sites:- Kessington 4.5 ha. and Birnam Crescent 2.4 ha.) to the east of Bearsden.

Submission supported by a Community Facilities and Public Transport Services report.

Release is justified on the following grounds:-

Housing Land Supply

SPP 3: Planning for Homes seeks quicker release of land to increase house building by 10,000 units to 35,000 per year. Local authority development plans should provide a generous supply of land to meet identified housing requirements across all tenures for a period of up to 10 years. This can include extensions to existing towns and villages which can be integrated with public transport, walking and cycling networks. On balance the release of certain areas of greenfield land may result in a more sustainable pattern of development than relying on brownfield sites. These aspects of SPP 3 are again full reflected in the shape and form of the proposals, their relationship to the existing settlement and the surrounding landscape and their location and accessibility to existing public transport and community facilities.

Green Belt

SPP 21 Green Belts (April 2006) states that "Inner boundaries (of the green belt) should not, therefore, be drawn to tightly around the urban edge. They should create an area between the current settlement boundary and the green belt suitable to accommodate planned growth over the 20 year period without the need to encroach on green belt land." Identifying these sites within the urban area will help ensure rounding-off of the urban form to produce a more defensible boundary as well as contributing to the potential future growth of Bearsden, provide for long term growth and a sustainable Green Belt boundary and avoid the need for future incremental amendments. Recreational access and the landscape setting will also be improved.

Accessibility

SPP 17 AND PAN 75 : Planning for Transport (August 2005) states new land allocations should be appraised in relation to transport opportunities and constraints. With reference to the supporting Community Facilities and Public Transport Services report the sites are accessible to existing public transport services. Furthermore additional housing development at this location will also increase the viability of existing public transport and community facilities.

Modifications sought by those submitting the representations:**Mr Ian Buchanan & Mr Russell Buchanan (9)**

Realign the greenbelt boundary to include land at Bearden Golf Club in the settlement, and allocate land for residential development to facilitate the extension and improvements to the Golf Course.

Muir Smith Evans on behalf of the University of Glasgow (25)

The present green belt zoning should be replaced with an open space zoning similar to Policy NE2 – Protection of Greenspaces.

Keppie Design, on behalf of AS Homes and Bearsden Golf Club (109)

Realign the greenbelt boundary to include land at Bearden Golf Club in the settlement, and allocate land for residential development to facilitate the extension and improvements to the Golf Course.

McInally Associates, on behalf of Stewart Milne Homes (190)

Realign the greenbelt boundary to include land at Langfaulds in the settlement, and allocate land for residential development and low cost/affordable housing, integrated sports facilities (including pavilion and pitches) and additional open space, recreational and sporting facilities.

McInally Associates, on behalf of Stewart Milne Homes (191)

Realign the greenbelt boundary to include land at Kessington and Birnam Crescent in the settlement, and allocate land for residential development and (at Kessington only) sheltered and low cost/affordable housing.

Summary of response (including reasons) by planning authority:**1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.**

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable

housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association / public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (Paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (Paragraph 87) states that *“policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”*. In this regard, the SHIP (November 2009) states that indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop out all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, Page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

- i. Green belt designation should provide clarity and certainty on where development will and will not take place.
- ii. Green belts can have particular benefit where a co-ordinated approach to settlement planning is required across local authority boundaries.

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (p20).

The SP does not identify any strategic development locations in East Dunbartonshire (p.20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (p. 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (p30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The designated area, boundaries and development management guidance of East Dunbartonshire's Green Belt are key elements of the MDS and fully accord with relevant national and strategic policy guidance.

The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan; as the SPP notes:

"In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt."

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i. progress with community regeneration initiatives at Twechar,

- ii. a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii. a major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt is strongly defined by appropriate man made and natural features. A range of appropriate physical and topographical features also constrained built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites are would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release, in particular the provision of sports and leisure facilities. See Core Path Plan issue for a specific response on Keppie Design (109) representation on this issue. None are deemed of sufficient weight to justify departing from national and strategic guidance.

With specific reference to:

- Muir Smith Evans, on behalf of the University of Glasgow (25), the Council remains of the view that, notwithstanding the decision of Glasgow Council to remove green belt designation for adjoining land, this land still fulfils important green belt functions, particularly to prevent the complete coalescence of Bearsden with the north west of Glasgow.

Reporter's conclusions:

Castlehill (9; 109)

1. The site is located on the south-west side of Bearsden. It comprises the course and buildings at Bearsden Golf Club and fallow agricultural land to the north. The proposal is to build up to 40 houses on an area variously referred to as 3.5ha and 3.2ha in the location of the existing clubhouse, car park, maintenance shed and first hole. These are located at the eastern end of the course adjacent to existing housing. The proceeds of the residential development would be used to finance the extension of, and improvements to, the course. In particular, the present 9 hole course would be extended at its northern end to provide 18 holes in total. The land for that extension is currently part of Castlehill Farm. Greens, tees, bunkers, drainage and irrigation of the course would be upgraded and a new clubhouse built with road access in the vicinity of the existing Castlehill Farm access lane. The housing would be screened from the golf course by fences and planting. It is stated that the proposal would also improve land for agriculture and bring it back into active use.

2. The land in question forms part of an important green wedge separating Bearsden from the neighbouring Drumchapel district of Glasgow. Built development in the location proposed would eat into that green wedge thereby reducing the separation and failing to protect the identity of both towns.

3. It is not clear why the agricultural fields cannot be put to productive use. It has been claimed, but not demonstrated, that they are isolated from other agricultural businesses, and

that is not self-evident. I saw little evidence of fly tipping, or that the land was especially unsightly.

4. Whilst it is accepted that improvements to the golf club would be of benefit to local recreational provision, that is not sufficient grounds for allowing a proposal contrary to strategic policy on green belts.

5. The examples of green belt release cited on behalf of the developers are entirely different in their circumstances and do not support their case. In the cases of Fire Station Field and Lynn Drive, the land no longer served the purposes of green belt designation and more robust alternative green belt boundaries were available. I have insufficient information regarding the land at Southview Drive, Bearsden to draw any conclusions from its release.

Garscube Estate (25)

6. The University of Glasgow's Garscube Campus extends over land mostly within Glasgow City but with a smaller part in East Dunbartonshire. Within the estate, the university has teaching and research facilities, as well as sporting and recreational facilities. The River Kelvin flows through the campus. In general, playing fields, open spaces and mature trees are found closer to the banks of the river, with most of the buildings being set back closer to Switchback Rd and Maryhill Rd on either side.

7. The East Dunbartonshire part of the campus includes the Beatson Institute for Cancer Research, the new Small Animal Hospital and the Weipers Centre for Equine Welfare. The land they stand on is excluded from the green belt, but the balance (which is mainly closer to the river but includes two parcels alongside Switchback Rd) is designated green belt. This island of green belt is separated from the main green belt at Killermont Golf Course and beyond by built development either side of Maryhill Rd.

8. The university wishes an integrated planning policy framework to allow for limited and appropriate development of world class facilities without undermining the parkland environment. They point out that Glasgow City Council's City Plan 2 has replaced the green belt designation for its part of the campus with a green space policy. That policy, DEV11 (Green Space), imposes a strong presumption in favour of retention of all public and private green/open space.

9. Subject to caveats, it is suggested for the university that Policy NE 2: Protection of Greenspaces of the EDLP2 might be an appropriate equivalent with which to replace green belt status. Policy NE 2 protects greenspaces from development likely to have an adverse impact, in the light of the council's Greenspace Strategy.

10. EDC considers the land still fulfils green belt functions, including preventing the complete coalescence of Bearsden with the north west of Glasgow. In that respect, the guidance provided by SPP is that "Green belt designation can be used to prevent the coalescence of settlements". However, the SPP also states that "existing major educational and research uses" "should be excluded from green belt designations".

11. I consider that the land forms an attractive and effective green wedge with open space, access, wild life corridor and other environmental benefits. Its parkland character enhances the landscape setting of both Bearsden and Glasgow. It serves an important purpose in preventing further coalescence of Bearsden with Glasgow. The council's objectives in those respects should be supported. However, I interpret current guidance to be that this objective can be, but need not necessarily be, achieved by green belt status. As the campus is clearly a major educational and research use, national guidance is that it should be excluded from green belt designation. No convincing reason has been given for making the Garscube Campus within East Dunbartonshire Council area an exception to that advice.

12. This leaves the question of how the council's policy objectives can be otherwise maintained. At Garscube, the land is subject to two designations in addition to green belt designation: Parks and Open Space, to which policies OS1, NE2 and NE3 apply, and Historic Garden and Designed Landscape, to which policy HE5 applies. There is no representation demanding the removal of those policies and they would therefore remain. I am satisfied that the protection afforded by those 4 policies would be sufficient to maintain the council's objectives.

Langfaulds (190)

13. The site lies on the north-west side of Bearsden. It appears to constitute the same site as was considered at the 2003 local plan inquiry, which was said to be some 19ha in extent. It comprises several undulating fields currently in use for agriculture, together with a council-owned sports pitch and recreation space. The developers wish the land to be released for housing, including low cost/affordable housing, sports facilities, open space, and recreational facilities.

14. An indicative site layout shows housing over most of the eastern half of the site with sports, recreational and open space facilities over the western half. There would be a park and toddlers' play area off Nevis Rd.

15. The whole site projects some 700m to the west of the built up area, within which the housing area would project over 350m to the west. The proposal would represent a major incursion into the open countryside. It would unacceptably reduce the gap between Bearsden and Duntocher/Faifley, blurring the identity of both settlements.

16. At present, there is active recreational use of some of the land, and the fields as a whole help to create a pleasant rural landscape setting for Bearsden. For these reasons, the land fulfils the purposes of the green belt.

17. The existing green belt boundary largely follows the line of through roads serving the existing housing estate to the east. As such it forms a reasonably strong boundary; certainly there is no more suitable feature in the vicinity to replace it.

18. The proposal would represent a strategic scale of release for which there is no justification in the structure plan or on the basis of housing land supply figures (as discussed under issue 3.2).

19. The provision of affordable housing, additional sports and recreation facilities, and landscaping, whilst desirable in their own right, would not justify release of this land from the green belt.

Kessington (191)

20. The site is located to the south-east of Bearsden, immediately to the south of Boclair Academy and to the rear of housing on Inveroran Drive. Templehill Wood (designated as a Local Nature Conservation Site and as Parks and Open Spaces) stands to the south. The site extends to some 4.5ha, lies in a dip between Boclair Academy and the woods, and appears to be in use for rough grazing, including for horses. Farm steading buildings are located towards the south-western corner.

21. An indicative layout drawing shows 54 detached dwellings and what appear to be some flatted blocks. It is stated that the development could provide houses, flats, and low cost/affordable housing. There is said to be potential for additional woodland planting to the east of the site, and for protection and enhancement of Templehill Wood.

22. The land makes a limited contribution to green belt purposes in that it continues the rolling farmland character of this locality, although this is abruptly terminated by the engineered slopes around the school playing field.

23. The existing green belt boundary extends round the school grounds, which project out beyond the built up area. The boundary then follows, in turn: domestic rear gardens, which are marked by fences and short lengths of hedging; a short length of Inveroran Drive, which has post and wire fencing and a few trees of variable quality along this length; and then the western end of Templehill Wood. It follows no strong visual or physical landscape features of the kind defined in Scottish Planning Policy.

24. However, although development of the site would be contained by built development to the west and north, and the woodland to the south, the proposed eastern perimeter follows no natural feature. Indeed, it cuts across the contours. Whilst, in the longer term, the suggested additional woodland planting on the eastern side could create a sense of enclosure, that would remain a weak feature for many years. To release the land would not therefore result in a stronger boundary.

25. I note that a site in this location was rejected by the inquiry into the predecessor local plan. But that site was larger, extended further to the east and had significant adverse landscape impacts. It also reduced the gap between Bearsden and the Summerston area of Glasgow. It is insufficiently similar to assist with assessing the present proposal.

Birnam Crescent (191)

26. The site comprises a triangle of land projecting eastward from the eastern edge of Bearsden. It extends to 2.4ha. The developer intends to build 8 houses with generous provision of open space and landscaping, as shown on an indicative layout drawing.

27. Far from rounding off the urban form, as claimed, the scheme would project out into open countryside and represent urban sprawl. In its present condition, the land forms part of the attractive landscape setting to this part of Bearsden.

28. Whilst the existing green belt boundary in this location is not ideal, the proposal would not move that boundary to a stronger landscape feature; consequently, it would not represent a more defensible position.

29. The site lies within the Antonine Wall Buffer Zone. Policy HE1B of the plan presumes against development within that zone which would have an adverse effect on the site and its setting other than where, among other things, mitigating action is taken to the satisfaction of the Council, in consultation with Historic Scotland. I have been provided with no assessment of such matters.

Reporter's recommendations:

Garscube Estate (25)

1. Green belt status should be removed from the Garscube Estate and replaced by protection under Policy NE 2.

Other representations

2. No amendments are necessary.

Issue (ref and handling):	Issue 7.2 - Proposed Housing and Mixed Use Sites in Green Belt – Bishopbriggs	Reporter: MALCOLM MAHONY
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
Keppie Design on behalf of Taylor Wimpey Ltd (98) Montagu Evans on behalf of Caledonian Properties Ltd (160) Montagu Evans on behalf of Caledonian Properties (161)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council’s summary of the representation(s):		
Keppie Design, on behalf of Taylor Wimpey, Ltd. (98) Seek the release, for residential development (c. 300 units), of 9.7 Ha agricultural land in the vicinity of Wester Lumloch Farm Release is justified on the following grounds: <u>Housing Land Supply and Urban Capacity</u> Whilst the adequacy of housing numbers, per the Glasgow and Clyde Valley Structure Plan is noted, there is a specific locational need to identify more housing land in order to achieve a key aim of LP2 to deliver the Bishopbriggs Relief Road. In terms of SPP3 additions to the Structure Plan minimum target figures can be allowed for other more local demand led reasons. It is therefore assessed that whilst the Local Plan has identified a reasonable capacity of supply for Bishopbriggs globally, in order to achieve other Local Plan policy aims, additional greenfield land at this locus is required to deliver the wider strategy of the Local Plan. <u>Green Belt</u> SPP21 requires local plans to take a 20 year look at defining the urban edge of settlements. “Inner boundaries should not be drawn too tightly around the urban edge. The area of land between the current settlement edge and the greenbelt should be identified in development plans on the broad extent of future growth”. The Council’s Green Belt review appears not to require any boundary adjustments around Bishopbriggs or any other part of urban East Dunbartonshire for the next 20 years. This view cannot be substantiated for this objection site for both reasons of greenbelt function and landscape setting. In addition, the Bishopbriggs Relief Road has yet to be constructed, and therefore the existing boundary of greenbelt is temporary in nature. Indeed, the road (the Council’s new boundary) will not be built without further housing releases. Therefore object to the current definition of greenbelt at this locus. The Bishopbriggs Relief Road should be set in a corridor rather than define an edge. Landscape features should be preferred to an, as yet, un-built infrastructure project. A very narrow steeply sloping site		

remains. This area could be landscaped to reinforce the urban edge in which the Bishopbriggs Relief Road is set.

Transportation Policy

Policy Trans 3 requires developers to deliver the Bishopbriggs Relief Road within the lifespan of the Local Plan. Whilst itself not objectionable, it is undeliverable/unsustainable based on the level of housing release. It is further unrealistic to seek "development on this area to proceed only by building the road to reduce traffic flows and pollution in Bishopbriggs Town Centre". This implies nothing further be built in Bishopbriggs until the road is constructed, again unrealistic and unsustainable. The Plan requires funding to be in place to deliver the road by allocating enough land to pay for its construction. Based on current circumstances and economic climate, this policy will blight the entire Bishopbriggs land use strategy.

Montagu Evans, on behalf of Caledonian Properties Ltd. (160)

Seek the release, for residential development, of agricultural land in the vicinity of Westerhill Farm.

Release is justified on the following grounds:

Sustainable Development

This site could significantly contribute to the Council's aspirations for a sustainable future for East Dunbartonshire, compliment the settlement of Bishopbriggs and promote sustainable lifestyles.

Policy SPD 1 promotes sustainable growth in East Dunbartonshire. The Population and Human Health section of Appendix 6 (Summary of Key Findings on the State of the Environment) recognises East Dunbartonshire currently has an ageing population structure and population levels are also projected to decline, all to the detriment of economic vitality. To alleviate this the Council should aim for population growth through further housing allocations. Significant benefits include support for local facilities, infrastructure and attraction and retention of young families. To achieve this a mix of houses at varying prices is required.

Green Belt

Whilst the site is a greenfield location SPP21 - Green Belts advocates identification of land to accommodate planned growth over a 20 yr. period, as part of a long-term settlement strategy. Policy TRANS 3 promotes the Bishopbriggs Relief Road, and highlights the need for developer contributions. The deliverability of further phases of the BRR within the lifespan of the Local Plan is questionable. One of the key issues has to be funding, which could be derived from land releases in this locality.

Housing Land Supply

With reference to SPP3 - Planning for Homes the site is capable of providing high quality well located new housing in support of national aspirations for enhanced house building rates. It is also accessible by choice of transport options and infrastructure, education and community facilities are available.

Montagu Evans on behalf of Caledonian Properties (161)

Seeks to vary the line of the Bishopbriggs Relief Road, as proposed, north of the rail line. Moving the line of the road east, to enclose additional land and further housing land allocations, could contribute funding towards the Bishopbriggs Relief Road under Policy TRANS 3.

Modifications sought by those submitting the representations:**Keppie Design, on behalf of Taylor Wimpey, Ltd. (98)**

Realign the greenbelt boundary to include land at Wester Lumloch Farm within the settlement boundary, allocate for residential development to facilitate the delivery of the Bishopbriggs Relief Road.

Montagu Evans on behalf of Caledonian Properties Ltd (160)

Realign the greenbelt boundary to include land at Westerhill Farm within the settlement boundary, allocate for residential development to facilitate the delivery of the Bishopbriggs Relief Road.

Montagu Evans on behalf of Caledonian Properties (161)

Amend the line of the proposed Bishopbriggs Relief Road by shifting it to the east, enclosing additional land within the urban envelope and identifying further housing land allocations.

Summary of response (including reasons) by planning authority:**1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.**

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No change to the LP2 is necessary in this respect.

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Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i. progress with community regeneration initiatives at Twechar,
- ii. a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii. major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt is strongly defined by

appropriate man made and natural features. A range of appropriate physical and topographical features also constrained built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites are would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release, in particular the facilitation of the construction of the Bishopbriggs Relief Road. None are deemed of sufficient weight to justify departing from national and strategic guidance.

Reporter's conclusions:

Land at Wester Lumloch Farm (98)

1. Wester Lumloch Farm stands a little to the east of Bishopbriggs. Along the edge of the built up area, Local Plan 2 allocates 3 parcels of land for housing and mixed uses. These would be bounded to the east by the line of the proposed Bishopbriggs Relief Road. The green belt boundary would be moved to the line of the new road.
2. In this locality where no strong natural features are available, the line of the new distributor road would form a robust boundary of a type envisaged in Scottish Planning Policy. Green belt boundaries are intended to be of long standing. Delivering the new road is an important aim of the plan and can be expected to be built in due course.
3. In June 2008, the Council indicated that it was minded to grant planning permission to George Wimpey West Scotland for 256 houses on land east of Miller Drive (in locations shown on the local plan), subject to a legal agreement to construct phase 3 of the relief road (between the roundabout on Auchencairn Rd and a proposed roundabout on Wester Cleddens Rd) together with a financial contribution towards the A803 Route Corridor Strategy and other benefits. I understand that negotiations on the agreement have not yet been concluded.
4. The site subject of this representation would stand on the far side of the new road. The proposal is for about 300 housing units occupying some 9.7ha of what is said to be lower quality agricultural land on the shallow west-facing slope of a low hill. It would be developed by Taylor Wimpey in augmentation of the Bishopbriggs East site.
5. The proposed new boundary would not follow any clear cut landscape feature and would have to be reinforced by extensive new planting. It would project into open countryside, increasing urban sprawl and inviting subsequent development applications on nearby land. The development would be prominently visible over a wide area. Whilst early completion of the relief road would be preferable, especially in view of the requirement of policy TRANS 3(ii), I do not accept that the weak and contrived boundary proposed should be preferred simply because it can be provided sooner. The offer of funding support towards the new road might result in its earlier provision but is not a sufficient reason to release green belt land. I have been provided with no evidence to support the claim that additional development is required for the funding of the relief road, together with drainage works, to be viable.

6. The scale of housing proposed would not conform to the strategic policy of the structure plan.

Land at Westerhill Farm (160)

7. The site comprises 3 fields in agricultural use. It includes land on the urban boundary to the north of the proposed Wester Lumloch Farm site (above) and extending almost one kilometre to the east. The western end of the site, within the line of the proposed Bishopbriggs Relief Road, is already allocated for housing and mixed use development in Local Plan 2. The representation must therefore relate to the balance (and majority) of the land, which lies to the east.

8. In this locality where no strong natural features are available, the line of the new distributor road will form a robust green belt boundary of a type envisaged in Scottish Planning Policy. By contrast, the representation site would be bounded by Westerhill road, a minor road, and Robroyston Rd (B812). These wind across the landscape, cutting across topographical features, and would form a weak boundary. Development here would be widely visible, damaging the character and landscape setting of Bishopbriggs. Moreover, the site would project far into open countryside in a form of urban sprawl, which planning controls seek to prevent.

9. The offer of funding support towards the new Bishopbriggs Relief Road might result in its earlier provision but is not a sufficient reason to release green belt land.

Land east of Westerhill SIBL (161)

10. The site lies to the east of Westerhill Strategic Industrial and Business Location (SIBL). The proposals map shows the Bishopbriggs Relief Road bounding the SIBL to the east and forming the green belt boundary. This representation seeks to vary the line of the relief road so as to enclose additional land for development, including housing land. It is argued that this is needed to make funding of the northern section of the road viable. No further details of the site or its development are provided.

11. No detail regarding the alleged problems in funding of the northern stretch of the relief road and has been submitted so I am unable to draw any conclusions from that argument.

12. Since the proposed line of the relief road takes a direct route, it would seem that the proposed variation in road line would result in a longer and therefore probably more expensive road. The route will also be subject to constraints in the form of the existing VOSA test station and new prison located immediately to the north. Any new housing would be isolated from existing residential areas and facilities. For the amenity of any new housing to be protected, and to avoid restrictions on the operation of the business park, it is likely that a major buffer zone would be necessary, entailing further encroachment into the green belt. Development in this direction would significantly reduce the gap between Bishopbriggs and Kirkintilloch, thereby undermining the identity of both towns.

Reporter's recommendations:

No amendments are necessary.

Issue (ref and handling):	Issue 7.3 - Proposed Housing and Mixed Use Sites in Green Belt – Kirkintilloch and Lenzie	Reporter: MALCOLM MAHONY
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
<p>CALA Homes (West) Ltd (1) GVA Grimley on behalf of Mr A Henderson Braes of Yetts Farm, Kirkintilloch (115) Ryden Consulting on behalf of CALA Homes (118) Colliers CRE on behalf of Miller Homes West Scotland (141) Graham and Sibbald on behalf of Royal Bank of Scotland plc (154) Ryden Consulting on behalf of CALA Homes (174) Ryden Consulting on behalf of CALA Homes (193)</p>		
Provision of the development plan to which the issue relates:		
<p>On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.</p>		
Council’s summary of the representation(s):		
<p>CALA Homes (West) Ltd (1) Cala Homes West Ltd. supports the development of a multi-sport complex at Crosshill Rd./Boghead Rd. Lenzie, with associated detached housing development (Note:- No further supporting comments were submitted)</p> <p>GVA Grimley on behalf of Mr A Henderson (115) Seek the release, for residential development, of agricultural land at Braes of Yetts Farm, adjacent to the eastern boundary of Kirkintilloch.</p> <p>Release is justified on the following grounds:</p> <p><u>Housing Land Supply</u> Housing land supply figures in the GCV Joint Structure Plan 4th Alteration (Approved April 2009) and the East Dunbartonshire Council Housing Land Audit (2007) have been assessed in detail. Structure plan allocations have regard to a number of policy considerations. Current figures are not reflective of the new Housing Needs & Demand Assessment (HNDA) being produced by the new Glasgow City Region Strategic Development Plan team. The previous effective supply promoted by East Dunbartonshire Council should now be considered unreliable given the number of effective sites now constrained by escalating site costs and recent market downturn. The new HNDA model explains additional sites be promoted over and above that necessary for housing land requirements. Furthermore, targets for house completions should be met. Effective proposals not coming forward should either be removed or replaced with other sites.</p> <p>EDC identify the former Woodilee Hospital, Lenzie as the main effective supply in the Kirkintilloch area, providing 858 dwellings at 100units pa, 2009 to 2014. Given the market downturn there is no certainty development will come forward in the timescales</p>		

anticipated. National policy advice indicates additional land should therefore be allocated. Relying on one large release to provide the majority of housing may result in significant shortfalls in housing supply.

SPP3: Planning for Homes supports an increase of 35,000 units per year. Though affected by the market downturn increased supply is required to improve medium term affordability. Other SSP 3 objectives are also relevant, e.g. allocation of a generous supply of land to meet identified housing requirements, effective site programming and benefits of extending existing settlements.

Green Belt

The land is presently allocated as greenbelt. There is also an important wildlife corridor on the southern boundary.

EDC's green belt review (2007-2008) concluded there is no requirement for greenbelt release at this location. This is not a well defined greenbelt boundary. Release would create a more defensible boundary in landscape and topography terms. The site can also integrate with and enhance Merkland Nature Reserve. Core path routes could also be enhanced.

Development would not result in urban sprawl and ribbon development eastwards, and there is no specific support for development being inappropriate in landscape terms. The site is a natural extension to the greenbelt and will assist in creating a defensible boundary at the eastern edge of Kirkintilloch.

Ryden Consulting on behalf of CALA Homes (118)

Seek the release, for residential development, of 5.2 ha. of disused agricultural land to the south of the southern built up area of Lenzie.

Submission supported by a landscape appraisal.

Release is justified on the following grounds:-

Planning Appeal

A 1992 planning appeal was unsuccessful, though the Reporter noted:-

- i) 'highly persuasive' arguments that the then proposed Kirkintilloch Link Road (KLR) would be justify revisions to the green belt boundary and the in-fill of the intervening area.
- ii) following the completion of the KLR the possibility the green belt boundary being revised and the intervening area infilled.

Construction of the road is now well advanced and it is now appropriate to review the allocation of the Claddens South site.

Previous Local Plan Report

The site was promoted for residential development through the current East Dunbartonshire Local Plan. In 2003 the PLI Reporter stated, in relation to the Council's evidence, that:- "A road can make a good green belt boundary, as is intended in Bishopbriggs." Again, given that the new KLR is nearing completion, it is now opportune to review the designation of the Claddens South site as green belt and its potential for housing.

Glasgow and Clyde Valley Structure Plan (GCVSP)

The GCVSP Metropolitan Development Strategy requires local plans to define the detailed boundaries of the Green belt. This is particularly relevant to this case since the Claddens

South site is located within an area presently designated as green belt in the emerging local plan.

Other Material Considerations

SPP 3 Planning for Homes (Revised 2008) provides guidance on the "allocation of a generous supply of land to meet identified housing requirements across all tenures, including affordable housing, and related policy objectives". Furthermore, importantly, as is the case with the Structure Plan, SPP3 does not place an embargo on the release of greenfield sites for development. SPP3 also promotes sustainable settlement strategies, efficient use of infrastructure, accessible locations and co-ordination of housing land provision with improvements in infrastructure. The development of the Claddens South site would be wholly consistent with these objectives.

Scottish Planning Policy 21 - Green Belt

The site is isolated from other areas of public open space and, in particular, other parts of the greenbelt. It is not used for outdoor recreation. Residential development would be a logical extension to the settlement envelope. Landscaping can mitigate any visual impacts. This is supported by a detailed landscape assessment. Surrounding uses, e.g. the KLR and a Local Nature Conservation Site preclude coalescence.

SPP21 notes that green belt boundaries must allow for development around the urban edge. Greenbelt boundaries must also be clearly identifiable on the ground. The green belt boundary would therefore be most appropriately located on the KLR to the west and the Cults Burn to the south. Overall it would be categorised as a minor amendment, and would be permissible through the relevant Structure Plan policies and national guidance.

The Council's Green Belt Boundary Review did not specifically mention the site. Compared to a nearby identified site (Orchard Estate), this site would not raise significant issues of coalescence, and is not designated a LNCS. In relation to the Woodilee site to the north, the Review identifies the railway line and KLR as strong, defensible boundaries for eastern Lenzie, providing further justification for excluding the site from the greenbelt. In addition LP2 has already made certain greenbelt adjustments to reflect new consents or improve the defensibility of the boundary.

Delivering Housing

The LP relies on 4 sites to deliver a very significant proportion of housing, with the former Woodilee Hospital delivering 858 units. The current economic climate will delay delivery of these large complicated sites resulting in restricted housing choice and severely limiting supply of affordable housing. The Claddens South site, providing an element of affordable housing, can help address this.

Coalescence, Landscape, Access, Sustainable Design and Developability

Development would neither bring Lenzie closer to Auchinloch nor set a precedent which may encourage coalescence. A supporting Landscape Appraisal notes the site is of no significant environmental value and the landscape has sufficient capacity to accommodate development. Additional planting would enhance the environment and biodiversity. Local path networks can be augmented, it is well served by local bus services and convenient local train station. Appropriate designed layout and housing could take full advantage of the sites south facing aspect. There are no known constraints in terms of infrastructure, services or ground conditions.

Colliers CRE on behalf of Miller Homes West Scotland (141)

Seek the release, for residential development (c. 46 units), of 2.3 ha. of unused land at the south eastern edge of Lenzie.

Submission supported by a landscape assessment; drainage and flood constraints analysis; access and accessibility analysis; transport statement;

Release is justified on the following grounds:

Settlement/Green Belt Boundary

Settlement boundary is not particularly well-defined. The Kirkintilloch Link Road (KLR) (under construction), will form a firmly defined boundary. Purposes for green belts are set out in SPP 21 - Green Belts, e.g. to direct planned growth, protection of landscape setting and provision of access to open space. It is clearly stated green belts should be used to manage the growth of towns "not to prevent development from happening."

The Council's Green Belt Review proposes some small scale adjustments, though not at this locus. Account should however be taken of the additional local circumstances:

- Land release at this location is small scale and minor when compared against the Council's Urban Capacity releases.
- It would infill between the edge of the town and the new KLR.
- Would not contravene other objectives of SPP 21, e.g. adversely affect the landscape setting of the town or prejudice outdoor recreational opportunities; indeed access could be improved.
- There is no settlement for some distance on this edge of Lenzie, and a significant landscape buffer remains, so there is no likelihood of coalescence.
- KLR has severed the field from the remainder of the agricultural unit, resulting in likely abandonment.
- At the 2003 Local Plan Inquiry the Reporter noted a road can make a good green belt boundary, as intended in Bishopbriggs. Here, the KLR can and will make a defensible green belt boundary for Lenzie.

Housing Land Supply

Of the 858 homes proposed for Lenzie in the local plan period 2010-15, all are from the Woodilee Hospital site. LP2 therefore fails to provide an adequate choice of location and housing type, including affordable housing. Subject to detailed proposals the site could deliver the HMU 1 25 % affordable housing benchmark figure. SPP 3 - Planning for Housing (SPP3) seeks to considerably increase housing supply across Scotland. This is a sustainable, effective and accessible site forming a logical extension to an existing area of housing with well-defined connections to the town. Its effectiveness is clearly demonstrated by the landscape, flooding and accessibility assessments.

With regard to the Glasgow and Clyde Valley Joint Structure Plan 2006 the site could be brought forward for early development to satisfy a future need for effective housing land.

Graham and Sibbald on behalf Royal Bank of Scotland plc (154)

Seek the release, for residential development, of agricultural land at Braes-0-Yetts Farm, Kirkintilloch Road/Langmuir Road, Kirkintilloch.

Release is justified on the following grounds:

Green Belt Boundaries Drawn too Tight

There should be scope for some expansion of settlements due to the requirement for Green Belt boundaries to have a lifespan of at least 20 years – as set out in SPP 21. This is not addressed in the Council's Green Belt review – therefore question how the Council can be confident that the settlement limits, as currently tightly defined by the Green Belt, can

accommodate necessary development for the next 20 years.

Landscape Character

Any detailed development proposals for the site could be designed so as to respect the landscape character and could be informed by site-specific landscape and visual assessment.

Housing Land Supply

The Local Plan 2 – Finalised Draft allows for only limited release of Green Belt land. Whilst the land currently allocated for housing may meet present housing projections, this approach leaves no flexibility should development be required at a higher level than is currently envisaged – as has occurred in other areas. Allocating a reasonable amount of housing land allows more scope for delivering a range of housing to meet a variety of demands.

Deliverability

The land is owned by a single party and therefore there should be no concern regarding delays arising from competing interests. Single land-ownership can give the Council some comfort that the site can be developed within an agreed time frame.

Ryden Consulting on behalf of CALA Homes (174)

Seek the release, for residential development, of c. 15.0 ha. of rough grazing land at Fauldhead to the west of the former Woodilee Hospital redevelopment site.

Release is justified on the following grounds:

Housing Land Supply

SPP 3 Planning for Homes provides guidance on allocation of housing land across all tenures, including affordable housing. As with the Structure Plan it does not place an embargo on release of greenfield sites for development. It also promotes sustainable settlement strategies, efficient use of infrastructure and accessible locations, to which the site would be wholly consistent with. In relation to affordable housing, SPP3 states identifiable shortages should be addressed in the development plan and within the housing market area. This is particularly relevant to Kirkintilloch as there is a chronic shortage of affordable housing.

SPP 21 - Green Belts

Recreational and biodiversity benefits of the green belt cannot be met at this site. It is a secure landholding and is isolated from other areas of public open space. It is a stand alone site, with only limited physical connection to the wider green belt.

With respect to other policy aims:

Direction of Planned Growth - Taking account of surrounding land uses residential development would be a logical development within the already well established settlement envelope. Sensitive landscaping will mitigate against any negative impacts on landscape setting.

Access to Open Space - There is only very limited public access and recreational function. An existing footpath will be retained and enhanced.

Allowing for Development - SPP21 states inner boundaries should not be drawn too tightly around the urban edge and create an area to accommodate planned growth over the 20 year period. Scope for expanding smaller settlements should also be considered. Boundaries should also be clearly identifiable and robust.

Relative to the site the green belt boundary would be most appropriately located beyond the

southern edge, adjacent to main rail line and the western water course (beyond which structural planting could be enhanced). It would be categorised as a minor amendment and also be permissible through relevant Structure Plan policies and national guidance.

Green Belt Boundary Review

The Council's Green Belt Boundary Review 2007-2008 notes the defensible boundaries of the Woodilee site. If consistently applied this further justifies exclusion of the Fauldhead site from the green belt.

Amendments to Green Belt within Emerging LP 2

The Council has already modified boundaries on the basis of improved defensibility and negative environmental impact, and this approach also applies to the site.

Delivering Housing

The LP relies on 4 sites to deliver a very significant proportion of housing, with the former Woodilee Hospital delivering 858 units. The current economic climate will delay the delivery of these large complicated sites resulting in restricted housing choice and severely limited supply of affordable housing. The Fauldhead site can help fill the gap, including an element of affordable housing.

Coalescence, Landscape, Access and Developability

Development would neither bring Lenzie closer to any other settlement nor set a precedent which may encourage coalescence. The rail line and the Luggie Water would establish a logical, strong defensible boundary for the green belt. The site is well contained within the townscape/landscape. Additional structural landscape planting would mitigate visual impact and enhance biodiversity. Footpaths could be extended and improved, there is good local bus services and Lenzie Station is convenient. There are no known constraints in terms of infrastructure, services or ground conditions. The site would dovetail in with new infrastructure provision at Woodilee.

Ryden Consulting on behalf of CALA Homes (193)

Seek the release, for residential development, of 0.74 ha of land (currently in use as a works depot), east of Claddens, Lenzie.

Submission supported by a landscape appraisal.

Release is justified on the following grounds:

Planning Appeal and Previous Local Plan Report

An unsuccessful 1992 planning appeal for a nearby site (see rep. **118**) noted that once complete, the (then proposed) Kirkinilloch Link Road would justify revisions to the green belt boundary and the in-filling the intervening area.

The 2003 PLI into the current East Dunbartonshire Local Plan noted, in relation to the Council's evidence, that:- "A road can make a good green belt boundary, as is intended in Bishopbriggs."

Given that the new KLR is nearing completion, it is now opportune to review the designation of the Claddens East site as green belt and its potential for housing.

Glasgow and Clyde Valley Structure Plan

The GCVSP Metropolitan Development Strategy requires local plans to define the detailed boundaries of the Green belt. This is particularly relevant to this case since the Claddens South site is located within an area presently designated as green belt in the emerging local

plan. There is though no absolute embargo on greenfield or green belt release.

Other Material Considerations

SPP 3 Planning for Homes (Revised 2008)

Provides guidance on the "allocation of a generous supply of land to meet identified housing requirements across all tenures, including affordable housing, and related policy objectives". SPP3 also promotes sustainable settlement strategies, efficient use of infrastructure, accessible locations and co-ordination of housing land provision with improvements in infrastructure. The development of the Claddens East site would be wholly consistent with these objectives.

Scottish Planning Policy 21 - Green Belt

The site is isolated from other areas of public open space and other parts of the greenbelt. It is not used for outdoor recreation, as evinced by its temporary use as a depot. Residential development would be a logical extension to the settlement envelope. Landscaping can mitigate any visual impacts. This is supported by a detailed landscape assessment. Surrounding uses, e.g. the KLR and a Local Nature Conservation Site preclude coalescence.

SPP21 notes that green belt boundaries must allow for development around the urban edge. Greenbelt boundaries must also be clearly identifiable on the ground. The green belt boundary would therefore be most appropriately located on the KLR to the west and the Cults Burn to the south. Overall it would be categorised as a minor amendment, and would be permissible through the relevant Structure Plan policies and national guidance.

The Council's Green Belt Boundary Review identifies the railway line and KLR as strong defensible boundaries for the eastern border of Lenzie, providing further justification for excluding the site from the greenbelt. In addition Local Plan 2 has already made certain greenbelt adjustments to reflect new consents or improve the defensibility of the boundary.

Delivering Housing

The LP relies on 4 sites to deliver a very significant proportion of housing, with the former Woodilee Hospital delivering 858 units. The current economic climate will delay the delivery of these large complicated sites resulting in restricted housing choice and severely limiting supply of affordable housing. The Claddens East site can help fill the gap, including an element of affordable housing on the back of market housing.

Coalescence, Landscape, Access and Developability

Development would neither bring Lenzie closer to any other settlement nor set a precedent which may encourage coalescence. The supporting Landscape Appraisal note the site is of no significant environmental value, does not significantly contribute to the setting of Lenzie, and the landscape has the capacity to accommodate development. Additional landscape planting would also enhance the environment and biodiversity of the area. The site can connect to the local path network, there is good local bus services and convenient local train station. There are no known constraints in terms of infrastructure, services or ground conditions.

Modifications sought by those submitting the representations:

CALA Homes (West) Ltd (1)

Realign the green belt boundary to include land at Crosshill Rd./Boghead Rd., in the settlement, and allocate for multi-sport complex and associated housing development.

GVA Grimley on behalf of Mr A Henderson (115)

Realign the greenbelt boundary to include land at Braes of Yetts Farm in the settlement, and allocate for residential development.

Ryden Consulting on behalf of CALA Homes (118)

Realign the greenbelt boundary to include land at Claddens South in the settlement, and allocate land for residential development.

Colliers CRE on behalf of Miller Homes West Scotland (141)

Realign the greenbelt boundary to include land at Meadowburn Avenue in the settlement, and allocate for residential development.

Graham and Sibbald on behalf Royal Bank of Scotland plc (154)

Realign the greenbelt boundary to include land at Braes of Yetts Farm, Kirkintilloch, in the settlement, and allocate for residential development.

Ryden Consulting on behalf of CALA Homes (174)

Realign the greenbelt boundary to include land at Fauldhead in the settlement, and allocate for residential development.

Ryden Consulting on behalf of CALA Homes (193)

Realign the greenbelt boundary to include land at Claddens East in the settlement, and allocate for residential development.

Summary of response (including reasons) by planning authority:**1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.**

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for “a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building” (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1

which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association/public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (Paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (Paragraph 87) states that “*policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding*”. In this regard, the SHIP (November 2009) states that indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop out all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, Page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

- i. Green belt designation should provide clarity and certainty on where development will and will not take place.
- ii. Green belts can have particular benefit where a co-ordinated approach to settlement planning is required across local authority boundaries.

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (p20).

The SP does not identify any strategic development locations in East Dunbartonshire (p.20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (p. 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (p30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The designated area, boundaries and development management guidance of East Dunbartonshire's Green Belt are key elements of the MDS and fully accord with relevant national and strategic policy guidance.

The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan; as the SPP notes:

"In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt."

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas

agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.

- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- progress with community regeneration initiatives at Twechar,
- a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt is strongly defined by appropriate man made and natural features. A range of appropriate physical and topographical features also constrained built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites are would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release. None are deemed of sufficient weight to justify departing from national and strategic guidance.

Reporter's conclusions:

Crosshill Rd/Boghead Rd, Lenzie (1)

1. The general location of the site as indicated on a map supplied by the council includes rugby pitches and an area of overgrown ground, dotted around which are some buildings. No details of the proposed multi-sport complex or the stated association with a detached housing development have been submitted.
2. The existing sports pitches are well maintained. Those pitches backed by the boundary markers around houses in the residential estate of High Gallowhill provide a defensible green belt boundary in this locality. The character of this boundary accords with the similar open space uses, including Lenzie Moss Local Nature Reserve, which form boundaries to adjacent parts of the estate. They protect the landscape setting of this part of the town.
3. Whilst it might be argued that development for housing would tidy up the overgrown ground, that is insufficient reason to release land from the green belt and could set an unfortunate precedent.

Land at Braes of Yetts Farm, Kirkintilloch (115 and 154)

4. This site comprises a considerable area of ground measuring some 750m by 350m at maximum. Its north-eastern part is low-lying and appears to be poorly drained. The better drained parts generally slope in a northerly direction, rising close to the top of a prominent hill to the east of the town. At the time of my site inspection, the fields were in use for cattle grazing.

5. The existing green belt boundary to the south of the Solsgirth housing estate comprises a mixture of hedging, trees, and fencing, other than over the central section where it becomes a copse of mature trees. Beyond that is a linear field whose vegetation, despite a drain along one side, suggests wet ground and which leads towards ponds and wetland in Merklands Local Nature Reserve. I am satisfied that this combination of features forms an adequately robust green belt boundary in this location.

6. The minor roads suggested as alternative boundaries around the easterly part of the site take a tortuous route which fits poorly with the shape of the land. They would represent a weaker green belt boundary, which subsequent landscape planting could do little to assist.

7. Release of this large area from the green belt would not support urban regeneration, and could undermine the redevelopment of the former hospital site at nearby Woodilee.

8. Housing on the site would be highly visible, especially from the north. It would project further east than any other part of the built up area. I am not persuaded that it would do anything to protect or enhance the landscape setting and identity of Kirkintilloch.

9. Core paths already run through and along one side of the site giving beneficial access to open space from the adjacent housing areas, including to the nature reserve.

Claddens West, Lenzie (118)

10. This site is sometimes referred to as Claddens South. Whilst it is described by the agents as disused agricultural land, at the time of my site visit the field was supporting a crop of grass.

11. In 2003, the site was considered at the local plan inquiry into the predecessor plan to this one. The inquiry report found that at that time there was no strategic need to release the land for market housing development. Although the policies in that plan were for 40% of the units built to be affordable, the acknowledged need for such affordable housing did not justify ignoring the strong policy presumptions against release of such a prominent and significant greenfield site in the green belt.

12. The site was considered to be prominent in the foreground of views towards the town from several vantage points along the various approach roads; indeed, it would become more so once the Kirkintilloch Relief Road was in place. The existing green belt boundary was said to follow an obvious and strong urban edge. The potential for urban sprawl and subsequent coalescence with Auchinloch were cited, undermining the definition, landscape character and setting of both Lenzie and Auchinloch. Possible adverse effects on the nature conservation value of designated wetland around the Cult Burn to the south were also mentioned.

13. The lack of a strategic requirement for market housing still obtains. The potential benefits of the site in producing affordable housing have reduced in that the guideline figure for such housing is now 25%.

14. I have inspected the site, its surroundings and nearby vantage points, and I agree with the report's assessment of the physical circumstances as set out above.

15. The main change since that time is that the relief road is nearing completion. It can therefore be confirmed that its route, which is elevated on an embankment as it passes the southern part of the site, would afford close views into the site. Other changes around the site are relatively minor, such as the planting of trees in its eastern corner.

16. Whilst the Green Belt Boundary Review refers to the Kirkintilloch Link Road potentially forming a new strong boundary to the eastern edge of Lenzie, the Claddens West site is

essentially on the southern edge of the town. In relation to guidance in Scottish Planning Policy, the existing boundary for the most part follows the ridge line of a linear hill. Here, it is strongly reinforced by a double row of mature trees between which runs an attractive footpath. I am satisfied that this represents a robust boundary.

17. Whilst there may be locations where the new relief road would form a good green belt boundary, that is not the case here. There is therefore no basis for releasing the land in order to strengthen the green belt boundary. Although the land does not give access to open space around the town, it fulfils the other green belt purposes set out in Scottish Planning Policy. It helps to direct planned growth to the most appropriate locations, being those allocated in the plan, and to support regeneration especially of urban brownfield land. In its present undeveloped condition, the site helps to protect the identity of Lenzie and forms an important part of its landscape setting.

18. Reference has been made to the report on an appealed proposal for 50 houses on the site dating from 1992. That report is now 18 years old and has, for all practical purposes, been superseded by the 2003 report into the local plan inquiry.

Meadowburn Ave, Lenzie (141)

Further information received

19. EDC was requested to carry out a Strategic Environmental Assessment (SEA) of this site as none had been undertaken prior to the examination.

20. The Environmental Report Addendum on that SEA summarised the effects of release of this site against 12 criteria as - very negative: 3; negative: 6; negative/uncertain 1; neutral: 2.

21. The main comments in that Addendum were that:

- the site provides a woodland buffer between the built up area and the Kirkintilloch Link Road (KLR);
- development would degrade the woodland habitat, flora and fauna;
- mitigation would be required for loss of land within the Important Wildlife Corridor;
- there would potentially be an effect on the Oxbang Local Nature Conservation Site (Woodilee Hospital Woods);
- development would reduce access to land for existing residents;
- the site lies more than 300 metres from easily accessible, good quality green space;
- development would involve culverting part of the Cult Burn;
- a flood risk assessment and associated mitigation measures would be required around Cult Burn;
- the site lies some 800 metres from the nearest shopping; 400 metres from the nearest bus stops; and 1 kilometre from Lenzie rail station; and
- significant waste would arise from development, drainage and access works.

22. Scottish Natural Heritage generally agrees with the overall negative assessment. The SEA should suggest ways of avoiding or mitigating the negative effects. To prevent loss of greenspace and habitat from the wildlife corridor, a significant reduction in the development boundary might be necessary or even no development on the site.

23. SEPA considers that the individual site assessment provided in the Environmental Report Addendum conveys the impacts clearly. Historic Scotland had no comments specific to this site.

24. Strathclyde Partnership for Transport (SPT) states that if access is provided via Meadowburn Ave, the site would be within 400 metres of bus stops on Garngaber Ave. A bus service operates on Lindsaybeg Rd linking Moodiesburn with Lenzie station and Kirkintilloch. Bus infrastructure improvements could provide a safe stopping point for that service. SPT would have little concern over development of this site in terms of public transport provision.

25. Third party representations made the following arguments.

- The land should be restored to agriculture or woodland.
- Development would reverse previous planning decisions and set an undesirable precedent for urban sprawl and ribbon development.
- The land provides an amenity benefit, including a green outlook, to neighbouring residential area and users of the footpath along the former railway line.
- The type of housing proposed is unlikely to be affordable.
- Sufficient housing is being built at Woodilee. That development will put pressure on existing facilities in Lenzie, including commuter parking at the rail station. Lenzie should be allowed to integrate that development without further new building.
- Not all affordable housing should be in Lenzie.
- Additional traffic would put pressure on local roads, which have existing problems, including restricted carriageway width at the railway bridge on Easter Garngaber Rd.
- The submitted traffic report and other submissions on behalf of Miller Homes use out of date data and take no account of the KLR or impending Woodilee development.
- Lindsaybeg Rd and Garngaber Ave are now main feeder routes for the KLR.
- Meadowburn Ave is a quiet cul-de-sac, unsuitable for additional traffic (construction and residential) because of the geometry of its junction with Easter Garngaber Rd, its carriageway width and on-street parking. Traffic would pass the only local children's play park. Traffic generation from the site is underestimated.
- The feasibility of gaining access to the site from Meadowburn Ave is disputed.
- An alternative southern access to the site is ignored by Miller Homes' submission.
- The area is used by dog walkers and young people for recreation.
- Construction would cause noise and disruption to existing residents, on top of that caused by the relief road and Woodilee development.
- Trees would be lost, removing an amenity, a noise and air pollution barrier from the relief road, and flood attenuation.
- The green verge along south side of Meadowburn Ave would be lost to a footway.
- Wildlife, including bats, deer, squirrels and birds, use the site. The trees form part of a network of wildlife corridors. Cults Burn provides a link to the wider countryside.
- The site is still linked to the wider countryside by purpose-built tunnels under the KLR.
- Wildlife is now being displaced/ is not being displaced (different representations).
- Meadowburn Ave and Foxes Grove lie within SEPA's indicative mapping of flood risk from rivers.
- Flood risk assessment has not been undertaken; it should take account of recent sewage flooding problems at Meadowburn Ave and Earlsburn Rd, and the potential impact on those upstream areas.
- Sewage and water infrastructure will be put under pressure.
- Access into the site would involve bridging Cults Burn.
- Local schools may be unable to cope with extra numbers of pupils; parking problems nearby would be worsened.
- The site lies over 2 kilometres from Lenzie Academy, which is over capacity.
- Bus stops for local services on Woodilee Rd and Garngaber Rd via paved lit routes are 500 metres from the site.
- Bus stops for services travelling outwith the locality are 900 metres from the site.
- Erection of 40-50 houses would be excessive.

- The green belt is already being eroded by building of new roads.
- Untreated knotweed would damage house foundations.
- The land provides a green buffer from the KLR.
- The “village” character of the area would be eroded, consumed by city expansion.
- Development would represent a breach of article 8 of the Human Rights Act.
- The deliverability of the site is questioned.

26. Representations on behalf of the proposer of the site (Miller Homes) argue that:

- all schools are within walking distance;
- public transport improvements can be captured in collaboration with the council;
- Miller Homes Corporate Social Responsibility Policy and sustainability policies address sustainability matters such as waste management and choice of materials;
- the present open space does not separate settlements or contribute to community identity;
- the development proposal would avoid the western boundary of the KLR embankments;
- the KLR isolates the subject area of “countryside” making it useless for the purposes of green belt policy;
- the coniferous plantation serves no landscape character function, as confirmed by the Glasgow and the Clyde Valley Landscape Assessment;
- not all of the existing woodland would necessarily be removed;
- replanting with native species would improve diversity and the ecosystem;
- reconnecting footpath links to the path network would enhance that network;
- careful design of the development could reinstate links to other parts of the wildlife corridor;
- there is no evidence of formal green space classification or established public access to the site;
- open space between the site and Lindsaybeg Rd could be designed to provide enhanced open space locally;
- several of the council’s assessments in the SEA are mutually contradictory;
- none of the land comprises prime agricultural land;
- the existing non-native planting will not be enhancing soil quality;
- minor effects on the water environment can be addressed through Sustainable Urban Drainage Systems (SUDS). High standard of SUDS and other measures may result in a positive environmental impact;
- Miller Homes products are designed to a very high energy efficiency standard;
- it is accepted that distance from local shops falls outwith the council’s standard;
- in the council’s cumulative assessment of the initial 19 Strategic Environmental Assessment sites, very few positive impacts were reported against most objectives. Several were assessed as having no positive impacts (e.g. School Lane, Lennoxton; Fern Ave; Taig Rd; Greens Ave; Keystone Rd; and Gartshore Crescent);
- there is no explanation as to why, in the Environmental Report Addendum some sites “improved” their negative performance;
- EDC did not test any of the alternatives put forward at Main Issues Report and draft plan stages;
- no note of EDC’s assessment of any objection sites against policy options detailed in the Key Policy Directions Report of the draft plan was ever issued; and
- only one site in the housing land supply would result in remediation of contaminated land.

Conclusions

27. The promoted site comprises a strip of land 2.3 hectares in extent. It lies between the back gardens of houses on Earlsburn Rd, Corrie Place and Drumbreck Place and, at its

northern end, an embankment (up to 7 metres in height) supporting a disused railway line, and at its southern end, the recently constructed KLR. Whilst a small area at the northern end of the site is grassed, the remainder has been planted with conifers, reportedly some 10 – 20 years ago. The Cult Burn flows along the south side of Meadowburn Ave and then the northern boundary of the site before passing through a culvert under the embankment. An informal footpath leads from Meadowburn Ave across the burn and into the grassed area but then peters out along the edge of the plantation.

28. The Environmental Report Addendum gives a generally negative result for this site. However, it suffers from several shortcomings, notably (and as identified by SNH) that it does little to address the question of what measures, if any, could be adopted to prevent, reduce and offset as fully as possible such adverse environmental effects as have been identified for the site, as government guidance expects.

29. The existing green belt boundary follows the rear boundary fences and hedges of houses to the west. This constitutes a weak boundary line. Since green belts are intended to be long term designations, the new relief road, especially in combination with the disused railway line on its substantial embankment, would form a more robust green belt boundary and should be preferred. Indeed the council's Green Belt Boundary Review recognises that road as providing a "strong and defensible green belt boundary due to the road presenting a physical barrier to further future developments." In these respects, I note that Scottish Planning Policy recognises main roads as suitable green belt boundaries, but not garden fences or hedges.

30. The present heavily treed condition of much of the site provides a strong visual boundary to the green belt. However, the trees appear to have been planted as a crop. They are not subject to protection, and could be felled at any time. The screening they provide to the rear domestic boundaries, the amenity they presently provide to adjoining housing, and the landscape setting they provide to Lenzie therefore cannot be assumed for the longer term.

31. Access to the site for recreation is relatively poor and limited by the dense plantation; there are no signs of significant use. The site therefore does little to serve the purposes of the green belt as set out in Scottish Planning Policy. There is no danger of coalescence with any other settlement in this direction.

32. Miller Homes propose the development of some 45-50 dwellings, more than 25% of which would be affordable. It is proposed to introduce a more appropriate and diverse range of tree species to provide amenity and a setting for both existing and proposed houses. A system of paths through the site would improve access to the area to the south which is designated as Open Space/Greenspace. An area of open space would be provided near the burn. To an extent, the screening provided by the existing plantation will be replaced by structural planting along the line of the link road, which will also enhance the landscape setting of the town. The site is visually contained and is not prominent in the wider landscape.

33. The potential future use of the land, whose area has now been reduced by building of the new road, is restricted by its dimensions and poor access. The agents consider that abandonment is probable, thereby detracting from the visual amenity of the area. Some weight must be given to that possibility. Its use for agriculture, as has been suggested by some representees, is implausible given its isolated position and limited extent.

34. For the reasons set out elsewhere in these conclusions, to remove this area from the green belt and allocate it for housing would not set any undesirable precedent for development to the east of the town.

35. The extent of land release is relatively modest and would fall within the scope of inner

boundary adjustments, which local plans are intended to make and whose possibility is envisaged by the structure plan.

36. Whilst I recognise the concerns of local residents about possible pressure on local facilities and services from the Woodilee development (although some of that pressure may fall on Kirkintilloch rather than Lenzie), the scale of development proposed here (and as reduced in line with my conclusions below) would have minimal effect on such matters and would not represent a sound reason for rejection.

37. The development of this site is stated not to be subject to any significant constraints and to be available for early development. Those claims have not been challenged by the council, and the doubts expressed by a rival developer have not been substantiated. The proposed development might therefore assist in maintaining the flow of housing onto the market during the present recession. It would provide variety in the location, character and scale of sites available in East Dunbartonshire. The affordable housing component of the proposed development would make a small but useful contribution to meeting the significant shortfall of such housing in Lenzie (as recognised in the Council's Strategic Housing Investment Plan).

38. Based on the advice in PAN75: Planning for Transport, the development would be within walking distance of shops and services, bus routes and "safer routes to school". Lenzie railway station lies approximately 1 kilometre to the west and is therefore accessible on foot without the need to place more pressure on the limited existing park and ride provision. There would be links to the core path network, the Strathkelvin Railway Walk/Cycleway, and the wider National Cycle Network. A Transport Statement for the developers anticipates no significant adverse traffic or access issues and suggests some offsetting measures for what are described as "limited impacts". The SPT raises the prospect of a new bus stopping place on Lindsaybeg Rd; this would improve sustainable accessibility and should be pursued in tandem with any development, including possible pedestrian access to Lindsaybeg Rd from the south of the site.

39. Whilst it is possible that traffic generation from the site and consequent impact on the surrounding road network might restrict the scale of development on the site, I have no technical evidence to indicate that the network could not accept any more traffic.

40. The Environmental Report Addendum does not identify any noise or air pollution issues as likely to be significant, and it is likely that detailed design could mitigate any such effects.

41. A flood risk assessment would be required to address the potential flood plain area next to the Cult Burn, but initial work contained in a drainage and flood constraints analysis suggests that this can be accommodated by careful site layout. The Environmental Report Addendum suggests that mitigation would be possible and does not indicate that flooding problems in the surrounding area (referred to by local residents) would prevent development here. I therefore consider that, whilst all of these issues would require further work, there is no indication of intractable problems.

42. I received no hard evidence that local schools would be unable to cope with the modest number of extra pupils likely to be generated by a development at this location.

43. The present site cover of commercial-style plantation of non-indigenous species and some rough grassland is likely to have limited biodiversity value.

44. The site overlaps with an Important Wildlife Corridor. The latter is a designation applied district-wide by which standard width corridors are drawn along all significant

watercourses. The designations are not based on site or desk-based survey work. In this case, the KLR now separates that part of the Important Wildlife Corridor within the site from the associated Bothlin Burn. Whilst some measures have been taken to retain links between the two parts, the biodiversity value of the western fragment is likely to be reduced. Moreover, there is scope for detailed design of any scheme to maintain continuity of planting, with indigenous species, along this part of the corridor.

45. Generous landscape planting along the new green belt boundary and within the site is also necessary to maintain an attractive visual edge to the settlement in keeping with its character and for the benefit of residential amenity more generally.

46. The proposed scheme (illustrated as 46 dwellings) is likely to need significant scaling back to accommodate development constraints including: the capacity of the adjacent road network, generous landscape planting, the integrity of the wildlife corridor, open/green space provision, flood risk measures, and linkage to the existing path network.

47. Third party representations make reference to Article 8 of the European Convention on Human Rights, but without any specification. In general terms, I note that rights under Article 8 are qualified so as to involve striking a balance between the rights of the individual and the wider public interest. In the present case, I expect this to be achieved by the normal planning process.

Fauldhead (174)

48. The site comprises 15 hectares of grazing land on the eastern edge of Kirkintilloch and to the south of the residential areas at Duntiblae and Waterside. The land rises quite steeply from the banks of the Luggie Water to the top of a hill at Fauldhead. A well constructed footpath climbs from a bridge in Waterside up the eastern side of the site to the public road near Fauldhead. Another, more informal, footpath follows the banks of the Luggie Water.

49. No housing is proposed for the long narrow strip of land projecting eastwards along the Luggie Water.

50. For Cala, it is argued that the green belt boundary should be extended to the Luggie Water and then the railway line to the south. That would enclose additional grazing land to the south over and above the 15 hectares of the site.

51. On its western side the site abuts the redevelopment site at the former Woodilee Hospital, which includes the largest proposed housing area in East Dunbartonshire. To release land for housing at Fauldhead would therefore do little to offer a variety of locations. Indeed the local plan already allocates a small site for affordable housing at Taig Rd in Waterside. Moreover, the agents refer on the one hand to the possibility of dovetailing with the infrastructure provision at Woodilee, but on the other hand argue that implementation at Woodilee is likely to be delayed.

52. The proposed green belt boundary along the eastern edge of the Woodilee site follows Market Rd for most of its length. That is a minor road and is not one of the examples of robust boundary features mentioned in Scottish Planning Policy. However, the council's Green Belt Boundary Review states of the boundary revision that to the north a new defensible edge has been defined through a planning consent and the associated landscaping requirements. The relevant landscape masterplan shows significant tree and woodland planting along that boundary and I am satisfied that this would create an appropriate new green belt boundary.

53. Development of the site for housing, particularly of the higher ground, would be visible

and prominent over a wide area, especially to the north. Until development of the Woodilee site was complete, housing at Fauldhead would have open countryside on three sides and appear intrusive. It would fail to protect or enhance the landscape setting of Kirkintilloch.

54. Whilst the particular need for affordable housing in Kirkintilloch is clear, that is not a sufficient ground for releasing general purpose housing, even with the potential for an affordable housing contribution.

Claddens (East) (193)

Further information received

55. EDC was requested to carry out a Strategic Environmental Assessment of this site as none had been undertaken prior to the examination.

56. The Environmental Report Addendum on that SEA summarised the effects of release of this site against 12 criteria as - very negative: 1; negative: 6; neutral: 5.

57. The main comments in that Addendum were that:

- existing garden boundaries and Netherhouse Ave constitute strong green belt boundaries;
- development would not respect settlement pattern or urban form of Lenzie;
- it would further degrade the environment;
- the land could become woodland and act as a buffer with the green belt boundary, as the area to the north does now;
- the new residents would live more than 300m from accessible, good quality greenspace;
- some 800m from local shops at Millersneuk; and
- the nearest bus services/stops would be 750 metres away, the rail station 1.8 kilometres away.

58. Scottish Natural Heritage generally agreed with the overall negative assessment and welcome the suggestion that the site becomes wooded greenspace instead, creating a relatively wide strip of semi-natural habitat, and enhancing the wildlife connectivity of the Kirkintilloch Link Rd (KLR) corridor.

59. Historic Scotland had no comments specific to this site. SEPA considered that the individual site assessment provided in the Environmental Report Addendum conveys the impacts clearly.

60. Strathclyde Partnership for Transport (SPT) stated that should the site be developed there is potential to provide bus infrastructure improvements comprising a safe stopping point for the current service along Lindsaybeg Rd linking Moodiesburn with Lenzie Station and Kirkintilloch. SPT would have little concern over the development of this site in terms of public transport provision.

61. Representations from third parties made the following comments:

- Too much development is proposed already in Lenzie, namely Woodilee, which represents some 36% of the plan's housing provision for East Dunbartonshire. Further provision should be met in other suitable areas of East Dunbartonshire
- The Strategic Housing Investment Plan does not suggest that the Lenzie area is failing to provide affordable housing, as the developer claims
- Woodilee development is sufficient to meet housing needs, including for affordable housing
- Lenzie needs time to absorb Woodilee development before any further housing is

considered

- This is an inappropriate locality for affordable housing
- High density accommodation, in the form of social housing/flats would place more pressure on local facilities
- Council housing could lead to social problems
- The anticipated delays in providing infrastructure at Woodilee have not materialised, so delivery of affordable housing from that site will not be delayed
- The likely timescale for bringing forward Claddens East for development means that it would not provide a stop gap before Woodilee comes on stream, as the developers claim
- 2, 3 and 4 bedroom units of all types have been built in Lenzie over the past decades; these are not in short supply as the developers claim
- Development would set an undesirable precedent for building between Lenzie and KLR and elsewhere in green belt, especially land to the south of Lenzie owned by builders
- Erosion of green belt should be resisted
- Reduction in separation between settlements
- East Dunbartonshire will turn into another part of Greater Glasgow
- The existing green belt boundary is marked by a road and tree belt, and has stood for over 30 years
- Division of the former smallholdings by the KLR does not reduce the site's value as green belt
- Brownfield sites should be developed preferentially
- Increased congestion at Lenzie rail station car park
- Quiet rural ambience would be lost
- Visual impact from high ground
- Adverse impact on landscape character
- Loss of open views
- Reduction in residential amenity
- The identity of Lenzie "village" would be adversely affected
- The land could be used to make up existing local shortfall of public open space for recreation
- Recreational use of stopped up road would be affected
- Impact on wildlife and flora, including mature trees and ancient hedgerows, bats, badgers and voles
- Biodiversity could be regenerated on the site
- More noise and disturbance following KLR construction
- Development might lead to loss of the noise buffer embankment adjacent to the KLR
- Increased pressure on existing services and facilities, including shops, schools, parking, road network, traffic congestion, rail services, sewerage
- The proposed housing would be affected by noise and air pollution from the KLR
- Would not co-ordinate housing land provision with infrastructure improvements, in accordance with SPP
- Overloaded sewerage system has caused flooding in the area
- The site lies within a flood plain. Its lower part is subject to flooding
- The nearest secondary school is at capacity/ under severe pressure
- Lack of convenient bus and train services (10-15 minutes walk). The nearest bus services run along Auchinloch Rd, some 1 kilometre to the west.
- Access from Lindsaybeg Rd and parking on the site would be problematic and would impact neighbouring residents
- Crossing Lindsaybeg Rd to the primary school and the play park would be dangerous for children

- The deliverability of the site is questioned

62. For the proposers of the site it was argued that:

- the existing boundary is not strongly defined;
- the Environmental Report Addendum fails to acknowledge the development of the KLR, which would form a more logical and robust green belt boundary, as foreshadowed in an earlier appeal decision letter;
- the land has no open space function or history of recreational use;
- it does not separate any settlements;
- no adverse impact on the settlement pattern has been demonstrated;
- the site has no bio-diversity merits;
- landscaping of the proposed development could enhance bio-diversity;
- the area to the north of the site slopes steeply and is therefore restricted in its potential uses;
- there is easy access to leisure and recreational opportunities via core path to north of site;
- there is easy access to local primary schools, etc;
- a bus stop could be introduced nearby on Lindsaybeg Rd;
- development would utilise existing infrastructure; and
- development of 1-12 houses would be likely.

Conclusion

63. The site extends to some 0.74 hectares and is located between established housing at Claddens and the KLR. A roundabout is located at the north-eastern corner of the site and the new road then runs mostly in a cutting along the east side of the site. At the time of the site inspection, a temporary works depot for the link road construction occupied the south-eastern corner of the site, and a soil bund the eastern edge. Otherwise it was grassland, presently uncultivated. To the south, Blacklands Place, which serves the Claddens estate, runs along the top of a broad ridge. From there the site slopes down to the north.

64. The proposals map erroneously shows a spur of the Kirkintilloch Link Road crossing the site.

65. The new road has bisected a parcel of land used for smallholdings. The larger part lies to the east and is still in smallholding use. The subject site represents the remaining fragment to the west. Its usefulness for smallholding use is unknown.

66. The Environmental Report Addendum gives a generally negative result for this site. However, it suffers from several shortcomings, notably (and as identified by SNH) that it does little to address the question of what measures, if any, could be adopted to prevent, reduce and offset as fully as possible such adverse environmental effects as have been identified for the site, as government guidance expects.

67. In relation to the green belt purposes described in Scottish Planning Policy, the site does not appear to be used for recreation or to give access to open space. The landscape setting to this part of Lenzie comprises rolling farmland. The site is too small and fragmented, and its outer edges too altered by road engineering, for it to make any meaningful contribution to that setting. The land therefore fails to fulfil the purposes of green belt designation.

68. The existing green belt boundary follows a minor road along the eastern boundary of the Claddens estate. The road is marked on one side by a field hedge and on the other by a row of mature trees, hedging and fencing at the rear of houses. The road, has been severed by construction associated with the new link road. The boundary does not follow any landform feature, being simply a line down a hill slope.

69. The council's Green Belt Boundary Review refers to the new link road as providing "the eastern border of Lenzie with a strong defensible green belt boundary due to the road presenting a physical barrier to further future developments." Moreover, Scottish Planning Policy expects that green belt boundaries will follow "strong visual or physical landscape features such as rivers, tree belts, railways or main roads." The present boundary cannot be said to follow such a feature.

70. By contrast, the link road is a main road, which at this point runs through a deep cutting. The line of the road will be supplemented by landscape planting, albeit that will take some years to mature. Moving the green belt to the line of the link road would therefore create a strong long term boundary to the east. The remaining southern boundary of the site is relatively short. It continues the line of the Claddens estate along the west-east ridgeline of the hill. There is scope to employ a combination of tree planting to continue the line of the southern estate boundary together with reduced building heights at the southern end of the site to minimise visual impacts to the south. Relocating the green belt around the link road and the southern site boundary would therefore create a more robust long term boundary.

71. The extent of land release is modest and would fall within the scope of inner boundary adjustments, which local plans are intended to make to accommodate growth and whose possibility is envisaged by the structure plan.

72. Reference should be made to our conclusions on issue 3.2 regarding market and affordable housing for East Dunbartonshire overall.

73. Substantial scale development at the same time as the ongoing large Woodilee site in Lenzie would place undue pressures on the locality. But the proposed site is small scale, and it would not be appropriate to block infill sites of this kind for the duration of the Woodilee scheme.

74. The proposed residential development would retain a compact urban form. It would extend no closer to Auchinloch than the present built development in Lenzie and therefore would avoid the threat of coalescence. It would provide variety in the location, character and scale of sites available in East Dunbartonshire. The affordable housing component of the proposed development would make a small but useful contribution to meeting the significant shortfall of such housing in Lenzie (as recognised in the Council's Strategic Housing Investment Plan). The arguments supporting this site do not apply to land to the south (including Claddens West) and therefore fears that its release would set a precedent in that direction are unfounded in relation to this plan.

75. Distances from local facilities fall within those regarded as broadly acceptable by government advice in PAN75: Planning for Transport. Distances from public transport are greater than advised in the PAN, although Strathclyde Partnership for Transport consider the introduction of a bus stop for the current service on Lindsaybeg Rd to be possible. Moreover, I consider that it would be practicable for commuters in particular to walk or cycle to the rail station if they wished to avoid parking problems at the station. Close by the site, there is a link to the Strathkelvin Cycleway and core path alongside the Bothlin Burn. There would be relatively direct vehicular access to the main road network, including the adjacent new link road.

76. The land has no natural history designation and no features marking it out as likely to have biodiversity interest beyond any field on the outskirts of a town. Bats are claimed to use trees adjacent to the site and these trees would not be lost in any development. I note that there is no proposal to acquire the land for public open space, woodland or other amenity purpose.

77. I have no evidence (from the Environmental Report Addendum or elsewhere) that road noise would exceed any recommended limits for residential development, and am aware that design measures, including possibly setting back from the road envelope, could mitigate against any noise nuisance.

78. Whilst I recognise the concerns of local residents about possible pressure on local facilities and services from the Woodilee development, the scale of development proposed here would have minimal effect on such matters and would not represent a sound reason for rejection.

79. Particularly in this gateway location, it would be important that development of the site avoided the appearance of cramming. On elevated parts of the site, visual impact could be minimised by low rise development. Generous landscaping would be required, especially along the KLR and southern boundary, for visual reasons, to enhance the wildlife connectivity of the KLR corridor, and with the benefit of improving the biodiversity of the land. These measures would address some of the concerns expressed by statutory consultees and third parties.

80. The agents state that there are no known constraints in terms of infrastructure, services or ground conditions. There is no technical evidence that development of this site would be subject to intractable problems (including flooding), and the representation implies that it would be available for early development. The proposed development might therefore assist in maintaining the flow of housing onto the market during the present recession.

Reporter's recommendations:

1. The proposals map should be amended to omit a spur of the Kirkintilloch Link Rd crossing the Claddens East site.
2. The green belt boundary should be amended to include the proposed sites at Claddens East and Meadowburn Ave, and the land allocated for residential development. The sites should be added to HMU Table – Section A (Housing and Mixed Use Development Sites). In each case, the housing capacity should be determined through the development management process, taking account of the constraints and the mitigation and enhancement measures set out in my conclusions above.
3. No other amendments to the plan are justified.

Issue (ref and handling):	Issue 7.4 - Proposed Housing and Mixed Use Sites in Green Belt – Lennoxtown	Reporters: KATRINA RICE and IAIN URQUHART (representation 165)
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
Penelope Sinclair (84) Keppie Planning on behalf of Taylor Wimpey (142) James Barr on behalf of William Short (163) Geddes Consulting on behalf of Giffnock Management Services Ltd (165) Keppie Planning on behalf of H Morris & Co Ltd (182)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council’s summary of the representation(s):		
Penelope Sinclair (84) The travelling person’s site in Lennoxtown should be demolished and replaced with affordable housing		
Keppie Planning on behalf of Taylor Wimpey (142) Seek the release, for residential development (60 -100 units), of 4.0 ha. of grazing land on the south eastern edge of Lennoxtown.		
Release is justified on the following grounds:		
<u>Development Opportunities for Housing and Mixed Uses</u> There is insufficient land for housing for Lennoxtown and the wider Campsie Valley. This is demonstrated through a detailed analysis of the Council’s housing land supply figures. Should any problems arise with the only local site programmed within the plan period, then no housing would be delivered.		
The Local Plan 2 fails to address some fundamental principles outlined in SPP3: Planning for Homes, particularly failing to maintain a 5-year land supply and providing range and choice across the market area. Whilst the GCV Structure Plan does not currently require land release this does not mean land should not be identified to meet local needs or to maintain a varied 5-year land supply.		
The principle of additional releases above calculated arithmetic needs and the requirement to maintain a local market is a well rehearsed and a well founded principle, consistently supported by Inquiry Reporters.		
This site would provide additional range and choice, providing an additional 60-100 units deliverable within the plan period. The benchmark figure of 25% affordable units is accepted. Higher provision may be considered if a need is identified.		

Wider Local Plan objectives will also be achieved:- sustainable development, social inclusion, adjacent to existing development and accessible location.

Greenbelt Review

SPP21 Green Belts states the green belt should achieve long-term certainty; local plans should take a 20 year look at defining the urban edge of settlements and inner boundaries should not be drawn too tightly; land between the current settlement edge and the greenbelt should be identified in development plans on the broad extent of future growth.

The proposed green belt boundary at Lennoxtown is fundamentally unsustainable in the 20 year period and will not be capable of forming a continued effective housing land supply and maintain a vibrant green belt. Some limited release should be considered at this time. With existing development to the north and west, the site is in effect green belt land undermined by surrounding urban development. Release of this site would meet key green belt objectives to direct planned growth to an appropriate location; facilitate enhanced countryside access and recreational use; protect the character and landscape setting of Lennoxtown. The revised boundary is also clearly defined on the ground by strong physical features.

James Barr on behalf of William Short (163)

Seek the release, for a small scale housing opportunity (1-2 houses) of unused land adjacent to South Lodge, by the former Lennoxcastle Hospital.

Release is justified on the following grounds:

There has been considerable change at the former hospital; demolition of major buildings but retention of infrastructure and residential properties, suggesting an urban environment. Additionally considerable housing development has taken place, based on a masterplan consent delineated by developer ownership rather than natural or physical boundaries. Certain anomalies therefore exist, where clear urban infrastructure, such as footpaths and street lighting are in place, yet the land is identified for other environmental purposes. Celtic Football club's extensive new training facilities have also materially altered the perception of land use, including traffic and access. The Club have recently lodged additional planning applications, further supporting a requirement for an amended masterplan beyond that detailed by one house builder.

Boundary adjustment would remove anomalies revealed by surrounding redevelopment. Presently it is a wasted resource. Development would provide a sensible use of a derelict site, support wider economic regeneration and provide a long-term solution to the green belt boundary, all in compliance with the key principles of Scottish Planning Policies.

Geddes Consulting on behalf of Giffnock Management Services Ltd (165)

Concerns are raised with respect to the shortcomings of various local plan policies when assessed against national and strategic policy guidance (summarised below). Site specific release is then justified.

Site Specific Release

There are areas immediately adjacent to the urban edge of Lennoxtown which do not make a relevant contribution to the Green Belt and should be removed, providing opportunities for future decisions to be made about meeting local development needs, including affordable housing, in the context of a sustainable settlement strategy. In particular green belt land adjacent to Lennoxtown (28 ha) is identified for these purposes. A 'countryside' designation may also be appropriate. Areas around Campsie Cemetery and St Machan's Primary School should be similarly designated. A further area of land has been identified to promote a joint development initiative between the developer and the Council. This could form a major expansion to Lennoxtown as part of the process of developing Lennoxtown as a low carbon community.

Addition of settlement envelopes around all towns in the Local Plan

The Local Plan Proposals map uses 'Village Envelopes' to define the urban context of four villages. The Local Plan does not delineate a settlement boundary to differentiate between the urban edge of major towns and the countryside beyond, instead using the inner boundary of the Green Belt. Many boundaries are weak and do not have strong physical features. There are many examples of urban type land uses in the Green Belt. This is not the role of the green belt inner boundary and is contrary to Scottish Government policy advice. Definition of a settlement boundary would be consistent with the Local Plan's 'Village Envelopes', would also assist in defining terms such as 'infill sites', and would meet national green belt requirements. This would also accord with the approved Structure Plan (Strategic Policy 1).

Review of Inner Boundary of Green Belt

The Local Plan draws its Green Belt boundary tightly against the existing urban edge of its major towns and, too often, the green belt incorporates urban uses. The Local Plan also includes four villages as part of the Green Belt. National guidance in SPP 21: Green Belts and the Consultative Draft requires:- Designation not to prevent development happening; land only be designated where it contributes to the long term settlement strategy and accommodates planned growth; not all greenfield land be designated as green belt; boundaries should be clearly identifiable; existing settlements be excluded and major uses, such as airports, business, education and research be excluded.

Modification of the Green Belt boundary to meet these requirements would be in accordance with the approved Structure Plan (Strategic Policy 1).

Addition of 'Countryside' designation and 'Development in the Countryside' Policy

The Local Plan does not have a 'Countryside' designation or policy because of the extensive use of the Green Belt, though the Campsie Fells and Kilpatrick Hills, excluded from the green belt, is effectively 'Countryside'. Consequently unless there is an occupancy need for residential development, it is not possible to promote development in most of East Dunbartonshire. This is contrary to policy requirements in SPP 15: Planning for Rural Development. Greater encouragement should be stated in the Local Plan which promotes rural development - housing, economic and tourism uses. Areas to be identified as 'Countryside' could be verified through a green belt review and future development managed by appropriate countryside policies.

Omission of evidence relating to affordable housing needs and 5 year effective land supply

The Local Plan concludes that strategic housing land requirements can be met from the effective land supply. Other policy requirements set out in SPP 3: Planning for Homes (Revised 2008) and the draft SPP also require to be met:- appropriate and effective sites to meet need and demand; sufficient land to meet each housing market area requirement; a five year supply of effective land, maintained at all times; triggers for alternative releases if effective supply not maintained; delivery of housing not solely on development plan allocations; appropriate affordable housing provision.

The Structure Plan allows allocation of Greenfield and indeed, limited incursions into land designated as Green Belt, to meet affordable housing needs. No evidence has been presented to confirm maintenance of an effective 5 year housing land supply and appropriate affordable housing provision.

Keppie Planning on behalf of H Morris & Co Ltd (182)

Seek the release, for residential development (10-15 units), of a soon to be vacated furniture factory (c. 1 ha.) to the west of Haughead/Clachan of Campsie.

Release is justified on the following grounds:

Development Opportunities for Housing and Mixed Uses

There is insufficient land for housing for Lennox town and the wider Campsie Valley.

The Local Plan 2 fails to address some fundamental principles in SPP3: Planning for Homes, particularly 5-year land supply, range and choice and additional alternative options. This view is supported by detailed analysis of housing land supply figures. Only one site in Lennox town (Lennox Castle Hospital) and one site in the wider Campsie Valley area is programmed to deliver any local housing within the plan period. Whilst the GCV Structure Plan does not currently require land release this does not mean land should not be identified to meet local needs or to maintain a varied 5-year land supply. The principle of additional releases above calculated arithmetic needs and the requirement to maintain a local market is a well rehearsed and a well founded principle, consistently supported by Inquiry Reporters.

SPP 3, the Structure Plan and the Local Plan also prioritise redevelopment of brownfield sites in urban and rural areas in preference to greenfield release.

Green Belt

Taking account of existing operational factory buildings on site, housing development should not increase the overall level of built development at the site. Impacts on visual amenity, greenbelt, transport, ecology, etc. will all be neutral.

The proposal would not offend the Structure Plan objectives for the green belt, i.e. will support the process of (semi) urban renewal; not result in coalescence, merely redeveloping an existing built-up site; avoid adverse impacts on the character or landscape setting of nearby town and villages; not develop agricultural land; enhance biodiversity in Finglen Burn; not preclude enjoyment or recreation in the countryside or impact on the Green Network.

Release for housing will also generally accord with key SPP 21 objectives, i.e. direct planned growth to a previously developed brownfield site, promoting regeneration of vacant brownfield land; avoid any adverse impact upon character and landscape setting while still being accessible, provide amenity space within the development for those residing at the site, and shall provide an amenity area for the public enjoyment of the passing Finglen Burn.

As the site currently accommodates an operational factory with a number of buildings on site, it is not anticipated that a housing development at the site will increase the overall level of built development at the site. As such, in general, it is considered that any impact in terms of visual amenity, impact on the greenbelt, transport, ecology etc will all be neutral.

Green Belt – Inclusion of Additional ‘excepted’ category of Development

Policy GB2 should be modified to include an additional excepted category of development, namely redevelopment of vacant and redundant facilities or operations on brownfield land. Suitable wording is suggested.

Redevelopment of vacant and redundant facilities would remove potential disamenities to the wider area, accord with a number of strategic planning objectives and be consistent with more local and detailed principles. Supporting national and strategic planning policies are similar to those detailed above.

Also supported by Local Plan objectives to: - prioritise brownfield development over green field release, minimise environmental and visual impact (indeed redevelopment will likely have a positive environmental impact); ensure design is sympathetic to countryside location; will be compatible with surrounding residential uses; reduce traffic movements on the access

road; comply with the principles of redevelopment allowed under category GB2F - Rehabilitation of existing buildings.

SPP15: Planning for Rural Development also advises there is potential to accommodate some small-scale housing development in more heavily populated areas. Planning policies should also accommodate selective, modest growth. The proposed excepted category would still be very selective, not be a 'carte blanche' for unregulated development, indeed not even constitute 'growth' in that it involves redevelopment of redundant sites. Specific mention is made of small, potential 'windfall' sites (e.g. redundant sawmills and brickworks) where residential conversion could bring about net environmental benefits, and planning authorities must set out circumstances on which new housing in the countryside may be appropriate, including redevelopment of brownfield land. It is considered that the planning authority has failed to do this, and recommend that the additional category of excepted development being sought be added to Policy GB2.

Modifications sought by those submitting the representations:

Penelope Sinclair (84)

Re-designate the travelling person's site in Lennoxton as an affordable housing site.

Keppie Planning on behalf of Taylor Wimpey (142)

Realign the greenbelt boundary to include land on the south eastern edge of Lennoxton in the settlement, and allocate for residential development.

James Barr on behalf of William Short (163)

Realign the greenbelt boundary to include land adjacent to the former Lennoxcastle Hospital in the settlement, delete policy NE1 designations and allocate for residential development.

Geddes Consulting on behalf of Giffnock Management Services Ltd. (165)

- Realign the greenbelt boundary to include 28 ha. of land to the south of Lennoxton in the settlement, and allocate for future local development needs, including affordable housing, in the context of a sustainable settlement strategy. A 'countryside' designation may also be appropriate.
- Identify further land to promote a joint development initiative between the developer and the Council, as part of a major expansion to Lennoxton and its development as a low carbon community.

Keppie Planning on behalf of H Morris & Co Ltd (182)

Allocate site for residential development, as an excepted category of development in the green belt.

Summary of response (including reasons) by planning authority:

1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association / public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (paragraph 87) states that *“policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”*. In this regard, the SHIP (November 2009) states that the indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing

developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

- i. Green belt designation should provide clarity and certainty on where development will and will not take place.
- ii. Green belts can have particular benefit where a co-ordinated approach to settlement planning is required across local authority boundaries.

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (page 20).

The SP does not identify any strategic development locations in East Dunbartonshire (page 20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (page 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (page 30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The designated area, boundaries and development management guidance of East Dunbartonshire's Green Belt are key elements of the MDS and fully accord with relevant national and strategic policy guidance.

The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan as the SPP notes:

"In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt."

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas including agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i. progress with community regeneration initiatives at Twechar,
- ii. a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii. major planning consents at Woodilee,
- iv. the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt to be strongly defined by appropriate man-made and natural features. A range of appropriate physical and topographical features also constrain built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release. None are deemed of sufficient weight to justify departing from national and strategic guidance.

In particular, with reference to:

- Penelope Sinclair (84), the release of green belt land exclusively for affordable housing cannot be justified for the reasons set out in the Council's response to housing land supply issues.
- James Barr (163), a potential accumulation of small scale sporadic residential development in the countryside of East Dunbartonshire would seriously erode the long term integrity of the Green Belt.
- Keppie Planning (182), as with (163) redevelopment of the sites of non-conforming development with further incompatible development and/or uses would seriously erode the long term integrity of the Green Belt.

Reporters' conclusions:**Travelling Persons' Site - Representation 84**

1. This site is situated at the south eastern edge of Lennoxton in a relatively isolated location but with footpath access to the town. The site is largely hidden from view by mature trees around its boundary and it has an Important Wildlife Corridor along its northern edge. At the time of my site visit the small, brick buildings which had previously been used as part of a travelling person's site had been extensively damaged by fire. The site was empty and derelict. Vehicular access to the site had been blocked by a metal barrier.

Further information received

2. The council responded that on account of the extensive fire damage to the buildings on the site, they have now been demolished and cleared. The council intends to rebuild one amenity block to serve 3-4 pitches for the use of the travelling community. However alternative uses for the balance of the site have yet to be finalised.

Conclusions

3. Policy HMU 5 of the adopted local plan states that the council will implement a site for travelling persons at Auchenhowie Road, Milngavie for 12 pitches. (This site had conditional planning consent.) In the text it states that the council has been set a target by the Scottish Executive to provide 2 sites (with capacity for a total of 27 pitches) for traditional travelling persons in the plan area. The site at Lennoxton is referred to as having already been developed. The Key Policy Directions Report (KPDR) recommends on page 30 that support should be maintained for the additional site at Milngavie and that policy should be extended to enable the assessment of applications for small privately owned sites in accordance with guidance in draft SPP3.

4. The finalised local plan contains no policy reference to Gypsies or Travellers and on page 17 states that the council's Travelling Persons' Working Party concluded that there is no longer a requirement for the Milngavie site and it has been removed from the plan. It also states that the future of the Lennoxton Travelling Persons' site is under review.

5. Scottish Planning Policy (SPP) published in February 2010 recommends that planning authorities should identify suitable locations for meeting the needs of Gypsies and Travellers and set out policies about small privately owned sites. I have not been provided with any evidence by the council that the need previously identified by the Scottish Executive has declined or been met in some other way or that the continued designation of the site at Lennoxton is unsuitable or inappropriate. Given that the additional site at Milngavie has now been deleted by the council, the site at Lennoxton is the only existing location where this need can be met. In the absence of any alternative sites, I therefore conclude that the Lennoxton site should continue to be used as a Travelling Persons' site and that it would be inappropriate to identify it as a site suitable for affordable housing.

Land at Lennoxlea - Representation 142

6. This greenfield site is located on the southeast edge of Lennoxton and is currently in agricultural use for grazing. It is bound by Rowantree Terrace (B822) to the west, Campsie Road (A891) to the north, the access lane to Lennoxlea cottage to the east and a band of mature trees/hedgerow to the south. A core path (disused railway line), Flood Risk Area and Important Wildlife Corridor run along its southern boundary. Residential development extends beyond the site, on the opposite side of Campsie Road.

Further information received

7. The council is of the opinion that this is a particularly prominent and sensitive green belt site, greatly enhancing the landscape setting of the town, particularly on approaches

from the south and east. With reference to SPP (paragraph 160) it is also a component part of the attractive, well managed agricultural land between Lennoxtown and Milton of Campsie that serves to prevent the coalescence of these settlements. The council finds it difficult to see how site development would materially augment local access and recreational use. The established Strathkelvin Railway Walkway runs immediately to the south and Lennoxtown benefits from a range of outdoor recreational facilities, open space provision and ready access to Lennox Forest to the south and Campsie Fells to the north. The council considers that the presence of strong physical features on greenbelt land adjacent to settlement boundaries is a common enough situation and is not in itself of sufficient weight to justify release from the green belt.

Conclusions

8. This site is highly visible when approaching Lennoxtown from both the east (along Campsie Road) and south (along Rowantree Terrace.) There is built development along the north side of Campsie Road, opposite the site. However the undeveloped nature of the site itself contributes towards a strong sense of leaving the urban area of Lennoxtown and entering the countryside when travelling out of the town, past the site, either to the east or south. The development of both the north and the south side of Campsie Road would have the effect of extending the urban area of Lennoxtown into open countryside contrary to both national and strategic policy advice and I agree with the council that it would have an unacceptable adverse impact on the setting of the town. Furthermore the existing green belt boundary already follows a clearly defensible line on the ground (two roads) and there is no reason to move the green belt to exclude this site in order to strengthen the existing boundary.

9. I therefore find that there is no justification to remove this site from the green belt and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). Whilst I agree with the council that it is difficult to see how the development of this site would enhance access to the countryside or recreational use, this would not in any case alter my view.

Lennox Castle, Gatehouse – Representation 163

10. This green field site is located to the west of Lennoxtown and south of the former Lennox Castle Hospital site. It is in an overgrown and unmaintained condition. The site is bound by a small housing development to the north at Netherton Oval, the lane accessing Netherton Oval to the south and west and mature woodland to the east. Agricultural land and woodland surround the site to the east and south and beyond South Lodge, to the west. The site is identified as both an Important Wildlife Corridor and a Local Nature Conservation Site.

Further information received

11. The council has responded to say that the Masterplan is a regeneration partnership project, long in the making and now being realised through the establishment of the Celtic FC training ground and the first phases of the residential development at the Lennox Castle Hospital site. Paragraph 9 of the executive summary of the Masterplan states that it "...provides a comprehensive approach to the redevelopment of the former hospital site and is used as the framework to guide future applications for the development of the site". The finalised local plan extends the settlement boundary of Lennoxtown to include the representee's site and the adjacent established estate at Netherton Oval. The Celtic Football Club Training facility has been developed as a green belt compatible outdoor recreational use. The council considers that the remaining land including this site, are component parts of the historic and landscape setting of the Masterplan area and fully merit continued designation as green belt.

Conclusions

12. The Campsie View Masterplan (2003) boundary includes this site but does not identify it as suitable for any type of development. The woodland along its eastern edge is however identified as woodland to be retained, enhanced and managed. The Celtic Football Club planning application does not cover this site.

13. I do not consider that this is a gap site as there is only built development to the north and a single dwelling, South Lodge, to the south west. The development of this site for housing would extend built development south of Netherton Oval and into the open countryside contrary to both national and strategic policy guidance. I agree with the council that such small scale, sporadic, residential development would erode the long term integrity of the green belt and have an unacceptable impact on the setting of Lennoxton. The site does not have the appearance of a derelict site or a wasted resource but rather its overgrown nature adds to the rural character and biodiversity of the area. Furthermore the existing green belt boundary follows established woodland and an access road to the north of the site and is a clearly defensible line. The exclusion of this site from the greenbelt would not improve the integrity of the green belt in this location.

14. I therefore find that there is no justification to remove this site from the green belt and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The need or otherwise for an updated Masterplan for the area does not alter my conclusions.

Land to north and south of Balglass Farm – Representation 165

15. This 28.0 hectare, green field site is located to the south of Lennoxton and is split in two by the access road to Balglass Farm and Netherton Oval. The site is in agricultural use and is bounded by woodland and hedgerows to the west and south, Glazert Water to the north and South Brae to the east. A Flood Risk Area and Important Wildlife Corridor run along the north of the site and a core path follows the opposite side of Glazert Water. The western part of the site, to the south of the access road, is covered by a Local Nature Conservation Site designation. The site is promoted for affordable housing only or as countryside.

Further information received

16. The council has responded to confirm that their plan showing the proposed housing site included in the representation was in error and should have included fields to the south of the access lane. The council has taken the view that the representation seeks the release from the green belt of the 28.0 hectare site outlined in red on the plan on page 8 of the representation.

17. This plan also shows land at Campsie cemetery and St Machan's Primary School as "Built Form or Urban Use", the largest of the five sites so identified. The council considers that the representation highlighted these sites as local examples of what could perhaps be argued are urban type uses/developments lying in the green belt that should actually be included in the settlement boundary but was not making a formal representation to this effect.

18. With reference to the paragraph headed Partnership Initiative, this notes aspirations to develop a more substantial but loosely defined area of land to allow a major expansion of Lennoxton and the establishment of a low carbon community. The representation itself specifically states this is to be jointly promoted through the strategic development plan process and on this basis was deemed by the council not to be a formal representation to the finalised local plan.

19. A detailed response to the council's comments was provided from the representee and it was confirmed that the site to the south of Lennoxton is being promoted as a

potential site for new housing development. No further detail was provided about the land at Campsie Cemetery, St Machan's Primary School or the wider Partnership Initiative. The potential housing site is now divided into two, north and south of the access road. Site 1, to the south, is promoted for 170 affordable homes while site 2, to the north, is promoted for up to 180 private and affordable homes.

20. The council has responded to express concerns about the extent of the additional information provided by the representee and how the procedural validity of the submission may be viewed by other parties to the examination process and by parties close to and adjoining the site in question. My attention is drawn to what the council considers to be a significant material change to the proposed housing tenure as part of the site is now promoted for both private and affordable homes in the latest submission. The council is of the view that it is inappropriate to seek to modify the proposed development during the course of the examination. This highlights a concern held by the council throughout the plan preparation process that sites potentially released for affordable housing will over time emerge as sites for private housing, for which the Structure Plan identifies no requirement for additional land release.

Conclusions

21. Firstly, with regard to the validity of the further information received from the representee, I agree with the council that it is not appropriate for me to consider the suggested change in the type of housing development proposed on the site. My conclusions therefore relate to the original submission which promoted a site of 28.0 hectares for affordable housing or as a countryside designation. My request for further information was made to clarify the extent of land included in the representation only and I will therefore also disregard the other detail included in the further information received.

22. Guidance in SPP states that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. East Dunbartonshire is also listed in Schedule 6(b)(iii) of the structure plan as one of the local authority areas where local plans should bring forward proposals to improve the range and choice of affordable housing as a matter of priority. The structure plan allows for limited incursion into the green belt where the site is developed exclusively for affordable housing and ancillary purposes. Such sites should retain their green belt designation until the appropriate affordable housing development is implemented as there is no implication that the sites are suitable for any other form of development.

23. An affordable housing shortfall for Lennoxton of 86 dwellings has been identified in the East Dunbartonshire Strategic Housing Investment Plan (SHIP), with a low priority grading. I have also concluded under Issue 3.4 that there is a clear justification for examining the inner boundaries of the greenbelt with a view to the release of limited areas of land for development. Therefore, there is policy and other support in principle for release of appropriate green belt land for affordable housing, and for review of green belt boundaries in the local plan area. However, any green belt releases should not undermine the metropolitan development strategy set out in the approved structure plan. At the same time, new green belt and settlement boundaries should be recognisable, defensible and sustainable.

24. In this case, the scale and location of land release for development is an important consideration notwithstanding policy support in principle for green belt release to facilitate affordable housing. Two discrete development parcels are proposed by Stewart Farms and Giffnock Management Services Limited within the 28.0 hectares area subject of this representation. It is suggested by the representees that the whole area be taken out of green belt designation and that those areas not to be developed for housing should be

redesignated as countryside.

25. To the north of this larger area, the inner green belt boundary and the southern Lennox town settlement boundary broadly follow the Glazert Water. The wooded edges of the river have a number of environmental designations which are summarised in the council's SEA statement and include a Local Nature Conservation Site, an Important Wildlife Corridor and a Tree Preservation Order (TPO). The low lying land immediately beside the river gives way to rising ground further south. The land-use and landscape character south of the Glazert Water is quite different from the more open, urban character of Lennox town on the north side of the valley.

26. I find that the areas proposed for development are separated from the built-up area of Lennox town by a clear, well defined and robust urban/green belt edge formed by the Glazert Water and its wooded corridor along the flood plain. I believe that the proposed development areas would appear detached and dislocated from the settlement. This physical separation would be further emphasised by the countryside area suggested by the representees that would include SuDs provision and undeveloped land retained within the 1:200 year flood risk zone. I do not consider that hedge lines and existing woodland to the south of the proposed development area would form a clear, coherent green belt boundary and, as a result, I consider that a weaker, less defensible, green belt boundary would be created.

27. The site's accessibility and linkages to local community, recreational, shopping, school and public transport facilities in Lennox town are poor. Travel distances to these facilities range from 400 metres for development plots in the south-east to over 800 metres for the south-western development areas. In practice, these distances would be exceeded if vehicles and pedestrians were to use Station Road which is likely to be the preferred route to local facilities. Development in this location would increase the need to travel by car to employment, retail and leisure facilities.

28. I accept that new development is underway further west of this location and south of the Glazert Water on land formerly part of Lennox Castle hospital. However, I believe that site's heavily wooded landscape setting and its former development status are quite different from Balglass Farm and it should not set a precedent for further large scale development as now proposed by the representees.

29. I have considered whether the 3 development plots proposed specifically for affordable housing to the south-east (identified as site 1 by the representees) should be released from the greenbelt. However, I consider that release of these plots would create a dislocated pocket of development within a predominately agricultural landscape with little structural boundary containment. It would form a new but weaker settlement edge to the south-east of the well established boundary along the Glazert Water corridor.

30. Overall, I consider that the development promoted by the representees would constitute a significant and strategic southern expansion of Lennox town beyond the recognised settlement boundary. I do not consider that this scale of expansion of the Lennox town built-up area into the green belt is consistent with the metropolitan development strategy set out in the structure plan. There is no structure plan requirement to identify strategic urban expansion locations in East Dunbartonshire. The need for affordable housing in the local area does not outweigh this consideration.

Land at Campsie Glen near Lennox town – Representation 182

31. This site is located in the open countryside, along a single track lane, off Strathblane Road and to the west of Haughead. It is an existing employment site in the green belt and is currently occupied by a furniture manufacturing company, H. Morris and Co Ltd. The majority of the site is developed, with a mixture of old and modern buildings and

hardstanding for HGV parking and storage. A small area of the site to the north is undeveloped. At the time of my site visit the buildings on site were in active use. The single track access is shared with other users and provides access to two residential properties and farmland located beyond the site. Passing places are located along its length. The site is heavily screened by mature trees and hedgerows and is covered by an Important Wildlife Corridor designation. It is bound by woodland and farmland to the north, a residential property to the south, farm land to the west and the Finglen Burn, with farmland beyond, to the east.

32. Strategic Policy 9 of the Glasgow and the Clyde Valley Structure Plan seeks to avoid isolated and sporadic development in the green belt and the wider countryside. While acknowledging that the site is brownfield, paragraph 8.33 of the structure plan states that the re-use of previously developed land and the development of low density, low impact housing within the green belt and wider countryside would undermine the objectives of promoting urban regeneration and controlling sporadic development. It recommends that there should be a general presumption against such developments. In addition the structure plan states in its glossary definition of brownfield land that a brownfield site should not be presumed to be suitable for development especially in green belt and other countryside areas. The fact that the overall level of built development on the site may not alter or that the development would not be highly visible does not override this strategic guidance.

33. In any case, policy GB 2I would already permit a certain level of development at this site as an exception to the normal presumption against development in the green belt. Proposals on sites where there are existing developments in the green belt, such as operational industrial and institutional uses, would generally be permitted where they are compatible and in scale with established uses and respect local landscape character. If the existing occupiers do relocate to an alternative location, another employment use could move to the site under existing policy guidance, without the need to leave a vacant and redundant facility. I consider that this provides sufficient flexibility for development on a site which is situated in the green belt and in the open countryside where there is normally a presumption against development.

34. I therefore find that there is no justification to remove this site from the green belt and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The suggested addition to the range and choice of housing available, the provision of a landscaped bank to Finglen Burn and other amenity space within the development, do not alter my view.

See also my conclusions under issue 7.10.

Reporter's recommendations:

No modifications are required to the local plan.

Issue (ref and handling):	Issue 7.5 - Proposed Housing and Mixed Use Sites in Green Belt – Milngavie	Reporter: MALCOLM MAHONY
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
Keppie Design on behalf of Gleniffer Developments (89) Ives and Ernest Duff (101) Geddes Consulting on behalf of Cala Homes (West) (122) James Barr on behalf of Messrs Keith and John Lawrence (126) Thomson Planning on behalf of Mr and Mrs Ferguson (128) Stewart Gilchrist (136) Gilbert McVean (185) McInally Associates on behalf of Stewart Milne Homes (192) Keppie Design on behalf of Industrial and Commercial Holdings (210)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council's summary of the representation(s):		
Keppie Design on behalf of Gleniffer Developments (89) Seek the release, for residential development (3 units), of 0.15 ha. (approx.) land at Hunter Road. Release is justified on the following grounds: <u>Housing Land</u> The site should be considered infill, being surrounded by development on three of its sides. Surrounding woodland planting would prevent further expansion. Though small scale there remains a demonstrable need for additional market housing in the Bearsden/Milngavie area, which the LP2 continues to fail to address. As such this site would help meet the key objectives of SPP3 – Planning for Homes. It would be effective immediately on allocation, offer potential for 3 high quality family houses in a sustainable, accessible location, in close proximity to local amenities and offer the potential to provide affordable housing. <u>Green Belt</u> SPP21–Green Belts states the Green Belt is intended to achieve long-term certainty. Local Development Plans require to take a 20 year look at defining the urban edge of settlements. "Inner boundaries should not be drawn too tightly around the urban edge. The area of land between the current settlement edge and the greenbelt should be identified in development plans on the broad extent of future growth." The Bearsden and Milngavie green belt boundary is fundamentally unsustainable in the 20 year period and will not be capable of maintaining a vibrant green belt. As such, amendments to the boundary must be realistically considered by the Authority at this time.		

The site seems to have remained green belt simply because it is undeveloped land. It is currently poorly maintained and of no recreational value. Indeed development would enhance local residential character and amenity. Residential development would be naturally contained within the adjoining urban area, and result in a more defensible boundary defined by the woodland to the south-west.

Development would also not disaccord with the inter-related objectives of the Structure Plan. Milngavie would not merge with other towns; development would not be sporadic or isolated, character and landscape setting would not be adversely affected; existing landscape and visual environment would be improved.

A previous appeal was dismissed (July 2006) though the Reporter recognised the south-western boundary may be a suitable green belt boundary. Green belt release is cannot simply be rejected solely because there is no national context for additional housing land .

Ives and Ernest Duff (101)

Qualified support for the representation by James Barr, on behalf of Messrs Keith and John Lawrence (126), seeking the release, for residential development, of land within Craighton Woods.

The low density housing will not exceed 30 houses. The new trees felling/pruning, clean up of the existing walkways and provision of new walkways maintained, should be completed before housing build commences.

Geddes Consulting on behalf of Cala Homes (West) (122)

Concerns are raised with respect to the shortcomings of various local plan policies when assessed against national and strategic policy guidance (summarised below). Site specific release is then justified.

Site Specific Release

Land north west of Milngavie at Tambowie Farm (32.4 ha) is part of the green belt although immediately adjacent to the settlement edge. Milngavie has limited infill opportunities for future development. It has substantial affordable housing needs and demand for market housing. There is demand for other uses such as a specialist musical academy for gifted children. None of these development pressures can be readily accommodated without incursion and alteration to the Green Belt. Incursion into the Green Belt for affordable housing is supported by the approved Structure Plan.

Addition of settlement envelopes around all towns in the Local Plan

The Local Plan Proposals map uses 'Village Envelopes' to define the urban context of four villages. The Local Plan does not delineate a settlement boundary to differentiate between the urban edge of major towns and the countryside beyond, instead using the inner boundary of the Green Belt. Many boundaries are weak and do not have strong physical features. There are many examples of urban type land uses in the Green Belt. This is not the role of the green belt inner boundary and is contrary to Scottish Government policy advice. Definition of a settlement boundary would be consistent with the Local Plan's 'Village Envelopes', would also assist in defining terms such as 'infill sites', and would meet national green belt requirements. This would also accord with the approved Structure Plan (Strategic Policy 1).

Review of Inner Boundary of Green Belt

The Local Plan draws its Green Belt boundary tightly against the existing urban edge of its major towns and, too often, the green belt incorporates urban uses. The Local Plan also includes four villages as part of the Green Belt. National guidance in SPP 21: Green Belts and the Consultative Draft requires:- Designation not to prevent development happening; land

only be designated where it contributes to the long term settlement strategy and accommodates planned growth; not all greenfield land be designated as green belt; boundaries should be clearly identifiable, and existing settlements and major uses, such as airports, business, education and research be excluded.

Modification of the Green Belt boundary to meet these requirements would be in accordance with the approved Structure Plan (Strategic Policy 1).

Addition of 'Countryside' designation and 'Development in the Countryside' Policy

The Local Plan does not have a 'Countryside' designation or policy because of the extensive use of the Green Belt, though the Campsie Fells and Kilpatrick Hills, excluded from the green belt, is effectively 'Countryside'. Consequently unless there is an occupancy need for residential development, it is not possible to promote development in most of East Dunbartonshire. This is contrary to policy requirements in SPP 15: Planning for Rural Development. Greater encouragement should be stated in the Local Plan which promotes rural development - housing, economic and tourism uses. Areas to be identified as 'Countryside' could be verified through a green belt review and future development managed by appropriate countryside policies.

Omission of evidence relating to affordable housing needs and 5 year effective land supply

The Local Plan concludes strategic housing land requirements can be met from the effective land supply. Other policy requirements set out in SPP 3: Planning for Homes and the draft SPP also require to be met:- appropriate and effective sites to meet need and demand; sufficient land to meet each housing market area requirement; a five year supply of effective land, maintained at all times; triggers for alternative releases if effective supply not maintained; delivery of housing not solely on development plan allocations and appropriate affordable housing provision.

The Structure Plan allows allocation of green field and indeed, limited incursions into land designated as green belt, to meet affordable housing needs. No evidence has been presented to confirm maintenance of effective 5 year housing land supply and appropriate affordable housing provision.

Green Belt

This green belt does not comply with SPP 21, particularly that:-“.... inner boundaries should not be drawn too tightly around the urban edge. They should create an area between the current settlement boundary and the green belt, suitable to accommodate planned growth over the 20 year period without the need to encroach on green belt land.”

The Council has not fully considered this policy requirement. Its interpretation is still to use the green belt to control development rather than as part of a longer term settlement strategy. The inner boundary is still tightly drawn around the urban edge of its settlements. In fact, the green belt boundary is the settlement boundary.

National policy also states boundaries should be clearly identifiable on the ground. The Council has again failed to fully consider this policy requirement in its review.

A further green belt review would be beneficial.

James Barr on behalf of Messrs Keith and John Lawrence (126)

Seek the release, for residential development, of land within Craigton Woods.

Submission supported by a tree survey.

Release is justified on the following grounds:

There is a lack of house building land in ED. SPP's advocate green belt reviews and further house building. Development would enable proper management of the remaining woodland, reduce fear of crime and enhance its value as a local ecological, recreational and educational resource. Path networks could also be improved and augmented. Since earlier submissions the situation regarding dangerous trees and anti-social behaviour has worsened. The status quo is not an option.

The vision remains to partially redevelop for a limited number of high quality, detached houses, Dangerous trees would be removed and housing plots created around the retention of healthy trees, as shown on the indicative zoned plan, and taking into account a detailed tree survey.

Recent Community consultations by and large support this view.

Thomson Planning on behalf of Mr and Mrs Ferguson (128)

Seeks the inclusion of Craigton Village in a village envelope.

A supporting plan identifies provisional boundaries for the envelope.

Inclusion is justified on the following grounds:-

Relative to Craigton current local plan policies do not accord with SPP 21 - Green Belts, in the delivery of long term green belt objectives and settlement strategy.

Craigton Village has a reasonably defined built-up framework of a settlement of 11 houses plus large scale agricultural and storage sheds, as detailed in the description of the landscape character of the village. The Local Plan 2 does not allow limited infilling and rounding off to consolidate and maintain the character of the village.

Identification of Craigton would be consistent with Haughhead, Bardowie and Clachan of Campsie.

It would provide opportunities to strengthen and manage boundaries through tree and hedge planting and further clarify the separation between the village and the wider countryside. Without the facilitating development the lack of containment and enclosure will remain.

The current allocation also does not accord with SPP15: Planning for Rural Development and SPP3: Planning for Housing, which support more development in the green belt and small scale rural housing developments, including clusters and groups, in close proximity to settlements. The overall message is there is considerable scope for allowing more housing developments of this nature, and this should be expressed in development plans.

Stewart Gilchrist (136)

Support for the representation by James Barr, on behalf of Messrs Keith and John Lawrence (126), seeking the release, for residential development, of land within Craigton Woods.

The proposed development would rectify of the problems that have existed within the woods for a number of years: unsafe trees, large areas of standing water and anti-social behaviour. The proposed development would rectify these problems, ensuring the future of the good trees that remain as well as upgrading the pathways and other aspects that would make the woods a place that can be enjoyed by residents of all ages in safety. A high quality housing will further enhance the area.

Gilbert McVean (185)

Support for the representation by James Barr, on behalf of Messrs Keith and John Lawrence (126), seeking the release, for residential development, of land within Craigton Woods.

Whilst not a Mains Estate resident myself, I live and own a business in Milngavie and feel the letter is not giving a fair view of the facts of the case.

The development is under 50% of the woods and animals such as roe deer, foxes, rabbits and grey squirrels have no shortage of habitat. The developer will, as part of the package, tidy up and improve the access to the remaining woodland. The woods cannot remain in their present state and that limited development should be allowed.

McInally Associates on behalf of Stewart Milne Homes (192)

Seek the release, for residential development and to facilitate significant improvements to Clober Golf Club of land located on the north-west edge of Milngavie, currently part of Clober golf course.

Submission supported by Community Facilities and Public Transport Services Report.

Release is justified on the following grounds:

Housing Land Supply

SPP 3: Planning for Homes (revised 2008) seeks quicker release of land to increase house building by 10,000 units to 35,000 per year. Local authority development plans should provide a generous supply of land to meet identified housing requirements across all tenures for a period of up to 10 years. This can include extensions to existing towns and villages which can be integrated with public transport, walking and cycling networks. On balance the release of certain areas of greenfield land may result in a more sustainable pattern of development than relying on brownfield sites.

These aspects of SPP 3 are fully reflected in the proposals including upgrade to the existing golf course facilities and provision of affordable housing, the sites relationship to the existing settlement, and its location and accessibility to existing public transport and community facilities.

Golf Course Improvements

PAN 43: Golf Courses and Associated Development supports improvements and increased capacity at existing golf courses such as Clober. The PAN also advises that associated housing development could be acceptable where the overall effectiveness of the Green Belt is not undermined. This proposal meets this criterion and will offer various other benefits including much needed affordable housing.

Public Transport

SPP 17 AND PAN 75 : Planning for Transport (August 2005) states new land allocations should be appraised in relation to transport opportunities and constraints. With reference to the supporting Community Facilities and Public Transport Services report the site is accessible to existing public transport services at Milngavie Station and on Craigton Road.

Green Belt

SPP 21 - Green Belts states that "Inner boundaries (of the green belt) should not, therefore, be drawn too tightly around the urban edge. They should create an area between the current settlement boundary and the green belt suitable to accommodate planned growth over the 20 year period without the need to encroach on green belt land." In Milngavie the green belt boundary is drawn so tightly the settlement will not be able to accommodate any planned long

term growth. Rezoning this site to residential land will help meet the demand for well planned future growth and housing (including affordable), ensure rounding-off of the urban form to produce a more defensible sustainable boundary, and avoid the need for future incremental amendments. It will also provide for enhanced golf course facilities and improved environment and landscape setting for Milngavie.

Keppie Design on behalf of Industrial and Commercial Holdings (210)

Seek the release, for residential development and associated planning gain, of land located at the Dougalston Estate to the south-east edge of Milngavie. Of the total site area of 33.7 ha. some 4.5 ha. (c. 50 units) is proposed for housing.

Release is justified on the following grounds:

Housing Land Supply

The Council continued to fail to address issues highlighted in SPP3 – Planning for Homes, regarding identifying housing need and demand from a robust base and releasing a generous supply of land which is effective and capable of being delivered.

Object to the level of effective housing supply. Detailed analysis demonstrates additional land should be released in LP2, capable of accommodating at least 300 units, to maintain an effective local market within the Bearsden and Milngavie area. This should be identified on a number of sites released from the green belt, as no alternative effective brownfield sites exist, or are indeed identified in LP2. The site would be effective immediately on allocation, offer quality family housing in a sustainable location, well connected to transport networks, and close to local amenities, therefore meeting the key objectives of SPP3.

Though the GCVSP 2006 does not require East Dunbartonshire to release land for wider conurbation needs, this does not mean land should not be identified to meet a local market. This was the justification for past releases at Bearsden Golf Club, and more recently, following a Local Plan PLI, at Lynn Drive and the Fire Station Field, Milngavie.

Greenbelt

SPP21 – Green Belts states the Green Belt should achieve long-term certainty. Development plans require to take a 20 year look at defining the urban edge of settlements. Inner boundaries should not be drawn too tightly around the urban edge. The area of land between the current settlement edge and the greenbelt should be identified in development plans on the broad extent of future growth.

The Bearsden and Milngavie green belt boundary is fundamentally unsustainable in the 20 year period identified by SPP21, will not be capable of forming a continued effective housing land supply and maintain a vibrant green belt. As such release must be realistically considered by the Authority at this time. As SPP21 notes some existing green belts do not provide long-term certainty and have been undermined by individual development management decisions. A limited extension would consolidate the Milngavie urban area and establish a long-term and sustainable green belt boundary.

In addition release would meet a number of key objectives of green belt policy:- direct planned growth to an appropriate location; create a financial injection to ensure long term sustainable management of woodlands and open areas, and enhanced countryside and recreational access; protect the character and landscape setting of Milngavie.

The removal of this modest and defensible area adjacent to Milngavie would also not disaccord with green belt objectives outlined within the GVJ Structure Plan 2006 for the same reasons.

Modifications sought by those submitting the representations:**Keppie Design on behalf of Gleniffer Developments (89)**

Realign the greenbelt boundary to include land at Hunter Road in the settlement, and allocate for residential development.

Ives and Ernest Duff (101)

Realign the greenbelt boundary to include Craigton Woods in the settlement, and allocate part of the site for residential development.

Geddes Consulting on behalf of Cala Homes (West) (122)

Realign the greenbelt boundary at Tambowie Farm, north west of Milngavie, in the settlement, and allocate for market and affordable housing, and other local development needs, e.g. relocation of institutions.

James Barr on behalf of Messrs Keith and John Lawrence (126)

Realign the greenbelt boundary to include Craigton Woods in the settlement, and allocate part of the site for residential development.

Thomson Planning on behalf of Mr and Mrs Ferguson (128)

Seeks the inclusion of Craigton Village in a village envelope, based on the provisional boundaries shown.

Stewart Gilchrist (136)

Realign the greenbelt boundary to include Craigton Woods in the settlement, and allocate part of the site for residential development.

Gilbert McVean (185)

Realign the greenbelt boundary to include Craigton Woods in the settlement, and allocate part of the site for residential development.

McInally Associates on behalf of Stewart Milne Homes (192)

Realign the greenbelt boundary to include land at Clober Golf Club in the settlement, and allocate for residential development.

Keppie Design on behalf of Industrial and Commercial Holdings (210)

Realign the greenbelt boundary to include land at the Dougalston Estate, south-east of Milngavie, in the settlement, and allocate for residential development.

Summary of response (including reasons) by planning authority:**1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.**

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for “a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building” (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective

housing land supply for private housing in the period 2004-2018;

- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association/public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (Paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (Paragraph 87) states that *“policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”*. In this regard, the SHIP (November 2009) states that indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop out all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, Page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of

land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

- i. Green belt designation should provide clarity and certainty on where development will and will not take place.
- ii. Green belts can have particular benefit where a co-ordinated approach to settlement planning is required across local authority boundaries.

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (p20).

The SP does not identify any strategic development locations in East Dunbartonshire (p.20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (p. 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (p30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The designated area, boundaries and development management guidance of East Dunbartonshire's Green Belt are key elements of the MDS and fully accord with relevant national and strategic policy guidance.

The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan; as the SPP notes:

"In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt."

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i. progress with community regeneration initiatives at Twechar,
- ii. a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii. major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt is strongly defined by appropriate man made and natural features. A range of appropriate physical and topographical features also constrained built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites are would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release. None are deemed of sufficient weight to justify departing from national and strategic guidance.

In particular, with reference to:

- Keppie Design (89), a potential accumulation of small scale sporadic residential development in the countryside of East Dunbartonshire would seriously erode the long term integrity of the Green Belt.
- James Barr (126), the possibility of residential redevelopment on part of the Craigton Woods resulted in 67 submissions in support of the continued designation of the site as green belt,
- Thomson Planning (128), the Council recognizes Craigton as a countryside locality that includes various groupings of buildings, along with more freestanding dwellings and farm steadings. Their geographical extent and lack of a focal point precludes definition by a village envelope.

Reporter's conclusions:**Land at Hunter Rd (89)**

1. This small (0.15 hectare) triangular site abuts an existing housing estate. A row of frontage trees on a mown grass verge is backed by bushes with an understorey of bracken, etc, merging into the wooded slope behind. For an urban site, there were few signs of litter and none of fires as alleged. It did not appear unsightly or out of place in this setting. The land appeared to me to function well as part of a partly wooded spur of the green belt, and to contribute to the landscape setting of this part of Milngavie. I am not persuaded that moving the green belt boundary to the south-west would make it more defensible; indeed, the existing boundary follows a main road, consistent with the current advice in Scottish Planning Policy.

2. The merits of housing in this location in terms of accessibility, lack of obstacles to development, potential road widening, and potential provision of an affordable housing element are peripheral matters and do not warrant any change to the green belt.

Land within Craighton Wood (101; 126; 136; 185)

3. Craighton Wood comprises a belt of mostly deciduous mature woodland between the Mains housing estate and Craighton Rd. The latter marks the edge of the built up area in this part of Milngavie. The wood has a depth of some 200m and is around 900m in length. Sign posts indicate a wide and attractive footpath through the wood and litter bins have been provided. It was clear from my site visit and from the evidence in the 67 representations supporting retention of the existing green belt boundary, that the woods comprise a well used and much appreciated local amenity. They fulfil most of the purposes of green belt designation, including enhancing the quality, character and landscape setting of Milngavie and giving access to open space around towns.

4. I noticed a few signs of anti-social behaviour such as litter and fire damage, but these fell a long way short of justifying removal of green belt status or partial development. Development would simply reduce and fragment the woodland resource. The alleged advantages of such development in terms of reducing fear of crime, path development, and ecological enhancement, even if supported by hard evidence (which they were not) would not outweigh the need to retain this important green belt boundary.

Tambowie Farm (122)

5. This site comprises several fields of grazing land to the north-west of the built up area of Milngavie. The land extends to some 32.4 hectare and is divided from the town by Craighton Rd, a distributor road leading from the town centre to the A809 Stockiemuir Rd. A more or less continuous belt of woodland follows the townward side of Craighton Rd forming a strong green belt boundary.

6. The existing green belt land serves the green belt purposes well. Craighton Woods and Clober Golf Course offer recreational activity and access. The farmland is in productive use. That setting together with the wedge of greenspace running into the urban area create an attractive and distinctive landscape setting to this part of Milngavie.

7. The scale of release envisaged is strategic in scale and would conflict with the metropolitan development strategy.

Craigton Village (128)

8. Local Plan 2 identifies four settlements within the green belt as villages around which village envelopes have been drawn. Appropriate developments are permitted inside those envelopes as long as they maintain the character and amenity of those communities.

9. I agree with the council that there is a clear distinction between those settlements and the cluster of buildings at what is known as Craigton Village. Most of the Craigton buildings take their access from the Tambowie farm lane. However, the proposed Craigton envelope somewhat artificially includes a roadside dwelling to the north which takes access directly off the A809. The cluster is smaller than the four identified villages and lacks communal facilities.

10. By contrast, Balmore has a garden centre with tea room, second hand bookshop with tea room, parish hall, and children's playground; Bardowie has a tennis club and overlooks Bardowie Loch, with its sailing club, and Bardowie Castle; Haughhead has a public house, village hall with car park, play area and small playing pitch; and Clachan of Campsie is arranged round a village square with public parking, a bus service, shops, a café and a graveyard.

11. There is therefore an acceptable rationale for the council's exclusion of Craigton Village from any village envelope. It constitutes a cluster of buildings in the countryside rather than a village as such.

Clober Golf Club (192)

12. Clober Golf Club is located within an established landscaped setting on the north-eastern edge of Milngavie. Views onto the course are hard to find because of the high perimeter hedge and the dip of the land towards the north. The existing green belt boundary is formed by Craigton Rd, a main road, and the edge of the golf course. The landform screens the area of housing on higher ground to the north. What therefore appears in plan view to be a rounding off of the urban form is less convincing on the ground. Indeed, the presence of green wedges into the urban fabric constitutes part of the attractive landscape setting of Milngavie. Nor would the proposed new boundary follow any established physical feature. Consequently, I am not persuaded that development at the eastern end of the course would provide a more defensible boundary or improved landscape setting for Milngavie as claimed.

13. The enhanced golf course facilities and proposed increased access to countryside, whilst laudable objectives in themselves, do not justify land release from the green belt.

Dougalston Estate (210)

14. The site comprises mature woodland and unmaintained grassland between the eastern edge of Milngavie, the Fairways housing estate and a golf course. It is proposed to build housing (about 50 units) on some 4.5 hectare of the total 33.7 hectare site. A conceptual site layout has been provided. The land is currently used for informal recreation. An informal footpath leads from the Fairways estate road to another footpath along the edge of the golf course.

15. I consider that the site forms a defensible green belt boundary and that it protects the character and setting of Milngavie.

16. In addition to the golf course, there are some sports facilities, including the Rangers football training complex, located on the far side of the main road. They are fairly low intensity recreational uses and I am not persuaded that they undermine the green belt in the vicinity of the Dougalston Estate.

17. Whilst the Fairways estate is isolated from the main urban area, it is very well screened from Auchenhowie Rd (A807) and other public viewpoints by surrounding woodland and landform. There would be no visual benefits to consolidating the estate with the main settlement, as contended. I agree with the report on the predecessor local plan that the

development of Fairways as a free-standing housing estate appears to be an anomaly in the green belt, which should not be used to justify the further encroachment of housing.

18. The potential developer has offered an agreement to manage the woodlands and open areas, including around the Fairways estate, but it is not obvious that this is necessary. The land already provides countryside access and opportunities for informal recreation.

Reporter's recommendations:

No amendments are necessary.

Issue (ref and handling):	Issue 7.6 - Proposed Housing and Mixed Use Sites in Green Belt – Milton of Campsie	Reporters: KATRINA RICE and IAIN URQUHART (representations 24, 204 and 211)
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
Councillor Kennedy (24) Lee Cronin (85) WA Fairhurst and Partners on behalf of Kier Property (124) Graham and Sibbald on behalf of the Salvation Army (154) James Barr on behalf of the Glorat Estate (204) James Barr on behalf of the Glorat Estate (205) Keppie Design on behalf of Bellway Homes (Scotland) Ltd (211)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council’s summary of the representation(s):		
Councillor Kennedy (24) Reiterates previously stated support for the removal of land at West Baldoran Farm from the green belt, subject to the caveat that development would not impinge on Stirling Hall and its environs.		
Lee Cronin (85) Seeks the release, for residential development (one house) of land between 61 and 67 Antermony Road (owned by the Council). Alternatively site could be used to extend garden. Release is justified on the following grounds:- <ul style="list-style-type: none">• Development would fill discontinuous gap.• Site is an eyesore.• Serves no positive greenbelt purpose, e.g. protect character of the village, compared with, say, farmland immediately to the north.• Site can only be accessed from 67 Antermony, so no wider precedent would be established.• New house would be an energy efficient, eco-house.		
WA Fairhurst and Partners on behalf of Kier Property (124) Seek the release, for residential development (60 -80 units), of approx. 3 ha. of agricultural land on southern boundary of Milton of Campsie.		
Release is justified on the following grounds: <ul style="list-style-type: none">• SPP 21 - Green Belts, states greenbelts "should be used to direct development to suitable locations, not to prevent development from happening in general".• Residential development would form a natural extension of the settlement and reflect surrounding land uses, and could be considered a form of infill site relative to the Birdston Nursing Home.		

- Release in line with national planning policy.
- This is a sustainable location with easy access to goods and services in the surrounding area.
- It is free from constraints and has the landscape capacity to accommodate residential development.
- Safe vehicular access can be provided, bus stops are close by and an existing footway connects to Milton of Campsie.
- A more robust and defensible green belt boundary would be created.
- It has no obvious recreational value and is not part of an open space network. This could be enhanced by development, which could also enhance access.
- Site is of limited biodiversity value and is not at risk to flooding.
- The site would help to meet the recognised demand for private housing in the East Dunbartonshire area. Identifying readily developable sites for residential development in the EDLP2 would contribute to meeting the future demand for residential development in a currently constrained market.

Graham and Sibbald on behalf of the Salvation Army (154)

Seek the release for suitable 'brownfield' development, e.g. residential or care/nursing home, of the site of the now demolished Baldoran House care home, Campsie Road.

Release is justified on the following grounds:-

The Council has previously advised a replacement care home on the building footprint is likely to be acceptable in principle. Release for a higher level of development is justified on the following grounds:

- This is a brownfield site but its potential is unduly hampered by virtue of its inclusion within the Green Belt.
- The site is on the urban edge, and sits directly opposite housing to the south, with further residential units to the north, also within the Green Belt.
- It appears the Council would be unwilling to consider development otherwise acceptable in terms of local transport capacity, sewage capacity, landscape capacity etc, if assessed on its own merits – simply because it does not sit within the footprint of the last building on site.
- Any development will be limited to some extent by the Tree Preservation Order

James Barr on behalf of the Glorat Estate (204)

Seek the release, exclusively for affordable housing, of surplus agricultural land at West Baldoran Farm.

Release is justified on the following grounds:-

- The approved Structure Plan confirms a need for affordable housing in Milton of Campsie. No suitable sites are available for affordable housing within the existing settlement boundary. There are also no promoted strategic housing releases in Milton of Campsie, so there is no current prospect of delivering affordable units, despite the recognised need.
- The suggested site is ideally located, being central to the settlement and all services. It can be readily accessed and serviced, and is adjacent to excellent public transport services.
- It is surplus to agricultural requirements and is virtually bordered by housing on all sides. Development will comply with Planning Advice Notes on design, due to its aspect and character. Structural planting exists to the north/north-east of the site. Appropriate development will have negligible environmental impact.
- The release of this site for said development will not cause coalescence.
- The release of this site will create a long term defensible greenbelt boundary to the north in accordance with Scottish Planning Guidance.

James Barr on behalf of the Glorat Estate (205)

Seek the release, for residential development, of land comprising of the gap site between 61 and 67 Antermoney Road (owned by the Council) and an adjacent parcel south east of East Baldoran Farm steading.

Release is justified on the following grounds:-

- This is a natural gap site with housing either side.
- A new access via East Baldoran Farm steading will create safe parking for existing residents. (Previously discussed with the Council).
- The site is suitable for a limited number of homes.
- The site complies with Scottish Planning Guidance on landscape and design.
- The Council will benefit from the release and sale of this land.
- The whole area, comprising this site and the East Baldoran steading area, should be properly planned, looking at access improvements, new housing, re-use of buildings and suitable use of surplus land, including the gap site.

Keppie Design on behalf of Bellway Homes (Scotland) Ltd (211)

Seek the release, exclusively for affordable housing, of two sites, 7.23 ha. (Area 1) and 1.62ha. (Area 2) forming part of a larger 38 ha. site known as Redmoss Farm adjacent to the western boundary of Milton of Campsie. The balance of the site will be promoted as a Local Nature Reserve (LNR).

Submission supported by:- i) A landscape and visual appraisal and, ii) An accessibility appraisal.

Release is justified on the following grounds:

Housing Land Supply

Notwithstanding referencing the Council's Strategic Housing Investment Plan (SHIP) the Local Plan fails to meet identified requirements for affordable housing. The 2008 SHIP identifies a need for 105 affordable properties in Milton of Campsie, 2009-2014. More up-to-date figures (November 2009) demonstrate an affordable housing shortfall of 190 units in the 2010/11- 2014/15 period, with no units being delivered through the SHIP programme in that period. One market housing site in Milton of Campsie (HMU 37) will deliver only 4 affordable units in the plan period. At best, there is a shortfall of 186 affordable housing units. This proposal for 190 affordable units is the perfect opportunity to address the shortfall.

The Glasgow and Clyde Valley Structure Plan provides additional justification, stating that where urban/brownfield locations are unavailable or insufficient, as here, limited greenbelt incursion may be considered where sites are developed exclusively for affordable housing. The SHIP also raises concerns that failing to change the Council's Green Belt policy may result in missed opportunities. SPP3 advises that contributions to deliver affordable housing may also require additional land release.

The Council, at best, misunderstood the previous representations to the KPDR. No mention was made of the housing being 100% affordable or the associated LNR. In an April 2009 Council assessment the site is also given a misleadingly high score on flood risk and development impact grounds. In fact all of Area 1 and most of Area 2 is outwith SEPA's flood risk area. Alternative scoring suggests a more accurate lower score.

Green Belt

SPP21 requires Local Plans to take a 20-year look at defining the urban edge of settlements. "Inner boundaries should not be drawn too tightly..... land between the current settlement edge and the greenbelt should be identified.....on the broad extent of future growth". 90

affordable houses are required for Milton of Campsie and a lack of brownfield urban sites requires a boundary adjustment to accommodate required growth. The proposed release complies fully with other key objectives of SPP21, e.g. landscape protection, enhanced access and improved recreational opportunities and, through the formation of an LNR, the creation of a more defensible and effectively managed boundary. Similar green belt objectives identified in the Structure Plan would also not be offended.

The Structure Plan also provides strategic guidance in relation to limited green belt incursions to provide affordable housing. As this proposal is aimed exclusively at affordable housing there is absolute compliance with this strategic position within the Structure Plan.

Local Nature Conservation Site Designation

Area 2 (c 1.62 ha) is located in the designated Local Nature Conservation Site (Redmoss Grasslands). It is considered loss of recreational/ecological value will be vastly outweighed by significant improvements to the wider area through the proposed Local Nature Reserve. Bellway will fully engage with relevant bodies to advance the Local Nature Reserve.

As such, Bellway objects to the designation of Area 2 as part of the LNCS and seeks that the boundary is redrawn to exclude the site. This would allow Area 2 to be developed for affordable housing, in conjunction with the proposed Area 1 and the Local Nature Reserve. Bellway would be happy for delivery to be secured by Legal Agreement.

Modifications sought by those submitting the representations:

Councillor Kennedy (24)

Realign the greenbelt boundary to include land at West Baldoran in the settlement, and allocate for development.

Lee Cronin (85)

Realign the greenbelt boundary to include land between 61 and 67 Antermomy Road in the settlement, and allocate for residential development. Alternatively allocate the land for domestic garden ground.

WA Fairhurst and Partners on behalf of Kier Property (124)

Re-align the greenbelt boundary to include land on the southern boundary of Milton of Campsie in the settlement, and allocate for residential development.

Graham and Sibbald on behalf of the Salvation Army (154)

Realign the greenbelt boundary to include the site of the demolished Baldoran House in the settlement, and allocate for either residential development or care home or similar development. Alternatively allow redevelopment of brownfield sites on the urban edge as an excepted category of development in the green belt.

James Barr on behalf of the Glorat Estate (204)

Realign the greenbelt boundary to include land at West Baldoran in the settlement, and allocate exclusively for affordable housing.

James Barr on behalf of the Glorat Estate (205)

Realign the greenbelt boundary to include land at East Baldoran and a gap site between 61 and 67 Antermomy Road in the settlement, and allocate for residential development.

Keppie Design on behalf of Bellway Homes (Scotland) Ltd. (211)

Realign the greenbelt boundary to include land at Redmoss Farm in the settlement, and allocate exclusively for affordable housing. Retain balance of the site in the green belt and promote as a Local Nature Reserve.

Summary of response (including reasons) by planning authority:**1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.**

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the 5 most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association / public housing units – which the 2009 HLA identifies as 127 Housing Association / public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association / public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full. However, SPP (paragraph 87) states that *“policies on affordable housing provision should be*

realistic and take into account considerations such as development viability and the availability of funding". In this regard, the SHIP (November 2009) states that the indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

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- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

- i. Green belt designation should provide clarity and certainty on where development will and will not take place.
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The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan as the SPP notes:

“In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt.”

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3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

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Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas including agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i. progress with community regeneration initiatives at Twechar,
- ii. a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii. major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

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Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release. None are deemed of sufficient weight to justify departing from national and strategic guidance.

In particular, with reference to:

- Lee Cronin (85) and James Barr (205), a potential accumulation of small scale sporadic residential development in the countryside of East Dunbartonshire would seriously erode the long term integrity of the Green Belt.
- Keppie Design (211) the release of green belt land exclusively for affordable housing cannot be justified for the reasons set out in the Council's response to housing land supply issues.

Reporter's conclusions:

Land at West Baldoran Farm – Representations 24 and 204

1. This site is located in the centre of Milton of Campsie and includes West Baldoran farmhouse and a small area of agricultural land to the east and south. The site is bounded by a track, a belt of young trees and the curtilage of the farmhouse to the north. Campsie Road borders the site to the south with Brash Burn and the curtilage of the church hall to the east and a single track access lane to the west. There are no local plan designations on the site other than its inclusion in the green belt.

2. The structure plan expects local plans to continue to review the inner boundaries of the green belt although no strategic adjustments are required within east Dunbartonshire. Under Issue 3.4 I have concluded that there is a clear justification for examining the inner boundaries of the green belt with a view to the release of limited areas of land for development where this would not undermine the metropolitan development strategy. In addition, East Dunbartonshire is listed in Schedule 6(b)(iii) as one of the local authorities areas where local plans should bring forward as a matter of priority, proposals to improve the range and choice of affordable housing. The structure plan also allows for limited incursion into the green belt where the site is developed exclusively for affordable housing and ancillary purposes. A need for 190 affordable houses in Milton of Campsie has been identified in the East Dunbartonshire Strategic Housing Investment Plan (SHIP), with a medium priority grading for delivery.

3. The existing green belt designation follows Campsie Road and Brash Burn and the curtilage of the church Hall. Looking beyond the site, to the north there are open fields towards the Campsie Hills, to the south a recreation ground and housing located across Campsie Road, to the west the now derelict site of Baldoran House which is covered in part, by mature trees and to the east a modern housing estate.

4. The open field is close to the centre of the village and visible from the main road through the village. It affords open views north towards the Campsie Hills. However, the site is vacant and is not in agricultural use. The farm steading buildings appear vacant and poorly maintained. A belt of mixed broadleaf and conifer trees has been planted along the site's northern edge and, in time, will help to define a more visible boundary where the site currently merges into more open fields. The semi-wooded grounds of Baldoran House, which are protected by a Tree Preservation Order, lie immediately west of the site and provide some visual containment. I do not consider that development of the West Baldoran site would set a precedent for further development to the west where landscape, environmental and site characteristics are quite different. In any event, a separate representation on Baldoran House has been considered and it has been concluded that it is not an appropriate location for residential, care home or nursing home development. (see conclusions under Representation 154 below).

5. The site slopes down to a low point towards the north-east boundary so reducing the visual impact of any potential development when viewed against the backdrop of the Campsie Hills. I do not consider that the loss of this small green wedge would have a seriously

detrimental effect on the setting of the village. Equally, I agree with the council's conclusions in its SEA document that development would not adversely impact on the Campsie Hills Regional Scenic Area. The existing farm house already sits at the highest and most prominent part of the site. I find that development of the site would effectively extend the existing housing area which lies immediately to the east of the site and is already closer to the Campsie Hills scenic area.

6. The West Baldoran Farm steading and adjoining land is centrally situated within the village and close to community, shopping and primary school facilities within 200 to 300 metres, and local bus services directly adjacent on Campsie Road. The site could be accessed from public roads to the east, close to the existing church hall.

7. This location makes it particularly appropriate for affordable housing where future residents may have less access to private vehicles for employment and leisure related travel.

8. Overall, given the need for affordable housing in the local area and bearing in mind the provisions of the structure plan regarding green belt release for such purposes, I find that the West Baldoran site is an acceptable small scale land development site. I find that there would be little landscape or environmental impact as a consequence of developing this site. I believe that the site should be included within the settlement boundary of Milton of Campsie on completion of an affordable housing development. In the meantime, the site should remain within the green belt but designated for affordable housing. In this way, there can be no implication that the site is suitable for mainstream private housing or any other built development.

Land at Antermoney Road - Representation 85

9. This area of unmaintained grassland is located to the east of Milton of Campsie and is bound by residential properties to the east and west, Antermoney Road to the south and agricultural land to the north, with open views to the Campsie Hills beyond. The site is heavily overgrown with a belt of small trees to the rear. The site is at a higher level than Antermoney Road and direct vehicular access would not be possible. There are no local plan designations on the site other than green belt.

Further information received

10. The council considers that whilst the finalised local plan encourages high quality sustainable design, this in itself is not of sufficient weight to justify departing from green belt policy. With regard to the possible use as domestic garden ground, the council normally resists proposals for the change of use of agricultural or open space land to this purpose, for example, to preserve the openness of the green belt. The council is of the opinion that the development of even one house on this site would effectively extend the ribbon development on the north side of the road to link in with lower density established housing to the east. The site helps to maintain a distinct gap before entering Milton of Campsie thus preserving the character and landscape setting of the town. The potential availability of a convenient vehicular access point is noted but is not in itself deemed to be of sufficient weight to justify release of the site from the green belt. The site's visual condition is not considered by the council to be "derelict" and on account of its elevated situation does not significantly detract from the amenity of the street scene. Again these considerations alone are not sufficient to justify release from the green belt.

Conclusions

11. There is no built development on the opposite side of Antermoney Road for some distance into Milton of Campsie and because the other houses along the road are set back, the impression of entering an urban area is not readily apparent until after Scott Avenue. Similarly when leaving Milton of Campsie past Scott Avenue the impression is one of entering the open countryside. From my site visit I consider that the unmaintained nature of the site

adds to rather than detracting from the rural character of this part of the town. I agree with the council that it does not have the appearance of a derelict site.

12. I accept that building a single house on the plot, if it were set back from the road and well screened, or using the site as garden land may be able to be accommodated without materially detracting from this rural character. However this is not in itself sufficient reason to justify the removal of the site from the green belt. In any case, the existing green belt boundary follows the clearly defensible line of Antermoney Road. The amended boundary would follow no identifiable features to the north other than the boundary of the building plot itself. This would in my view weaken the green belt boundary to the north of the site to an unacceptable degree and could potentially open up further green belt land to the threat of housing development. Such urban sprawl would be contrary to national and strategic policy guidance.

13. I therefore find that there is no justification to remove this site from the green belt and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The proposal to build an eco-home and to facilitate access to the site via the adjoining property does not alter my view.

Land at Birdston Road – Representation 124

14. This three hectare, green field site is located to the south of Milton of Campsie and is in agricultural use. It is bound by a care home/nursing home to the south, woodland to the north, Birdston Road to the east and a mixture of woodland and hedgerows, with open fields beyond, to the west. The site slopes upwards from Birdston Road to the west and there are core paths running beyond the site to the north and west. There are no local plan designations on the site other than green belt.

15. Although there are residential properties on the opposite side of Birdston Road, these are set back from the road and well screened, giving a rural character to this southern entrance to Milton of Campsie, which the site currently adds to. This green entrance to the town adds to its character, landscape setting and identity. The fact that the site is not accessible by the public does not detract from its value in helping to protect the distinct character and identity of this part of the town. This rural character is also evident when leaving Milton of Campsie, coming over the brow of the hill and past the site giving a sense of entering the open countryside. The undeveloped nature of the site makes the buildings at the nursing home appear divorced from the urban area of the town. This separation would be lost if the site was developed. I do not consider that alterations to the levels in the site or the incorporation of open space and planting would address this adverse impact on the character of the area.

16. Given the size of the site and the degree of separation which it provides between the nursing home and existing residential properties to the north I do not regard this as an infill site. I consider that housing development on this site would extend the urban area of Milton of Campsie into the open countryside against strategic guidance in Strategic Policy 9 of the Glasgow and the Clyde Valley Structure Plan which seeks to avoid isolated and sporadic development in the green belt and the wider countryside. It would also bring the urban area of Milton of Campsie closer to the small settlement of Birdston which currently has its own character and identity and is clearly separate from the larger town.

17. Furthermore the removal of the site from the green belt would not retain a strong defensible green belt boundary which follows strong visual or physical landscape features to the west of the site, as advised in Scottish Planning Policy (SPP). The current boundary follows Birdston Road which accords with this guidance.

18. I therefore find that there is no justification to remove this site from the green belt and

allocate it for housing. (See also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The existence of a possible access onto Birdston Road, nearby bus stops, a footpath connection to Milton of Campsie and the potential to link the site to the core path network do not alter my conclusions.

Baldoran House – Representation 154

19. This site is located in the centre of Milton of Campsie and is bound by Mount Dam to the west, a single track access lane and West Baldoran Farm to the east, housing and open fields to the north and Campsie Road to the south. It is the site of a former care home which was fire damaged and subsequently demolished. From my site visit, only the access road and some hard-standing remain as evidence that the site was previously developed. Most of the site is heavily overgrown with bushes/scrubland and mature trees cover the site, concentrated around its edges. The site is designated as a Historic Garden and Designed Landscape and it is covered by a Tree Preservation Order. Public access to the site is restricted by locked gates and safety warning signs.

20. There are residential properties to the south of Campsie Road but the heavily landscaped nature of this site adds to the undeveloped appearance of the north side of the road and this western entrance to Milton of Campsie. The site may have lain vacant for a number of years but its largely green appearance adds to rather than detracting from the character and setting of this part of Milton of Campsie. The site is on the urban edge of the town and limited built development might be able to be accommodated behind the high stone wall, taking advantage of the mature landscaping on the site and without being highly visible or intrusive. However this is not in itself sufficient justification to remove the site from the green belt.

21. While acknowledging that the site is brownfield, there is little evidence of any previous development on the site. In any case, the structure plan states in its glossary definition of brownfield land that a brownfield site should not be presumed to be suitable for development especially in green belt and other countryside areas. Policy GB2 already permits certain excepted categories of development within the green belt. I consider that this provides adequate flexibility for development on a site which is situated in the green belt where there is normally a presumption against development. I do not accept that there is a need for further flexibility by the inclusion of a local plan policy which allows for the redevelopment of brownfield sites in the green belt, within the urban edge.

22. Furthermore the existing green belt boundary follows the clearly defensible line of Campsie Road. The removal of this site from the green belt would weaken the boundary particularly to the north and east where the only features to follow are residential boundaries and an access lane.

23. Unlike the site at West Baldoran Farm, where development would meet an established need for affordable housing, the need for the development of this site for residential, care home or nursing home uses has not been established. I therefore find that there is no justification to remove this site from the green belt and allocate it for uses such as residential, a care home or nursing home (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The previous positive discussions with the council for development on the footprint of the demolished care home or the alleged difficulties in selling the site do not alter my view.

East Baldoran Farm – Representation 205

24. This site is located on the eastern edge of Milton of Campsie and consists of an area of unmaintained grassland between 61 and 67 Antermony Road (dealt with under representation 85), plus agricultural land to the north. The site is bound by East Baldoran farm steading and residential properties to the west, a residential property and mature trees to

the east, Antermomy Road to the south and open countryside with views to the Campsie Hills to the north. There are no local plan designations other than green belt on the site. It is proposed that the site would be accessed off Scott Avenue which serves an existing housing estate.

25. I consider the release from the green belt of the land between 61 and 67 Antermomy Road, to be unacceptable for the reasons set out in my conclusions to representation 85. The removal of the agricultural land to the north would extend built development into the open countryside contrary to guidance in Strategic Policy 9 of the Glasgow and the Clyde Valley Structure Plan which seeks to avoid isolated and sporadic development in the green belt and the wider countryside. Although development on this site would be largely hidden from view elsewhere in Milton of Campsie, this does not justify its removal from the green belt. The new green belt boundary would not follow any clearly identifiable visual or physical landscape feature on the ground and further encroachment onto adjacent agricultural land would be hard to resist. This weakening of the eastern edge of Milton of Campsie's existing green belt boundary would be unacceptable.

26. I therefore find that there is no justification to remove this site from the green belt and allocate it for residential use (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The suggested creation of safe parking for residents, limited number of homes proposed, possible financial benefit to the council from the sale of the land and the support of the Estates Department, do not alter my conclusions.

Redmoss Farm – Representation 211

27. The 38.0 hectares site covered by this representation lies on the western edge of Milton of Campsie and is bound by Glazert Water to the north, open fields and woodland to the south, open fields and Redmoss Farm to the west and residential properties within the built up area of Milton of Campsie, to the east. The site is split in two by a ridgeline running east to west. The northern half of the site is covered by a Local Nature Conservation Site (LNCS) designation and a core path runs through it. A small part of the site is in a Flood Risk Area. Important Wildlife Corridors run along its northern edge and along part of its western edge. The southern part of the site has an Important Wildlife Corridor on its eastern boundary.

28. It is proposed to build affordable housing on two areas within this site with the remainder being managed as a Local Nature Reserve. Area 1 is located to the south of the site and consists of 7.23 hectares of agricultural land (used for grazing horses) at a lower level than the rest of the site. Redmoss Wood runs along the northern boundary of Area 1 and is protected by a Tree Preservation Order. The undulating site gently slopes away from the woodland. There is currently no public access to this part of the site but a core path runs just outside the site, along its eastern edge.

29. Area 2 is located to the north of the site and is smaller in scale at 1.62 hectares. The land slopes steeply towards Glazert Water and a core path and cycle path runs along its northern boundary following the former railway line. A belt of scrub and regenerated woodland lie between the site and the railway paths. Young shrubs, bushes and trees cover this abandoned, former farmland and well used paths pass through it. There are open views to the Campsie Hills beyond.

Further information received

30. With respect to flood risk the council accepts that only a small proportion of the proposed development site (Area 2) lies within the SEPA 200 year flood envelope. However even in these circumstances it is considered that a flood risk assessment would need to demonstrate to the satisfaction of SEPA that proper account has been taken of flood risk

matters. Even if the development sites were entirely outwith the 200 year flood envelope and subject to minimum flood risk, they would still be rejected by the council on green belt policy grounds.

31. As part of the representation it is proposed to develop the balance of the site as a Local Nature Reserve (LNR). The provision of an LNR (which would require the agreement of Scottish Natural Heritage) would in the view of the council accord with policies NE1 and NE3 which respectively seek to protect natural diversity and promote the Green Network. However the council considers that this commitment by a developer is not of sufficient weight to justify the setting aside of long established green belt policies. In addition this land was previously used as pasture, to which it could easily revert and its present naturalised condition does not otherwise detract from the landscape setting or amenity of Campsie.

Conclusions

32. Guidance in SPP states that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. East Dunbartonshire is also listed in Schedule 6(b)(iii) of the structure plan as one of the local authority areas where local plans should bring forward proposals to improve the range and choice of affordable housing as a matter of priority. The structure plan allows for limited incursion into the green belt where the site is developed exclusively for affordable housing and ancillary purposes.

33. An affordable housing shortfall for Milton of Campsie of 190 dwellings has been identified in the East Dunbartonshire Strategic Housing Investment Plan (2010 to 2015) (SHIP), with a medium priority grading. I have also concluded under Issue 3.4 that there is a clear justification for examining the inner boundaries of the greenbelt with a view to the release of limited areas of land for development. Therefore, there is policy and other support in principle for release of appropriate green belt land for affordable housing, and for review of green belt boundaries in the local plan area.

34. The proposal by Bellway Homes would extend the settlement boundary westwards to incorporate 2 discrete areas with a combined development capacity of 190 houses. The developer intends to build mainly houses for low cost home ownership. Link Housing Association has expressed interest in participating in the development. The developer has also noted that social rented housing could form part of the overall scheme if the appropriate agency has funding available. The representation on behalf of Bellway Homes also proposes that a significant area under its control (around 30.0 hectares) should become a local nature reserve and country park within the green belt to be managed by a local trust. I note that it is suggested that this designation will protect the area from built development and secure the green belt boundary in this area.

35. The southern development plot (Area 1) (150 houses) breaches a mature tree belt into open fields with no topographical, landscape or other defining boundaries to the west. The northern development plot (Area 2) (40 houses) sits within a shallow, north facing bowl bounded to the south and west by rough grassland and scrub woodland. Again, these features do not provide a clear, recognisable settlement edge. The proposal constitutes a significant south-western expansion of the built-up area beyond an existing clear and identifiable green belt boundary.

36. The Area 1 development plot adjoins the south-west 'quadrant' of the village and would be over 1.0 kilometre from local shopping, community and primary school facilities and 800 metres from the nearest local bus services on Birdston Road. Redmoss Road serves as a local distributor road and would be capable of accessing the site subject to alterations at its 'stub end' junction with Laburnum Drive and junction improvements with Birdston Road.

37. Road access to the Area 2 development plot is rather convoluted via Redmoss Road, Laburnum Drive, Elizabeth Avenue and finally Marley Way, a cul-de-sac. Both development plots have been positioned so as to avoid the higher ridgeline crossing the centre of the site broadly from south-west to north-east. But, as a result, the overall proposal lacks a cohesive development form and does not appear as a logical expansion of the Milton of Campsie settlement. The northern plot in particular has the appearance of a backland site located to the rear of existing housing on Elizabeth Avenue with awkward road access and little visual connectivity with the adjoining housing area.

38. The proposal to form a local nature reserve or country park is part of the overall green belt release package proposed by the representees. There is already clear evidence of well used paths and desire lines crossing parts of the site and linking into more formal path networks in and around the settlement to the north, south and east. However, the status, funding, long term management and legal mechanisms for such a nature reserve or country park are not well developed at this stage and do not provide sufficient justification for a significant green belt release. In any event, I do not consider that a local nature reserve, in itself, would create a robust visible settlement edge to mitigate the peripheral sprawl of further housing development in this area.

39. Overall, I consider that the proposed scale and location of green belt release is so significant as to undermine the structure plan metropolitan strategy. These considerations are not outweighed by the need for additional affordable housing sites.

Reporter's recommendations:

1. Modify the local plan by designating the site at West Baldoran Farm, Milton of Campsie for an affordable housing development and retain the site within the green belt. Add the site to HMU Table – Section B (Specifically Affordable Housing Opportunities) with housing capacity noted as yet to be determined.

2. No modifications to the local plan in relation to sites at Antermony Road, Birdston Road, Baldoran House, East Baldoran Farm and Redmoss Farm.

Issue (ref and handling):	Issue 7.7 - Proposed Housing and Mixed Use Sites in Green Belt – Torrance and Balmore	Reporter: KATRINA RICE and IAIN URQUHART (representation 164)
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
W A Fairhurst & Partners on behalf of Hallam Land Management (30) Warren Consultants (121) Montagu Evans on behalf of Caledonian Properties (138) Geddes Consulting on behalf of Hendersons Surveyors (164)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council's summary of the representation(s):		
<p>W A Fairhurst & Partners on behalf of Hallam Land Management (30) Seek the release, for residential development, of agricultural land adjacent to the western and northern boundaries of Torrance.</p> <p>Release is justified on the following grounds:</p> <p><u>Green belt</u> The site's landscape capacity can accommodate residential development, particularly on the eastern portion. It is not visible from Tower Road or from the north, due to the topography of the site and surrounding area. Additionally, the site forms a natural 'extension' to Torrance. As such, development would not appear inappropriate from a distance, and not result in coalescence.</p> <p>Moving the greenbelt boundary to Tower Road would accord with Scottish Planning Policy (SPP) 21 – Greenbelts, as Tower Road would form a stronger greenbelt boundary than the existing boundary, Tower Burn.</p> <p>Open space land to the east and the disused rail track to the south, could be used to improve accessibility and permeability in the surrounding area, effectively integrating the site with its surroundings. Additionally protected trees to the north would be retained. There would be no significant negative ecological impact and flooding issues associated with the Tower Burn could be overcome.</p> <p><u>Housing Land Supply</u> The EDLP2 should identify long term, greenfield sites for future development to ensure a more reactive, flexible approach to housing market changes. Much of the East Dunbartonshire's effective housing land supply is composed of small scale infill sites. These are unable to respond to quickly changing market conditions as they contribute to the housing supply in an ad hoc manner. Therefore, availability of larger, more readily developable sites such as Tower Road will ensure housing demand can be met when required. It would also result in a contribution to the provision of affordable housing in EDC.</p>		

It should also be noted that the Glasgow and Clyde Valley Strategic Development Plan (GCVSDP) which will replace the Glasgow and Clyde Valley Joint Structure Plan (GCVJSP), has not been published in any form to date. As such, updated strategic housing allocations are not available to base the EDLP2 housing allocations on. These strategic housing numbers should, in due course, make provision for the allocation of housing land in EDC to stimulate development activity, meet the demand for private homes and contribute to the provision of affordable housing. As such, EDC should release additional greenbelt land, including the site, to meet the demand for housing land in the future as a result of the GCVSDP.

Warren Consultants (121)

Seek the release, for residential development, of a walled garden adjacent to an ongoing steading conversion at West Carlston Farm, east of Torrance.

Release is justified on the following grounds:

This is an untypical housing site, small, isolated, in the Green Belt and unrelated to any settlement. The walled garden reads visually as one integrated group enclosed by trees and topographical features.

The conversion of the adjacent former farm buildings was augmented by some new build dwellings to help recreate the historical pattern of the courtyard, in accord with long-standing Scottish Government advice. The Council's planning report justified the new build, and similar arguments apply to this objection.

The walled garden is an integral part of the group of buildings, and is coterminous with the housing site. As such it is potentially unique and therefore precedent need not be a concern. Development will be relatively secluded and hidden both by the garden wall and adjacent trees and woodland. Associated with a long demolished, estate house, the walling has both historic and aesthetic merit. It is deteriorating, is likely to fall into further disrepair and eventually disappear if not maintained. Proposed housing would be of similar rural vernacular, and wall restoration will be of visual benefit. There will be no tree loss or traffic issues.

There are many Scottish precedents in principle, both policies and proposals. Site specific characteristics preclude further development beyond that proposed.

Montagu Evans on behalf of Caledonian Properties (138)

Seek the release, for residential development, of low quality agricultural land adjacent to the eastern edge of Balmore village.

Release is justified on the following grounds:

Housing Land Supply

The Structure Plan provides the context for promoting additional housing. A key strategic vision is strengthening communities and to encourage and promote sustainable development, in accordance with Scottish Planning Policy (SPP).

The Local Plan notes demand for land for private housing and provision of affordable housing continue to be major land use issues in East Dunbartonshire.

This site could contribute to new housing. Allocation also represents natural infill of Balmore, bringing in new residents and supporting local shops and services. The Council's key strategic direction set out in Policy SPD 1 takes account of national and strategic planning contexts with regard to sustainable development and supports limited growth and population

stabilisation to meet socially inclusive needs, such as affordable housing, limits growth for market housing and promotes some growth of business land. Brownfield development is prioritised over any greenfield release. Adverse affects on the transport network are also controlled.

However pursuit of Policy SPD 1 cannot address issues of declining and ageing population, identified elsewhere in the Plan, and consequential impacts on economic vitality.

Policy HMU1 advises housing and mixed use development on infill/brownfield sites within the urban areas will accord with Plan policies, and generally be encouraged. These policy objectives could be realised through the release of this site.

SPP 3 prioritises use of existing land and buildings over green field sites. The site has potential to meet national and local policy objectives, it is relatively accessible by a choice of transport options, infrastructure and community facilities are available, and there is capacity to accommodate a well designed development without detriment to the landscape setting.

Geddes Consulting on behalf of Hendersons Surveyors (164)

Concerns are raised with respect to the shortcomings of various local plan policies when assessed against national and strategic policy guidance (summarised below). Site specific release is then justified.

Site Specific Release

A small site of 1.2ha site adjacent to the southern settlement edge of Torrance is promoted exclusively for affordable housing. Around 30 affordable homes could be provided by either the public or private sectors.

Current government policy now requires inner boundaries of green belts not to be drawn too tightly around the urban edge and allow for planned development between the existing settlement edge and the green belt boundary. Boundaries should be clearly identifiable using strong visual or physical features. Consequently, the Local Plan should examine the inner Green Belt boundary around all settlements, including Torrance, to allow future development over the next 20 years without needing a continuous review. This also accords with the approved Structure Plan. The River Kelvin is recommended as the physical feature to adopt in reviewing the Green Belt inner boundary to the south east of Torrance.

The site has direct road access and paths link to local amenities. Development design will prioritise pedestrians, provide green space and enhance biodiversity and be energy efficient.

New affordable homes would meet identified local housing needs and support shops, schools and amenities. The site is not significantly constrained and appropriate drainage and flood risk assessments can be commissioned.

Addition of settlement envelopes around all towns in the Local Plan

The Local Plan Proposals map uses 'Village Envelopes' to define the urban context of four villages. The Local Plan does not delineate a settlement boundary to differentiate between the urban edge of major towns and the countryside beyond, instead using the inner boundary of the green belt. Many boundaries are weak and do not have strong physical features. There are many examples of urban type land uses in the green belt. This is not the role of the green belt inner boundary and is contrary to Scottish Government policy advice. Definition of a settlement boundary would be consistent with the Local Plan's 'Village Envelopes', would also assist in defining terms such as 'infill sites', and would meet national green belt requirements. This would also accord with the approved Structure Plan (Strategic Policy 1).

Review of Inner Boundary of Green Belt

The Local Plan draws its Green Belt boundary tightly against the existing urban edge of its major towns and, too often, the green belt incorporates urban uses. The Local Plan also includes four villages as part of the Green Belt. National guidance in SPP 21: Green Belts and the Consultative Draft requires: Designation not to prevent development happening; land only be designated where it contributes to the long term settlement strategy and accommodates planned growth; not all greenfield land be designated as green belt; boundaries should be clearly identifiable; existing settlements excluded and major uses, such as airports, business, education and research be excluded.

Modification of the Green Belt boundary to meet these requirements would be in accordance with the approved Structure Plan (Strategic Policy 1).

Addition of 'Countryside' designation and 'Development in the Countryside' Policy

The Local Plan does not have a 'Countryside' designation or policy because of the extensive use of the Green Belt, though the Campsie Fells and Kilpatrick Hills, excluded from the green belt, is effectively 'Countryside'. Consequently unless there is an occupancy need for residential development, it is not possible to promote development in most of East Dunbartonshire. This is contrary to policy requirements in SPP 15: Planning for Rural Development. Greater encouragement should be stated in the Local Plan which promotes rural development - housing, economic and tourism uses. Areas to be identified as 'Countryside' could be verified through a green belt review and future development managed by appropriate countryside policies.

Omission of evidence relating to affordable housing needs and 5 year effective land supply

The Local Plan concludes strategic housing land requirements can be met from the effective land supply. Other policy requirements set out in SPP 3: Planning for Homes (Revised 2008) and the draft SPP also require to be met: appropriate and effective sites to meet need and demand; sufficient land to meet each housing market area requirement; a five year supply of effective land, maintained at all times; triggers for alternative releases if effective supply not maintained; delivery of housing not solely on development plan allocations and appropriate affordable housing provision.

The Structure Plan allows allocation of greenfield and indeed, limited incursions into land designated as green belt, to meet affordable housing needs. No evidence has been presented to confirm maintenance of an effective 5 year housing land supply and appropriate affordable housing provision.

Modifications sought by those submitting the representations:**W A Fairhurst & Partners 225 Bath Street Glasgow on behalf of Hallam Land Management (30)**

Realign boundary to include land in the settlement, and allocate for residential development.

Warren Consultants (121)

Modify Policy GB1 and GB2 to allow development in the walled garden adjacent to West Carlston Farm.

Montagu Evans on behalf of Caledonian Properties (138)

Realign boundary to include land in the Balmore village envelope, and allocate land for residential development.

Geddes Consulting on behalf of Hendersons Surveyors (164)

Realign the greenbelt boundary to include land south of Torrance in the settlement, and allocate exclusively for affordable housing.

Summary of response (including reasons) by planning authority:**1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.**

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association/public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (paragraph 87) states that “*policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding*”. In this regard, the SHIP (November 2009) states that the indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

i) Green belt designation should provide clarity and certainty on where development will and will not take place.

ii) Green belts can have particular benefit where a co-ordinated approach to settlement planning is required across local authority boundaries.

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (page 20).

The SP does not identify any strategic development locations in East Dunbartonshire (page 20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (page 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (page 30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The designated area, boundaries and development management guidance of East Dunbartonshire's Green Belt are key elements of the MDS and fully accord with relevant national and strategic policy guidance.

The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for

East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan as the SPP notes:

"In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt."

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas including agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i) progress with community regeneration initiatives at Twechar,
- ii) a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii) major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt to be strongly defined by appropriate man made and natural features. A range of appropriate physical and topographical features also constrain built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release. None are deemed of sufficient weight to justify departing from national and strategic guidance.

In particular, with reference to:-

i) Warren Consultants (121), the Council remains of the view there is insufficient justification to include additional excepted categories of development in the green belt, and that a potential accumulation of small scale sporadic residential development in the countryside of East Dunbartonshire would seriously erode the long term integrity of the Green Belt.

ii) Geddes Consulting, on behalf of Hendersons Surveyors (164), the release of green belt land exclusively for affordable housing cannot be justified for the reasons set out in the Council's response to housing land supply issues.

Reporters' conclusions:

Tower Farm – Representation 30

1. This site is on agricultural land surrounding Tower Farm, on the western edge of Torrance. It is bounded by Tower Burn to the north and east, Tower Road to the west and a dismantled railway line to the south. Beyond the site there is woodland covered by a Tree Preservation Order and open fields to the north, a housing estate within the built up area of Torrance to the south, open fields to the west and open space and housing to the east. A core path runs to the north of the site and there is an Important Wildlife Corridor along its southern boundary. Tower Farm is designated as an Archaeological Site. The west of the site rises steeply northwards along Tower Road and is split from the east of the site, which slopes down towards Torrance, by a ridgeline running north to south from Tower Farm.

2. This undulating site rising as it does to the west of Torrance contributes significantly to the landscape setting of the village. Travelling north along Tower Road, the existing houses are set back from the road and the views of the site behind gives a rural character to the area. Passing the site which is elevated above Tower Road, Torrance is not visible to the east due to the topography of the area and the character is one of entering the open countryside. The impact of built development on this portion of the site would extend the urban area of Torrance into open countryside contrary to both national and strategic policy guidance and with an unacceptable, adverse impact on its character and setting. The creation of a new defensible boundary along Tower Road or the fact that coalescence is not an issue in this location would not outweigh this adverse impact.

3. I accept that the land to the east of the site is less visible but this is not in itself a justification to remove the land from the green belt. In any case if this land were removed from the green belt this would inevitably weaken the green belt boundary to the west of Torrance as there is no clearly identifiable feature on the ground for the new boundary to follow. I do not regard the ridgeline as a strong visual or physical landscape feature. Further development onto the rest of the site and the rising land to the west would be hard to prevent. In contrast the existing green belt boundary follows Tower Burn which provides a robust and defensible boundary.

4. I therefore find that there is no justification to remove this site from the green belt and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The proposed improvements to accessibility and suggested need for larger, greenfield, housing sites do not alter my view.

West Carlston Farm – Representation 121

5. This site is within a walled garden to the east of Carlston Farm and in an open countryside location. The Carlston farm steading is identified in the finalised local plan as a housing site with planning permission for 6 dwellings (HMU1 - 38). The walled garden is not designated as an historic garden and designed landscape and the estate house to which it belonged has been demolished. The walls of the garden are largely intact but any evidence

of use as a garden has disappeared and the site is grassed over. There is a modern, open, barn structure adjacent to the northern wall and the access road separates the walled garden from the farm steading.

Further information received

6. I received a copy of the following documents from the council:

- The planning application and committee report for the conversion and change of use of the existing farm house and outbuildings to upgrade the farm house and provide 6 dwelling houses in the converted outhouses (TP/ED/07/0572). The application was approved against officer recommendation.
- A copy of a condition survey of the wall which concludes that the wall is in a reasonable condition but would benefit from some degree of repair.
- A site plan showing three residential units within the walled garden (SK/2713/99).

7. The condition survey and site plan were received in April 2010, after the initial representation was submitted. However I regard them as providing me with valuable further information to formulate my decision and therefore since they have been submitted with the agreement of both the council and the representee, I refer to them in my conclusions below.

Conclusions

8. The planning permission for the farm house and outbuildings to the west of the site has now been partially implemented and includes both conversion and new build dwellings. The new build was permitted in order to recreate the pattern of a courtyard in an historical steading reflecting criterion 2F of policy GB 2 of the finalised local plan. This also conforms with guidance in Scottish Planning Policy (SPP) on rural development which states that opportunities for small scale housing development including limited new housing along with converted rehabilitated buildings should be supported in rural areas, where it is designed to fit into the landscape setting and result in a cohesive group.

9. Further residential development within the walled garden would not meet any of the exceptional circumstances listed in policy GB 2 of the finalised local plan and would not satisfy a national priority or meet an established need as set out in paragraph 163 of SPP. In addition, the proposal for an additional three new houses would increase the number of the group to ten, which I do not regard as small scale or limited development in a rural setting. This would in my view lead to the suburbanisation of the countryside, contrary to guidance on development in rural areas as set out in SPP.

10. I do not consider that the arguments advanced with regard to the visual relationship of the walled garden with the steading and the opportunity to ensure the preservation and maintenance of the walls of the garden justify an exception to both greenbelt and rural policy guidance. I accept that given the unique nature of the site, a precedent would not be set by allowing the development and that the site is in a relatively secluded and not readily visible location. I also accept that there are other examples of developments which have been permitted within walled gardens. However this does not alter my view that in this location and given the level of development which has already taken place, the construction of a further three houses would lead to an over intensification of development in a rural and green belt location. The supplementary planning guidance quoted from the neighbouring district of Stirlingshire would only permit a single house within a walled garden.

11. I therefore find that there is no justification to extend the housing site HMU1 – 38 to include this site and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The suggested lack of traffic issues together with the representee's intention to design the houses in a similar rural vernacular to the existing and protect existing trees, do not alter my conclusions.

Balmore Road – Representation 138

12. This site is in a countryside location at the junction of Balmore Road to the north and Old Balmore Road to the south. There is existing housing to the west and south of the site and it is situated adjacent to but outwith the village envelope of Balmore. The site is heavily overgrown with scrub and bushes and there is a small stone building in the far eastern corner. Open fields lie to the north of the proposed site. There are no local plan designations on the site other than green belt.

13. The majority of built development in Balmore is located to the north of Balmore Road, on the opposite side and further to the west of the proposed site. Some new housing has been built on the south side of the road, to the west of the site. The site acts as a green buffer between this new housing and the road, adding to the character of Balmore as a village in a rural setting. The development of this highly visible site would not constitute infill development and would extend built development into the open countryside to the east of the centre of Balmore contrary to national and strategic policy guidance. This would in my view have a significant and unacceptable adverse impact on the setting and character of the village. It is argued that housing on this site would bring new residents to the area, address its declining and aging population and support local shops and services. However on the evidence before me, this would not outweigh the adverse impacts above.

14. I therefore find that there is no justification to amend the boundary of the Balmore village envelope to include this site and allocate it for housing (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The relative accessibility of the site and the suggested availability of infrastructure, education and community facilities do not alter my view.

Kelvin View – Representation 164

15. This greenfield site is located on the south-eastern edge of Torrance. The site comprises unused rough grassland and sits at a slightly lower level from existing housing to the north and west. Meadowbank House lies to the south of the site with open countryside beyond and to the east.

16. The structure plan expects local plans to continue to review the inner boundaries of the green belt although no strategic adjustments are required within East Dunbartonshire. Under Issue 3.4 I have concluded that there is a clear justification for examining the inner boundaries of the green belt with a view to the release of limited areas of land for development where this would not undermine the metropolitan development strategy. In addition, East Dunbartonshire is listed in Schedule 6(b)(iii) as one of the local authorities areas where local plans should bring forward as a matter of priority, proposals to improve the range and choice of affordable housing. The structure plan also allows for limited incursion into the green belt where the site is developed exclusively for affordable housing and ancillary purposes. A need for 43 affordable houses in Torrance has been identified in the East Dunbartonshire Strategic Housing Investment Plan 2010 – 2015 (SHIP), with a low priority grading for delivery.

17. The existing green belt and settlement edge boundaries in this part of Torrance lie immediately north of the site and are drawn tightly along the rear and side fence lines of existing houses along Clark Place, Kelvin View and Rosehill Road. The northern edge of the proposed Antonine Wall World Heritage Site (WHS) buffer zone also follows this line. The site does not fall within the flood plain of the River Kelvin which meanders to the south. The Strategic Environmental Assessment (SEA) carried out by the council confirms that the site is not affected by any other environmental or local plan designations.

18. I find that development of the site would not impact on the Antonine Wall or its setting. The semi-wooded setting of Meadowbank House screens the site when viewed from higher

ground to the south including the areas around the Antonine Wall and the Forth and Clyde Canal. When viewed from this direction, the site appears a logical extension of the settlement without causing any significant landscape or other environmental impact. The River Kelvin and the flood plain immediately beyond the site's southern boundary should remain within the green belt. This southern site boundary should form the new settlement edge in this area. Together, the grounds around Meadowbank House and the flood plain corridor along the River Kelvin would form a sustainable, long term settlement edge and green belt boundary.

19. Torrance is a relatively small settlement and local shops, a primary school and local bus services are within 400 metres and would be easily accessible from the Kelvin View site. A modest development of up to 25 houses would help sustain these facilities. The site can be accessed off the existing road and cul-de sac at Kelvin View without an adverse impact on road safety. There is the potential to create footpath links from a new development to the existing local path and open space network.

20. Overall, I conclude that development of up to 25 affordable houses on this small site (1.2 hectares) would be an acceptable extension of the Torrance settlement boundary. A development of this scale will have no adverse impact on the metropolitan development strategy set out in the structure plan. Equally, an adjustment to the green belt boundary in this location will have no material effect on the wider green belt strategy set out in the structure plan. The site should remain within the green belt but designated for affordable housing until completion of an affordable housing development. In this way, there can be no implication that the site is suitable for mainstream private housing or any other built development.

Reporters' recommendations:

1. Modify the local plan by designating the site at Kelvin View, Torrance for an affordable housing development and retain the site within the green belt. Add the site to HMU Table – Section B (Specifically Affordable Housing Opportunities) with housing capacity noted as up to 25 units.
2. No modifications to the local plan in relation to sites at Tower Farm, West Carlston Farm and Balmore Road.

Issue (ref and handling):	Issue 7.8 - Proposed Housing and Mixed Use Sites in Green Belt – Twechar	Reporter: KATRINA RICE
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
Places for People and Castle Rock Edinvar Housing (95)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council’s summary of the representation(s):		
Places for People and Castle Rock Edinvar Housing Association have been selected as East Dunbartonshire Council’s overall regeneration partner and RSL development partner respectively for the regeneration of Twechar. We request that the EDC-owned area of land adjacent to Lodge Barrhill Twechar 1444, as identified in the Composite Canalside Development Site Layout and Streetscape Plan, be classified as a Housing and Mixed Use Development Site. Strategically, this is a crucial site in the regeneration of Twechar. The village in its current form lacks a central focus. We believe that this site would provide that central focus by integrating a range of uses including leisure and tourism, retail, commercial, small business/office and housing that will achieve key themes set out within the Twechar Regeneration Masterplan (August 2005).		
Modifications sought by those submitting the representations:		
Realign the greenbelt boundaries to include canalside land in the settlement, and allocate for mixed use development.		
Summary of response (including reasons) by planning authority:		
<p>1. Insufficient land to meet known market and affordable housing demands, both East Dunbartonshire wide and relative to individual settlements.</p> <p>Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.</p> <p>In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for “a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building” (Paragraph 75). In this regard:</p> <ul style="list-style-type: none">• Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is <u>no requirement</u> for additional effective housing land supply for private housing in the period 2004-2018;• the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;		

- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association/public housing units – which the 2009 HLA identifies as 127 Housing Association/public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association / public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (paragraph 87) states that “*policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding*”. In this regard, the SHIP (November 2009) states that the indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary.

In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

2. Green belt boundaries are drawn too close to the urban edge and do not allow for long term settlement expansion

SPP states:

- i. Green belt designation should provide clarity and certainty on where development will and will not take place.
- ii. Green belts can have particular benefit where a co-ordinated approach to settlement planning is required across local authority boundaries.

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (page 20).

The SP does not identify any strategic development locations in East Dunbartonshire (page 20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (page 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (page 30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The designated area, boundaries and development management guidance of East Dunbartonshire's Green Belt are key elements of the MDS and fully accord with relevant national and strategic policy guidance.

The Council therefore disagrees with those representations concerned that the green belt boundary does not accommodate planned growth over a 20 year period. It is not the place for East Dunbartonshire Council to devise a settlement strategy independent of the MDS.

Local Plans should be consistent with the Structure Plan as the SPP notes:

"In city regions the strategic development plan should establish the need for a green belt, identify its broad area and set the policy for future development within it. Local development plans should establish the detailed boundaries of the green belt and identify types of development which are appropriate within the green belt."

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

3. Small scale adjustments should take place to provide more rational greenbelt/settlement boundaries.

With reference to the attached Technical Note No. 2 – Green Belt Review, in 2007/2008 the Council carried out a detailed settlement by settlement survey of the inner edge of the green

belt, in order to properly verify the continuing defensibility of the inner boundary shown on the adopted Local Plan (2005). This Report is referred to in LP2 (p32). The Report also assessed the integrity of village envelope boundaries.

Three options were assessed in the conclusions of the Review:

- Option 1 looked at the possibility of incorporating urban land into the green belt, e.g. flood plains or where there might be a stronger defensible boundary. However no specific areas were identified.
- Option 2 explored the need for potentially degraded land immediately adjacent to the settlement boundary benefiting from improved management, and identified specific areas including agricultural land at Torrance, Milton of Campsie and Auchinloch/Lenzie.
- Option 3 considered transferring land from the green belt into the urban area, e.g. derelict or underused land or to create stronger, defensible boundaries.

Further to the review and taking account of:

- i. progress with community regeneration initiatives at Twechar,
- ii. a supplementary planning consent at the Bishopbriggs East Urban Capacity site, and
- iii. major planning consents at Woodilee,

the LP2 made small scale green belt boundary adjustments at these localities.

The Review otherwise found the inner edge of the green belt to be strongly defined by appropriate man-made and natural features. A range of appropriate physical and topographical features also constrain built development. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and TPO's, serve to enhance the landscape setting of each settlement.

Careful consideration has been given to all representations justifying green belt release on the basis of the inappropriateness of present green belt boundaries. Taking account of the findings of the Green Belt Review the Council remains of the view none of the representation sites would be better placed within the settlement boundaries.

4. Other Material Considerations

The Council has considered the various other material considerations put forward in support of green belt release. None are deemed of sufficient weight to justify departing from national and strategic guidance.

In particular, with reference to the release of this site and taking account of other green belt releases in Twechar identified in LP2 it is not appropriate at this time to release further green belt land for housing and other development.

Reporter's conclusions:

Land adjacent to Barrhill Lodge – Representation 95

1. This site is located to the north east of Twechar, adjacent to the Forth and Clyde Canal and is accessed from Main Street, at the village's northern entrance. There is a vacant social club building to the west of the site. The site is designated as an Important Wildlife Corridor, is within the Antonine Wall World Heritage Site Buffer Zone and lies close to the line of the Antonine Wall itself. Both the Forth and Clyde Canal and the Antonine Wall are designated Ancient Monuments.

Further information received

2. The council responded to clarify that the Twechar Regeneration Masterplan (August

2005) has been approved by East Dunbartonshire Council and the East Dunbartonshire Community Planning Partnership as the document to lead regeneration activity in Twechar. A number of Community Planning partners are members of the Twechar Regeneration Group, an informal body established to lead the regeneration process. The Framework Agreement is a legally binding document between East Dunbartonshire council and its partner organisation Places for People (a national development company) to deliver mixed tenure and mixed types of new housing in Twechar.

Conclusions

3. The western part of the site is identified in the Twechar Regeneration Masterplan as suitable for proposed industrial development and as part of a larger canal-side hub. The site is described as “becoming isolated from the village proper” and sites for new residential development are identified elsewhere in Twechar.

4. Full planning permission was granted in March 2007 for:
“Site preparation and provision of infrastructure including a permanent slipway, jetty, crane pad, roads and parking to support the future development of a community boat building/maintenance facility, a replacement social club, a visitor / heritage centre and other canal related facilities.”

5. An access road and turning area have already been constructed as have the slipway and jetties to allow boat access to the canal. The rest of the site slopes upwards from the canal and is covered in scrub and bushes. None of the built development had commenced at the time of my site visit.

6. In the representation it is proposed that the area covered by the planning permission should be removed from the green belt and designated as a housing and mixed use development site including an outdoor pursuit centre, residential, retail/commercial and office uses. No evidence is provided in the representation as to why the designation proposed in the masterplan, which was the subject of extensive community and stakeholder involvement, should now be amended to include housing, retail and office uses.

7. It is argued that Twechar does not currently have a central focus and that the proposal would create a “village centre.” However I agree with the findings of the masterplan that the site is not centrally located and is isolated from Twechar’s main housing areas and facilities such as the school and leisure centre located to the south of the village. As set out in the masterplan, there are other sites elsewhere in Twechar closer to its main housing, where such uses could be located. Furthermore the level of development proposed on the site which would include 3 storey blocks, would in my view result in the over-development of what is a sensitive location at the northern entrance to the village and in close proximity to both the Forth and Clyde Canal and the Antonine Wall. I agree that this site is a crucial site for the regeneration of Twechar but this does not justify the creation of an artificial “village centre” in an isolated location. In any case, the tourism, leisure and canal related uses included in the existing planning permission for the site should contribute towards the regeneration of Twechar, as a tourist and leisure destination.

8. I therefore find that there is no justification to remove this site from the green belt and allocate it for mixed use development (see also issue 3.2 – Housing Land Supply and issue 3.4 Proposed Housing and Mixed Use Sites in Green Belt). The suggestion that the proposal may attract new families to the village does not alter my view.

Reporter’s recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 7.9 - Green Belt Boundary Adjacent to West Dunbartonshire	Reporter: KATRINA RICE
Development Plan Reference:	Page 37 - Policy GB1 - Proposals Map	
Bodies or Person(s) submitting a representation raising the issue:		
West Dunbartonshire Council (44)		
Provision of the development plan to which the issue relates:		
Policy GB1 & Proposals Map (Green Belt) – the outer boundary within the western part of East Dunbartonshire extends to the Council Boundary, incorporating the Kilpatrick Hills Regional Scenic Area.		
Council's summary of the representation(s):		
There is inconsistency between East Dunbartonshire and the adjacent local authorities of West Dunbartonshire and Stirling Council in relation to the green belt boundary at the Kilpatrick Hills Regional Scenic Area. The Council boundary does not always represent the most appropriate green belt boundary.		
Modifications sought by those submitting the representations:		
Review of green belt boundary to remove overlap with the Kilpatrick Hills Regional Scenic Area and ensure clearly identifiable boundary on the ground using strong visual or physical features.		
Summary of response (including reasons) by planning authority:		
<p>It is acknowledged that the green belt boundary in the western part of East Dunbartonshire should not overlap with the Kilpatrick Hills Regional Scenic Area, and does not necessarily represent an appropriate, clearly identifiable boundary on the ground. The new Scottish Planning Policy states in paragraph 160 that the "<i>green belt designation is not intended to be used to protect natural heritage</i>". Therefore, the Council accepts the merit of a review of the green belt in this area to identify a more appropriate boundary, and will undertake this work during the life of the plan. This would also achieve consistency with the rest of the green belt boundary within East Dunbartonshire, which does not incorporate the Campsie Fells.</p> <p>SUGGESTED CHANGE TO SUPPORTING TEXT:</p> <ul style="list-style-type: none"> Add text to 'Local Plan Policy' section on Page 36 indicating that the Council will review the extent of the green belt in terms of its overlap with the Kilpatrick Hills Regional Scenic Area during the life of the Local Plan 2. 		
Reporter's conclusions:		
<p>1. I agree that the extent of the green belt boundary should be defined consistently between local authority areas. A similar situation is referred to in paragraph 8.31 of the Glasgow and the Clyde Structure Plan where in Inverclyde, the green belt designation was removed from much of the Clyde Muirshiel Regional Park to avoid overlap with this landscape designation.</p>		

2. Ideally the proposals map would be amended before adoption of the local plan but given the work involved in any review and amendment of a green belt boundary, I accept the council's proposal to review the outer boundary in relation to the Kilpatrick Hills Regional Scenic Area during the lifetime of this local plan.

Reporter's recommendations:

Modify the text under the heading "Local Plan Policy" on page 36 to refer to the council's intention to review the extent of the outer green belt boundary in terms of its overlap with the Kilpatrick Hills Regional Scenic Area during the life of this local plan.

Issue (ref and handling):	Issue 7.10 - Green Belt Development – Excepted Categories	Reporter: KATRINA RICE
Development Plan Reference:	Page 37-39 Policy GB 1 – Presumption Against Development Policy GB 2 – Excepted Categories of Development	
Bodies or Person(s) submitting a representation raising the issue:		
Penelope Sinclair (84) Bearsden North Community Council (88) Keppie Planning on behalf of Phillip C Smith (108) J and L Edwards (119) Warren Consultants (121) Strathclyde Partnership for Transport (130) Lower Kilmardinny Residents Association (145) Burnbrae Residents Association (147) Baldernock Community Council (172) John Warren (179) Mr and Mrs Carruth (180) Keppie Planning on behalf of H. Morris & Co Ltd (182)		
Provision of the development plan to which the issue relates:		
Green Belt: Policy GB1 sets out a general presumption against development within the Green Belt, other than those falling within the categories listed in Policy GB 2. Policy GB 2: ‘Excepted Categories of Development’ sets out those developments that may be considered appropriate within the green belt.		
Council’s summary of the representation(s):		
Penelope Sinclair (84) No further development should be allowed in the Green Belt surrounding Kirkintilloch and Lenzie. Bearsden North Community Council (88) Policy GB 2D: Outdoor Recreation should make it clear that buildings and structures should not be permitted as part of the ‘excepted categories’. Definitions of high, medium and low intensity use should be included in the plan. Keppie Planning on behalf of Phillip C Smith (also see Issue 11.4) (108) To seek the introduction of an additional category of excepted development, to allow the development of vacant and redundant facilities in the green belt for suitable alternative use e.g. recycling and reusing of waste products. J and L Edwards (119) Suggests that the criteria of permissible developments in Policy GB1 should be more strictly enforced. GB 2D should allow recreational uses that are compatible with an agricultural or natural setting to reflect SPP21. Warren Consultants (121) Seek inclusion of an excepted category of development to allow development of a walled		

garden. See Issue 7.7 - Proposed Housing and Mixed Use Sites in Green Belt – Torrance and Balmore, for full background information.

Strathclyde Partnership for Transport (130)

Bullet point (iv) of GB1 Presumption Against Development should be extended to read; *'preferably be located adjacent to existing buildings and existing access, and if possible close to transport networks,'*

Lower Kilmardinny Residents Association (145)

Policy GB 2D- outdoor recreation should make it clear that buildings and structures should not be acceptable. Definitions of high, medium and low intensity recreation use should be included in the plan.

Burnbrae Residents Association (147)

Policy GB 2D- outdoor recreation should make it clear that buildings and structures should not be acceptable. Definitions of high, medium and low intensity recreation use should be included in the plan.

Baldernock Community Council (172)

Policy GB 2D should make it clear that buildings and structures are not acceptable within the green belt, and that definitions of high, medium and low intensity recreation use should be included in the plan.

John Warren (179)

Points out that Policy GB2C is designed to prevent, for example, a farmer selling a farmhouse or cottage, and then soon afterwards applying for a new house having disposed of the previous house for non-agricultural purposes. Considers that the wording of GB2C is unreasonable as it does not make a distinction between houses which have been disposed of recently and those which were disposed of many years ago. This was reflected in the outcome of a recent appeal regarding development at Lochmill stables.

Questions why the villages referred to in GB2H are designated within the greenbelt as this restricts freedom to expand.

Considers that GB2J does not make it clear that the meaning of the policy refers to smallholdings and their boundaries as they are now, and not as they might have been in the past.

Object to the reference to the need for a Section 75 agreement to restrict occupancy in GB 2K, in line with Scottish Government guidance which deems that no legal agreement should be applied where planning consent can be granted with appropriate conditions which meet the standard tests.

Mr and Mrs Carruth (180)

Policy GB 2D- outdoor recreation should make it clear that buildings and structures should not be acceptable. Definitions of high, medium and low intensity recreation use should be included in the plan.

Keppie Planning on behalf of H. Morris & Co Ltd (182)

Seek the release, for residential development (10-15 units), of a soon to be vacated furniture factory (c. 1 ha.) to the west of Haughead/Clachan of Campsie. See Issue 7.4 - Proposed Housing and Mixed Use Sites in Green Belt – Lennoxton, for full background information.

Modifications sought by those submitting the representations:**Penelope Sinclair (84)**

Amend wording of green belt policy to state that no further development will be permitted around Kirkintilloch and Lenzie.

Bearsden North Community Council (88)

Change wording of Policy GB2D to include definitions of high, medium and low intensity recreation use. Example: "*Low Intensity Recreation Use does not require developed facilities and can be accommodated without change to the area or resource*".

Keppie Planning on behalf of Phillip C Smith (108)

Amend Policy GB 2 to include an additional category for the redevelopment of vacant and redundant facilities for suitable alternative use.

J and L Edwards (119)

Amend wording to GB 1 from "*development **should***" to "*development **must***".

Amend wording of GB2D to reflect SPP21 by adding "appropriate uses in the greenbelt include recreational uses that are compatible with an agricultural or natural setting" as an additional excepted category.

Warren Consultants (121)

Modify Policy GB1 and GB2 to allow development in the walled garden adjacent to West Carlston Farm.

Strathclyde Partnership for Transport (130)

Bullet point (iv) of GB1 should be extended to read; 'preferably be located adjacent to existing buildings and existing access, and if possible close to transport networks,'

Lower Kilmardinny Residents Association (145)

Amend wording of GB 2D to make it clearer that buildings and structures will not be acceptable uses.

Burnbrae Residents Association (147)

Amend wording of GB 2D to make it clearer that buildings and structures will not be acceptable uses.

Baldernock Community Council (172)

Amend wording of GB 2D to make it clearer that buildings and structures will not be acceptable uses in the green belt.

John Warren (179)

- Amend the wording of GB2C to refer specifically to the disposal of a farmhouse or cottage recently, when the applicant could reasonably have been expected to know that he required a house for the purposes of rural business.
- Remove villages of Balmore, Bardowie, Clachan of Campsie and Haughhead from the greenbelt.
- Amend wording of GB 2J to clarify that it refers to smallholdings and their boundaries as they are now, and as they were in the past.
- Amend wording of GB 2K to remove the possible need for a Section 75 agreement.

Mr and Mrs Carruth (180)

Amend wording of GB 2D to make it clearer that buildings and structures will not be acceptable uses.

Keppie Planning on behalf of H. Morris & Co Ltd (182)

Modify Policy GB1 and GB2 to allow potential re-development of established 'non-conforming use' sites in the green belt.

Summary of response (including reasons) by planning authority:**84**

The integrity of the greenbelt around Kirkintilloch and Lenzie will be robustly protected in accordance with Policies GB 1 and GB 2.

119

It is not agreed that the wording of Policy GB 1 should be amended from "Development ***should***" to "Development ***must***". The existing wording provides an appropriate level of clarity and reflects the terminology of Scottish Planning Policy.

88,119,145,147,172,180

Scottish Planning Policy states in paragraph 163 that appropriate uses within the greenbelt may include "*recreational uses that are compatible with an agricultural or natural setting*". There is no requirement to state that buildings and structures will not be permitted. The inclusion of definitions of high, medium and low intensity use within Policy GB2D may lead to ambiguity and dispute in terms of the types of recreational developments that could be considered to be of a high, medium or low intensity. The existing policy wording is considered appropriate and the suitability of uses will be considered on an individual basis. However, in order to more accurately reflect Scottish Planning Policy, it is recommended that the wording of Policy GB 2D is amended to refer to outdoor recreation uses that are compatible with an agricultural or natural setting.

108

Whilst it is acknowledged that there may be a small number of vacant sites within the greenbelt which would be suitable for redevelopment, it is expected that any proposals for such sites will be assessed on an individual basis in accordance with relevant policies. It is not considered that there are a significant number of such sites which would justify the inclusion of an additional category within the excepted categories of development Policy as requested. Further details on the Council's position on waste management are provided under Issue 8.7.

121

The Council remains of the view that there is insufficient justification to include additional excepted categories of development in the green belt, and that a potential accumulation of small scale sporadic residential development in the countryside of East Dunbartonshire would seriously erode the long term integrity of the Green Belt.

130

The suggested amendment to the wording of item (iv) of GB 1 is not considered necessary. Item (vi) of the same policy requires development to "*have appropriate and safe access arrangements*", whilst Policy TRANS 1 provides the appropriate policy context for matters relating to proximity to public transport networks.

Together, these policies effectively address the point raised by the respondent. It should also be noted that the purpose of Policy GB1 is to set out the requirements of all proposed developments within the greenbelt as permitted under Policy GB2, in terms of how they relate to the integrity of the greenbelt rather than to provide accessibility requirements. There is therefore no requirement to modify this section of the Plan.

179

It is not agreed that the wording of Policy GB 2C is unreasonable. As indicated by the respondent, the policy is essentially intended to prevent the development of new dwellings or replacement dwellings where existing dwellings have been disposed of for non agricultural use. Whilst it is acknowledged that in some circumstances existing buildings may have been disposed of many years ago, such instances are relatively rare and would be more appropriately considered through the development management procedure according to their individual circumstances. It would also be inappropriate to base the policy on the outcome of an individual appeal for which particular circumstances unique to that case may have applied. Furthermore, it is considered unreasonable to include a precise figure or 'cut off' point within the policy wording, indicating the time period outwith which it would be inappropriate to apply the policy. As such no modifications to Policy GB 2C would be required.

The villages subject to Policy GB 2H are small communities within a rural setting, and which happen to be located within the wider green belt. The 'village envelopes' are intended to define the limits of these villages. Whilst appropriate development will be permitted within the envelopes, any expansion to the village will be strongly resisted. This is in accordance with Scottish Planning Policy paragraph 95 which states that the aim of greenbelt policy is "*not to see small settlements lose their identity nor to suburbanise the Scottish countryside but to maintain and improve the viability of communities and to support rural businesses*". No amendments are considered necessary.

The boundaries of the various smallholdings are clearly illustrated on the Proposals Map. Policy GB 2J will apply to all proposals for new and intensified uses within these boundaries. There is no planning policy requirement to indicate timeframes in terms of when the small holding boundary was originally defined. It would also be inappropriate to base the policy on the outcome of an individual appeal for which particular circumstances unique to that case may have applied. No modifications are recommended.

The use of Section 75 agreements, under the terms of the Town and Country Planning (Scotland) Act 1997, is an established practice in terms of restricting the occupancy of new houses within the greenbelt to full time agricultural or countryside workers. The requirement for such agreements will be considered on an individual basis through the development management procedure. It is the view of the Council that the current wording of Policy GB 2K provides an appropriate level of guidance in terms of the development of new houses for agricultural workers requiring a full business justification. The restriction to full time agricultural workers will be strictly enforced and in certain cases it may be necessary and appropriate to require a Section 75 Agreement. No modifications to this policy are recommended.

182

The Council remains of the view there is insufficient justification to include additional excepted categories of development in the green belt, and that a potential accumulation of small scale sporadic residential development in the countryside of East Dunbartonshire would seriously erode the long term integrity of the Green Belt.

SUGGESTED CHANGE TO POLICY GB 2D:

- amend to read: "*Development will generally be permitted if it is for outdoor recreation uses that are compatible with an agricultural or natural setting*".

Reporter's conclusions:**Representation 84**

1. I note the comments with regard to the green belt around Kirkintilloch and Lenzie. I agree with the council that any proposals to amend the green belt during the lifetime of the local plan will be assessed against policies GB 1 and GB 2. A blanket ban on any development within the green belt at these locations would not be appropriate.

Representation 88, 145, 147, 172, 180

2. I agree with the council that there is no basis in either national or strategic planning guidance to say in policy GB 2 D that buildings and structures should not be acceptable. The important issue is that any proposed development should be of a suitable scale and form. Guidance in Scottish Planning Policy (SPP) states that recreational uses should be compatible with an agricultural or natural setting and I accept the council's proposed modification to the policy to refer to this wording. This will help to ensure that any new built development permitted will be of an appropriate type and scale.

3. I consider that the inclusion of definitions of high, medium and low intensity recreation use within the local plan would be unnecessarily detailed and agree with the council that this assessment should be carried out on a case by case basis.

Representation 108

4. See response under issue 11.4

Representation 119

5. I agree with the council that the existing wording "should" is appropriate. The insertion of the word "must" would not add anything to the policy and is unnecessary.

6. I do however accept that the policy should be modified at GB 2D to refer to recreation uses which are compatible with an agricultural or natural setting. This will help to ensure that any new development permitted will be of an appropriate type and scale.

Representation 121

7. Policy GB 2 of the finalised local plan already allows development in rural areas within the green belt in certain limited situations. These include through the rehabilitation of buildings, the alteration of buildings, where there are existing developments and at identified small-holdings. I agree with the council that this provides sufficient flexibility within the green belt and adequately reflects guidance in paragraph 163 of the SPP. I do not consider the addition of other excepted categories of development to be appropriate.

8. I have responded to the proposal in the representation for residential development within the walled garden under issue 7.7.

Representation 130

9. I agree with the council that the existing wording of criterion (iv) is appropriate. Policies in the transport chapter and criterion (vi) of policy GB 1 provide adequate guidance on how all new developments must demonstrate accessibility by walking, cycling and public transport networks.

Representation 179

10. I agree with the council that the existing wording of GB 2C is appropriate. There is a general presumption against development in the green belt and policy GB 2 lists those circumstances in which excepted categories of development will be permitted. GB 2C is identical to the wording used in the adopted local plan. I consider that it includes sufficient

flexibility and see no justification for making GB 2C any less restrictive. Where the circumstances alluded to in the representation present themselves they can be assessed on a case by case basis by the council.

11. The villages referred to in GB 2H are also subject to the requirements of policy GB 1. If they were removed from the green belt this would not be the case. I therefore consider their identification in GB 2H to be appropriate, in order to maintain the amenity and character of these small communities.

12. I do not accept that GB 2J lacks clarity as the boundaries of the small holdings are clearly marked on the proposals map. I agree with the council that the date when the boundaries were originally defined is not of particular relevance. The fact that the boundary of one of the small holdings was queried in an appeal does not alter this view.

13. The final paragraph of the policy states that the applicant “may” also be asked to enter into a Section 75 Agreement in order to restrict current and future occupancy. This does not “require” a Section 75 Agreement in all cases. I therefore consider that the existing wording provides sufficient flexibility for those circumstances where such an agreement is not needed.

14. I note that the representation also argues that the council has not taken on board the liberalisation of rural development as set out in government guidance in the last 10 years, referring to policy guidance produced by other councils. However I consider that Policy GB 2 of the finalised local plan adequately reflects the guidance in paragraph 163 of SPP by allowing development in rural areas within the green belt in certain limited situations. These include through the rehabilitation of buildings, the alteration of buildings, where there are existing developments and at identified small-holdings. The adoption of a more liberal stance by other councils does not alter this view.

Representation 182

15. I note that the representation seeks the following addition to policy GB 2:

GB 2L – Redevelopment of Redundant Facilities

“Where existing small-scale premises or facilities in the greenbelt cease to be required for their original purpose, the redevelopment of the buildings and/or the site to an alternative use e.g. small scale housing development will generally be permitted where the proposals accord with the criteria of policy GB 1.”

16. Policy GB 2 of the finalised local plan already allows development in the green belt at sites where there are existing developments such as operational industrial and institutional uses. I agree with the council that this provides sufficient flexibility for the redevelopment of existing uses in the green belt. Strategic policy 9 of the Glasgow and the Clyde Valley Structure Plan seeks to avoid isolated and sporadic development in the green belt and the wider countryside. Paragraph 8.33 of the structure plan goes on to say that there should be a general presumption against isolated and sporadic development, including low-density, low impact housing, in the green belt and wider countryside as this would undermine the objectives of promoting urban regeneration. In addition, the glossary of the structure plan clearly states under its definition of brownfield land that a brownfield site should not be presumed to be suitable for development, especially in green belt and other countryside areas. The inclusion of the criterion suggested would conflict with these aspects of the structure plan.

17. The alleviation of amenity problems associated with redundant facilities and vacant land would not outweigh these considerations. I therefore agree with the council that the addition of a category to policy GB 2 for the redevelopment of redundant facilities/sites for

suitable alternative use (for example small scale housing) would not be appropriate.

18. See also my conclusions under issue 7.4.

Reporter's recommendations:

Modify criterion GB 2D of policy GB 2 as follows:

"Development will generally be permitted if it is for outdoor recreation *uses that are compatible with an agricultural or natural setting.*"

Issue (ref and handling):	Issue 7.11 - Development in the Countryside Policy	Reporter: KATRINA RICE
Development Plan Reference:	Pages 34-40 - Policy GB 1 – Presumption against Development	
Bodies or Person(s) submitting a representation raising the issue:		
Geddes Consulting on behalf of Cala Homes (West) (122) Geddes Consulting on behalf of Henderson’s Chartered Surveyors (164) Geddes Consulting on behalf of Giffnock Management Services Ltd (165)		
Provision of the development plan to which the issue relates:		
On the basis of relevant national and strategic planning policy guidance Policy GB 1 presumes against development in the greenbelt as defined on the proposals map, with the exception of those categories of development set out in Policy GB2.		
Council’s summary of the representation(s):		
Geddes Consulting on behalf of Cala Homes (West) (122) <ul style="list-style-type: none">Land north west of Milngavie at Tambowie Farm Geddes Consulting on behalf of Henderson’s Chartered Surveyors (164) <ul style="list-style-type: none">Land to the south of Torrance Geddes Consulting on behalf of Giffnock Management Services Ltd (165) <ul style="list-style-type: none">Land to the south of Lennoxtown <p>All representations grouped under this issue seek the inclusion of a ‘Development in the Countryside’ policy in LP2. Full summaries of each representation, including a summary of the justification for including such a policy is set out in the relevant Schedule 4 forms for Proposed Housing and Mixed Use Sites in the Green Belt.</p>		
Modifications sought by those submitting the representations:		
Include a ‘Development in the Countryside’ policy in the LP2.		
Summary of response (including reasons) by planning authority:		
With the exceptions of the Campsie Fells and Kilpatrick Hills and the more elevated muirs at Douglas, Craigmaddie, Craigend and Blairkaith, all other land outwith the main settlement and smaller village envelopes in East Dunbartonshire is deemed to be pressurised areas of countryside around towns and cities, as defined in SPP. Development is therefore most appropriately managed through green belt policy.		
The Council is therefore of the view there is no justification to include a separate Development in the Countryside Policy.		

Reporter's conclusions:

1. I have dealt with the need to review the green belt boundary in terms of its overlap with the Kilpatrick Hills Regional Scenic Area under issue 7.9. The Kilpatrick Hills and Campsie Fells would then be covered by policies DQ8, NE4, NE5, TO2 and TO3.
2. Strategic Policy 1 of the Glasgow and the Clyde Valley Structure Plan requires the continued designation and safeguarding of the green belt within which there is a presumption against the spread of built up areas and the encroachment of development into the countryside. The structure plan also states in paragraph 8.30 that in view of the inherited and potential capacity of urban brownfield land and Community Growth Areas, no strategic adjustments are required to the general extent of the current green belt except where necessary to meet other structure plan requirements. There is no requirement within the structure plan to define "countryside areas".
3. I acknowledge that national policy in SPP encourages rural development but this does not justify departing from structure plan guidance to remove areas from the green belt and identify them as countryside. Given strategic advice, I agree with the council that the most appropriate way to manage development elsewhere outside the main settlements and village envelopes is through green belt policy.
4. I therefore consider that there is no justification to include a "countryside designation" on the proposals map or a separate "Development in the Countryside" policy within the local plan.

Reporter's recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 8.1 - Redundant Open Space	Reporter: IAIN URQUHART
Development Plan Reference:	Page 42 - Policy DQ 1 – Assessing Proposed Uses	
Bodies or Person(s) submitting a representation raising the issue:		
Homes for Scotland (137)		
Provision of the development plan to which the issue relates:		
Policy DQ 1 – Assessing Proposed Uses states that development will be assessed against a number of principles including “development should not result in the net loss of recreational land, amenity space or areas with significant natural diversity or landscape value unless these can be replaced elsewhere to the satisfaction of the Council.” (Sub-section b), second sentence)		
Council’s summary of the representation(s):		
<p>Sub-section b), second sentence, implies that there can never be any net loss of recreational land, amenity space or greenspace. This is contrary to SPP11, which requires an assessment of such resources in terms of their quantity, quality and utility, and a strategy which covers protection and development, but also reconfiguration where appropriate. Such a strategy could well identify spaces which serve no function, are poorly located or represent unacceptable maintenance burdens. In all those circumstances, there would be a case for reusing the spaces for other uses, for reducing their size by redesign while protecting their inherent values, or for replacement. Replacement need not be on a like-for-like basis by area, but would depend on quality and utility.</p> <p>For all these reasons sentence two is unduly restrictive.</p>		
Modifications sought by those submitting the representations:		
The word "net" should be deleted, and the following further clause should be added: "or it has been demonstrated that the land or space has limited or no recreational, amenity or ecological value."		
Summary of response (including reasons) by planning authority:		
<p>It is agreed that the policy would be improved by reflecting the possibility that a Green Space Strategy may, in some circumstances, identify recreational land or amenity spaces which serve no function, are poorly located or represent unacceptable maintenance burdens.</p> <p>SUGGESTED CHANGE TO POLICY DQ 1, SUB-SECTION B): “Features important for their ecology or landscape character within development sites should be retained and/or enhanced and managed appropriately. Development should not result in the loss of recreational land, amenity space or areas with significant natural diversity or landscape value unless these can be replaced elsewhere to the satisfaction of the Council, or it has been demonstrated that recreational land or amenity space has limited or no recreational, amenity or ecological value. Opportunities will be taken to protect and where appropriate restore green networks.”</p>		

Reporter's conclusions:

1. The Scottish Planning Policy (SPP) sets out planning policy considerations for the identification and protection of open space. It is clear that developers must present a strong justification if open space is to be developed either partly or fully for a purpose unrelated to use as open space. The SPP (paragraph 153) requires developers to provide evidence from the council's open space audit that development will not result in a deficit of open space provision of that type within a local area and that alternative sites have been considered.
2. Similarly, the SPP (paragraph 156) identifies very specific situations where playing fields and sports pitches could be redeveloped without equivalent replacement.
3. Therefore, although generally discouraging development on existing open space, Government policy envisages certain circumstances where it may be justifiable to develop playing fields or areas of open space. On this basis, I find that the terms of policy DQ 1(b) are unduly onerous in requiring no net loss of recreational land, amenity space and areas of significant natural diversity or landscape value unless these can be replaced elsewhere. I consider that this part of the policy should be amended to identify under what circumstances a loss of such space would be justified.
4. Although I accept the general argument on this issue presented by Homes for Scotland, I consider their suggested change to policy DQ 1(b) is not sufficiently precise to fully reflect Government policy advice particularly with regard to open space audits and playing field strategies.

Reporter's recommendations:

Delete the 2nd sentence of policy DQ 1(b) and replace it with the following 2 sentences:

Development should not result in the loss of open space, playing fields or recreational land unless equivalent areas can be replaced elsewhere or, if not, there is a strong justification including evidence from an open space audit prepared by the council, or playing field strategy prepared in consultation with Sportscotland. Development should not result in the loss of areas of significant natural diversity or landscape value.

Issue (ref and handling):	Issue 8.2 - Design Quality	Reporter: IAIN URQUHART
Development Plan Reference:	Page 42 - Policy DQ2 – Design Quality	
Bodies or Person(s) submitting a representation raising the issue:		
Scottish Environment Protection Agency (70) Strathclyde Partnership for Transport (130) Bearsden East Community Council (198)		
Provision of the development plan to which the issue relates:		
Policy DQ 2 states that the Council will expect high quality sustainable design and all development should be compatible with the amenity and character of the area within which it is located. There will be a presumption against development proposals which do not have regard to a number of listed factors.		
Council’s summary of the representation(s):		
Scottish Environment Protection Agency (70) To accord with the Urban Waste Water Treatment Directive, relevant PAN’s and SEPA's Policy on Provision of Waste Water Drainage in Settlements all new developments in or adjacent to sewered areas must connect to the public sewerage system in order to prevent proliferation of private treatment systems and further risks to the water environment. Criterion f) of Policy DQ2 does not require that new developments should connect to the public sewerage system. SEPA object to the lack of a policy on foul drainage which requires that all new development must be connected to the public sewerage system. Object to the lack of a policy requiring space for waste storage and recycling facilities in all new development and promotes waste minimisation, including during construction.		
Strathclyde Partnership for Transport (130) Within Policy DQ 2 - Design Quality, there should be an additional bullet point to highlight the need for all development to have good accessibility and links to transport corridors.		
Bearsden East Community Council (198) Objects to the lack of policy to maintain the quality of dark night skies by restricting the use of outdoor lighting directed upwards.		
Modifications sought by those submitting the representations:		
Scottish Environment Protection Agency (70) Objection to lack of a policy on foul drainage would be addressed by adding a new policy on foul drainage in Chapter 8 requiring all new development in or adjacent to sewered areas to be connected to the public sewerage system. An additional DQ policy should be added requiring all new development to make suitable provision and allocate sufficient space at their sites to accommodate facilities for the		

collection and separation of waste. Alternatively criterion g) of Policy DQ 2 should be amended to include reference to "waste minimisation, including during construction".

Strathclyde Partnership for Transport (130)

Include an additional bullet point to Policy DQ 2 - Design Quality stating that there is a requirement for all development to have good accessibility and links to transport corridors.

Bearsden East Community Council (198)

Insert policy on light pollution restricting the use of outdoor lighting directed upwards.

Summary of response (including reasons) by planning authority:

70

LP2 sought to follow advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing. EDC is therefore of the opinion the wording of Policy DQ 2 criteria f) to provide 'adequate' drainage infrastructure is sufficient to fulfil its intended purpose of highlighting, at an early stage, one of the range of material considerations to be taken into account when preparing development proposals. Detailed clarification on the appropriate drainage design standards is readily available from EDC and/or SEPA and/or Scottish Water.

To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to accept a detailed 'freestanding' policy on foul drainage, but would be agreeable to modified wording of criteria f) to specifically require connections to be made to the sewerage system wherever practicable.

SUGGESTED CHANGE TO POLICY DQ 2, SUB-SECTION F):

- modify wording to specifically require connections to be made to the sewerage system wherever practicable.

EDC is agreeable to modifying criterion g) of Policy DQ 2 to include reference to "waste minimisation, including during construction".

SUGGESTED CHANGE TO POLICY DQ 2, SUB-SECTION G):

- modify to include reference to waste minimisation, including during construction.

130

TRANS 1 sets out the Council's policy on the accessibility of new developments to walking, cycling and public transport networks. It supports sustainable travel patterns and includes a requirement to locate new development where access to public transport networks is not further than 400 metres by walking. In addition, Policy SPD1 states that the national and strategic planning context will be applied in relation to sustainable development. For reasons of brevity, it is not considered necessary to restate include these requirements within either Policy DQ1 or DQ2. No modification is considered necessary.

198

The issue of light pollution is addressed in Policy DQ2: Design Quality part (g) which encourages a reduction in pollution including light pollution. It is not considered necessary to include a separate policy on light pollution and so no change is required.

Reporter's conclusions:

1. I understand the council's objective of producing a brief and succinct local plan. However, the disposal of foul drainage is an important consideration in the assessment of development proposals particularly in relation to environmental and water quality. In my view, criterion (f) within policy DQ 2 does not provide sufficient clarity or detail. It is so general in its terms that it provides little guidance or direction on foul drainage and sewerage solutions in new development. In particular, it does not address the issue raised by Scottish Water regarding connections to the sewerage network.

2. PAN 79: Water and Drainage makes it clear that where development is proposed in an area already served by Scottish Water's foul drainage network, connection to that network will be the preferred option. This requirement should be reflected in policy DQ 2. At the same time, the policy should recognise that there will be circumstances where exceptions to this rule might apply. The council may wish to consider whether a separate Guidance Note on this matter would be of benefit.

3. I believe that a separate criterion on foul drainage and sewerage should be added to policy DQ2 to cover the matters set out in the 2 paragraphs above.

4. There are ambitious national targets for waste minimisation and recycling. The design and layout of new developments should provide sufficient space for facilities for the collection and separation of waste. I accept SEPA's representation that this is a matter which should be covered by an additional criterion to policy DQ 2. In this way, developers will be made aware at an early stage of the potential layout and design implications for their proposals.

5. I note that the council proposes a change to policy DQ 2 (g) to incorporate reference to waste minimisation, including during construction. I agree that this change would provide greater clarity on the council's sustainable development approach.

6. The council's position on accessibility to transport corridors is set out clearly in policy TRANS 1. I do not consider that this position need be repeated within policy DQ 2 as proposed by Strathclyde Partnership for Transport (SPT) given the council's objective of a brief, succinct local plan document.

7. The Community Council's concerns on light pollution and maintaining the quality of dark night skies are addressed, in general terms, in policy DQ 2 (g). Therefore, I accept the council's position that it is unnecessary to introduce a separate policy on such a detailed matter. It would also lead to duplication.

Reporter's recommendations:

Add the following new criterion to policy DQ 2 on foul drainage and sewerage:

'All development within or adjacent to publicly sewered areas will require to connect to the public network unless it can be demonstrated that there are technical constraints, capacity constraints where Scottish Water has confirmed that investment has been allocated to address the constraints, or the connection is unacceptable to Scottish Water.'

Issue (ref and handling):	Issue 8.3 - Advertisements	Reporter: IAIN URQUHART
Development Plan Reference:	Page 43 - Policy DQ 2C – Advertisements	
Bodies or Person(s) submitting a representation raising the issue:		
Chris Thomas Ltd on behalf of Outdoor Advertising Association (4) Chris Thomas Ltd on behalf of British Sign and Graphics Association (5)		
Provision of the development plan to which the issue relates:		
Policy DQ 2C requires that the Council considers the impact of an advertisement proposal on the amenity of the site and surrounding area, public safety and the principles of Guidance Note 2, which provides general and detailed guidance on the display of advertisements.		
Council's summary of the representation(s):		
<p>4</p> <p>Argues that the wording to paragraphs 26-28 of Guidance Note 2 is overly restrictive and does not accord with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. It is argued that small gap sites are not the only acceptable sites for display panels, which can also be appropriate in mainly commercial and industrial areas.</p> <p>5</p> <p>Argues that the illustration in Figure 3 and first sentence of paragraph 14 OF Guidance Note 2 is misleading. Rather than restricting the size of shop front lettering to 300mm, any lettering should be in proportion to the depth of the fascia. Paragraph 14 also fails to take account of modern advances in sign and panel technology.</p> <p>Also considers that there is a discrepancy between paragraph 15 and Figure 4 concerning the difference between projecting "box" signs and projecting "hanging" signs.</p> <p>Maintains that paragraph 16, relating to traffic signs and traffic lights, is potentially confusing, as it is not the proximity of signs that matters, but the confusion with the official signs which may cause public safety problems.</p>		
Modifications sought by those submitting the representations:		
<p>4</p> <p>Amend the wording of the first sentence of paragraph 26 in Guidance Note 2 to: <i>"Location — These signs can be used in gap sites in urban areas, where it is proposed that a new building is to be erected, to have a positive effect on amenity. They may also be acceptable in mainly commercial and industrial areas (and suitable mixed-use areas) where the scale and character of the surroundings is appropriate. In all cases they will be considered in the interests of amenity and public safety alone."</i></p> <p>Amend the wording of paragraph 28 to: <i>"Illumination – discreet illumination will be permitted, particularly in already well-lit areas, where this does not harm amenity (including residential amenity) or public safety."</i></p>		

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Amendment of Figure 3 and change of wording of paragraph 14 (first and second sentences) to:

"The size of lettering on the fascia should be proportionate to its depth. Individual painted, applied or fret-cut letters (either direct to the fascia or on a backing panel) on a plain background, which allow scope for variety, individuality and character, are generally preferable"

Amend the wording of paragraph 15 second sentence to clarify the acceptability of both box and hanging signs:

"Projecting box and hanging signs should be in scale and character with the shopfront as a whole and should generally not exceed the depth of the fascia."

Change wording to paragraph 16 final sentence to clarify the acceptability of illuminated adverts:

"Illuminated signs must not obscure or resemble official highway signs or traffic lights. Care must be taken to ensure that illuminated advertisements do not cause confusion with such official signs and lights such as to create a danger for road users".

Summary of response (including reasons) by planning authority:

4,5

The Council acknowledges the points made in these representations, however the Guidance Notes were not included as part of this consultation process, and as such no modifications can be made at this stage. Until the Finalised Local Plan 2 is adopted, the existing Guidance Notes included within the adopted East Dunbartonshire Local Plan 2005 will remain applicable.

Reporter's conclusions:

1. The representations submitted by Chris Thomas Ltd all relate to the detailed wording of Guidance Note 2 which does not form part of this local plan. I understand that the council proposes to issue a new suite of Guidance Notes for consultation and, thereafter, it intends to adopt these Notes as non-statutory guidance at the same time as formal adoption of the local plan. The weight afforded to the Guidance Notes will relate to how closely they derive from the plan and the extent to which they have been subject to consultation.

2. I believe that policy DQ 2C properly reflects the council's powers under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

3. I consider the detailed matters raised by Chris Thomas Ltd would be best considered by the council as part of its review and consultation process on new Guidance Notes and I do not find any need to amend the over-arching policy requirements of policy DQ 2C.

Reporter's recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 8.4 - Design Quality - Assessment of Impacts	Reporter: IAIN URQUHART
Development Plan Reference:	Page 44 - Policy DQ3 – Assessment of Impacts	
Bodies or Person(s) submitting a representation raising the issue:		
J & L Edwards (119)		
Provision of the development plan to which the issue relates:		
Policy DQ3 Assessment of Impact requires developers to submit relevant assessments where development proposals are likely to have a significant impact on the natural, historic or community environment.		
Council’s summary of the representation(s):		
Policy DQ3 should refer to Environmental Impact Assessment Regulations rather than the Environmental Assessment Regulations.		
Landscape and Visual Assessment should be added to list 1-4.		
Modifications sought by those submitting the representations:		
<ul style="list-style-type: none">• Amend wording of DQ3 to refer to “Environmental Impact Assessment Regulations”• Add ‘Landscape and Visual Assessment’ to the list.		
Summary of response (including reasons) by planning authority:		
<p>The Council agrees that the wording of item 1 of this policy should be amended. The word ‘Impact’ should be inserted between the words ‘Environmental’ and Assessment’. This would provide a more accurate reference to the Environmental Impact Assessment (Scotland) Regulations 1999.</p> <p>It is also acknowledged that the submission of Landscape and Visual Impact assessments may be appropriate for certain developments and this should be added as a requirement to Policy DQ3. This would reflect and ensure compliance with Scottish Planning Policy which states in paragraph 131 that “<i>Landscapes and the natural heritage are sensitive to inappropriate development and planning authorities should ensure that potential effects, including the cumulative effect of incremental changes, are considered when preparing development plans and deciding planning applications.</i>”</p> <p>SUGGESTED CHANGES TO POLICY DQ3:</p> <ul style="list-style-type: none">• amend wording of DQ3 item (1) to read “<i>Environmental Impact Assessment Regulations</i>”, and• add ‘Landscape and Visual Assessment’ to the list as a new item (5).		

Reporter's conclusions:

1. The council accepts that there has been an omission and that the wording of policy DQ3 (1) should be amended to read Environmental *Impact* Assessment Regulations to accurately reflect the title of the 1999 Regulations. I agree with proposed change.
2. I consider that the assessment of landscape and visual impact may be appropriate for certain types of development particularly in, and adjacent to, areas of countryside. On this basis, I agree with the representation from J and L Edwards that a landscape and visual assessment criterion should be added to policy DQ3 to make it more comprehensive and applicable to a wider range of development types. I note that the Council supports this change.

Reporter's recommendations:

1. Modify the wording of policy DQ3 (1) to read 'Environmental *Impact* Assessment Regulations'
2. Add a new criterion as DQ3 (5) to read 'Landscape and Visual Assessment

Issue (ref and handling):	Issue 8.5 - Telecommunications	Reporter: IAIN URQUHART
Development Plan Reference:	Page 44 - Policy DQ4 – Telecommunications Installations	
Bodies or Person(s) submitting a representation raising the issue:		
Councillor Jim Gibbons (22) Mono Consultants Ltd on behalf of Mobile Operators Association (114)		
Provision of the development plan to which the issue relates:		
Policy DQ4: Telecommunications Installations states that the Council will work in close liaison with operators to facilitate the development of a comprehensive modern local telecommunications infrastructure which minimises environmental impact and takes into account community wellbeing concerns. Applications (and notifications where the development does not require planning permission) for telecommunications development must accord with Guidance Note 11 which will be afforded significant weight in the decision making process.		
Council’s summary of the representation(s):		
Councillor Jim Gibbons Phone masts should not be sited close to playground areas without consultation with local residents, and younger children should receive the same protection as school children.		
Mono Consultants Ltd on behalf of Mobile Operators Association Would have preferred to see a criterion-based telecommunications policy included. Requests that the relevant Guidance Note (11) is reviewed to bring it into line with the legislative changes since its publication e.g. Planning etc Scotland Act, or incorporated into the Local Plan itself. Concerned that the reference to installations that benefit from permitted development having to refer to Guidance Note 11 may mislead the public into thinking that there is a decision making process involved in development that does not require planning consent.		
Modifications sought by those submitting the representations:		
Councillor Jim Gibbons To clarify that telecommunications infrastructure will not be developed close to playgrounds without consultation with local residents.		
Mono Consultants Ltd on behalf of Mobile Operators Association Amend wording of Policy DQ4 as follows: “Proposals for telecommunications development will be permitted provided that the following criteria are met: i. the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area; ii. if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;		

- iii. if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.
- iv. If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.

When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology."

Summary of response (including reasons) by planning authority:

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The Council is aware of the report by the Independent Expert Group on Mobile Phones (the Stewart Report, 2000) which looked into the impacts on the general public of mobile telecommunications infrastructure. Following this report, a number of precautionary measures relating to mobile phone masts were put in place outwith the planning process, including the auditing of mobile phone mast emissions and the creation of a publicly accessible database of base stations. Scottish Planning Policy explains that *"emissions of radiofrequency radiation are controlled and regulated under other legislation and it is therefore not necessary for planning authorities to treat radiofrequency radiation as a material consideration"*

Policy DQ 4, together with Guidance Note 11, provides sufficient guidance on the planning requirements for the development of telecommunications installations. This includes their location, scale, built form, layout, design and impact on community wellbeing. It should be noted that the Guidance Note will be afforded significant weight in the decision making process.

In addition, to demonstrate to planning authorities that the known health effects have been properly addressed, applications for planning permission involving antennas must be accompanied by a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation. This is a Scottish Planning Policy requirement and will be addressed at the development management stage. It should also be noted that during the Public Local Inquiry into the currently adopted Local Plan (2005), the Reporter concluded that *"the references to a ban on installations in or near schools, nurseries, play areas, and residential areas should be deleted."* Taking the above into consideration, no modification to Policy DQ4 is required.

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The Council notes the suggested wording relating to a criterion based policy. However, it is considered that Guidance Note 11, which should be read in conjunction with Policy DQ4, currently provides sufficient guidance on the detailed requirements for telecommunications developments. The Guidance Note covers all the issues raised through the suggested wording including siting and appearance, built form, layout and environmental impact. In respect of the final paragraph of the suggested wording, the policy states that *"the Council will work in close liaison with operators to facilitate the development of a comprehensive modern local telecommunications infrastructure..."* This is considered appropriate in terms of having regard to the operational requirements of telecommunications networks.

It is not agreed that the wording may mislead the public into thinking that there is a decision making process involved for development that does not require planning permission. The current wording is intended to ensure that those proposals which benefit from permitted development also meet the standards and requirements outlined in Guidance Note 11. No

modification is considered necessary.

Reporter's conclusions:

1. The Scottish Planning Policy (SPP) and PAN 62: Radio Communications establish the relevant planning considerations for telecommunications infrastructure to be set out in development plan policies. Matters relating to health and proximity of telecommunication masts and related infrastructure to children's play areas are not material planning considerations. Policy DQ4 should not address these issues and, therefore, I do not support the representation by Councillor Jim Gibbons.

2. Mono Consultants' representation raises the issue of the status of Guidance Note 11. The local plan is proceeding under transitional arrangements. It does not constitute a local development plan under the new provisions and, as such, section 22 of the Town and Country Planning (Scotland) Act 1997, as amended, regarding Supplementary Guidance, does not apply. I understand that the council proposes to issue a new suite of Guidance Notes for consultation and, thereafter, it intends to adopt these Notes as non-statutory guidance at the same time as formal adoption of the local plan. The weight afforded to the Guidance Notes will relate to how closely they derive from the plan and the extent to which they have been subject to consultation.

3. Therefore, I consider that policy DQ4 should provide sufficient guidance to prospective developers on the council's over-arching policy approach to telecommunications development. This guidance should reflect the SPP and PAN 62. I do not consider that the proposed wording of policy DQ4 meets this objective and so I recommend that it be modified. I do not consider that DQ4 needs to be a detailed, criteria based policy as proposed by Mono Consultants. Such detailed matters should be set out in an appropriately worded Guidance Note.

4. I agree with Mono Consultant's representation so far as it relates to the reference to permitted development within policy DQ4. To avoid confusion and ambiguity, I consider that policy DQ4 should relate solely to development requiring planning permission.

Reporter's recommendations:

Delete existing policy DQ4 and replace it with a new policy DQ4 with the following wording:

'The Council will work closely with telecommunications operators to facilitate a modern telecommunications infrastructure which has an acceptable visual amenity and environmental impact, and which reflects the operational requirements of telecommunications networks and the technical limitations of the technology. Proposals for telecommunications developments should accord with detailed siting, design and locational criteria set out in Guidance Note 11: Telecommunications Developments.'

Issue (ref and handling):	Issue 8.6 - Minerals Safeguarding	Reporter: IAIN URQUHART
Development Plan Reference:	Page 44 - Policy DQ5 – Mineral Extraction	
Bodies or Person(s) submitting a representation raising the issue:		
The Coal Authority (17)		
Provision of the development plan to which the issue relates:		
Policy DQ5 Mineral Extraction states a presumption against proposals for the winning and working of minerals except in (a) existing workings and (b) where the proposals involve the reuse or removal of waste materials. Such sites will be assessed against a set of criteria.		
Council’s summary of the representation(s):		
The Local Plan does not take sufficient account of the need to safeguard minerals for future use or avoid the sterilisation of coal resources.		
Objection to the wording of Policy DQ5, and is considered to be inconsistent with SPP16 and the Structure Plan.		
Modifications sought by those submitting the representations:		
<ul style="list-style-type: none">• The Local Plan should give further consideration to the potential for the definition of new search areas where the extraction of coal may be acceptable in line with SPP16 (paragraph 65).• Change wording of DQ5 to “<i>there will be a general presumption against proposals for the winning and working of minerals.</i>”		
Summary of response (including reasons) by planning authority:		
<p>The Council recognises the importance of safeguarding and maintaining a future supply of minerals to support sustainable economic growth. Policy DQ5 aims to provide certainty for the minerals industry, whilst at the same time protecting the amenity of local communities, the natural heritage and historic environment. The Glasgow and the Clyde Valley Joint Structure Plan Authority are currently in the process of identifying new search areas for the emerging Strategic Development Plan. The Council therefore considers it appropriate to acknowledge the potential for the definition of new search areas within Policy DQ5.</p> <p>This would accord with the new Scottish Planning Policy which states that “<i>Planning authorities should have regard to the availability, quality, accessibility and requirement for mineral resources in their area when preparing development plans. These search areas, or where appropriate specific sites, should be identified and safeguarded in the development plan and the criteria to be satisfied by development proposals set out</i>”.</p> <p>The suggested modification of the wording to include the word ‘general’ prior to ‘presumption’ is also considered appropriate, and would allow sufficient protection whilst giving a slightly greater degree of flexibility. This would provide a more accurate reflection of the wording of the approved Glasgow and the Clyde Valley Joint Structure Plan under Sustainable</p>		

Development of Natural Resources (e) which states that *"In accordance with SPP 16 Opencast Coal, Strategic Policy 8(c) supports opencast coal and related minerals developments within areas identified in Schedule 8 and the Diagram 23. Outwith these areas, there will be a **general** presumption against opencast coal and related minerals working.*

SUGGESTED CHANGE TO POLICY DQ5:

- Amend wording of first sentence to read: *"There will be a **general** presumption against proposals for the winning and working of minerals throughout the Local Plan area, except."*
- Addition of new item (c): *"Where new minerals search areas are identified"*.

Reporter's conclusions:

1. The approved Glasgow and Clyde Valley Structure Plan (GCVSP) identifies Search Areas within which the extraction of opencast coal and other minerals would be supported. There are no Search Areas located within the local plan area. The Coal Authority considers the approved structure plan to be overly restrictive.

2. The new local plan must conform with the structure plan which was approved by Scottish Ministers and has been operative since April 2008. In these circumstances, it would not be appropriate for the council to identify new Search Areas through this local plan. The review of Search Areas would be more appropriately considered as part of the emerging strategic development plan for the Glasgow and Clyde Valley area. The Scottish Planning Policy (SPP) notes that any review should take account of the views of the Coal Authority.

3. However, I support a limited change to policy DQ5. The addition of criterion (c) to the policy, now proposed by the council, would be acceptable subject to the inclusion of additional wording to make it clear that identification of Search Areas should come through the strategic development plan process.

4. The SPP (paragraph 240) states that there is a '*general presumption*' against coal extraction outwith areas of search identified in the development plan. Effectively this means the whole local plan area. However, proposed policy DQ5 omits the word '*general*' and states that there will be a presumption against proposals for the winning and working of minerals throughout the local plan area, subject to 2 exceptions.

5. I agree with the Coal Authority's argument that introduction of the word '*general*' would introduce a degree of flexibility to allow consideration of local development circumstances. This change would also make the policy consistent with the SPP and the approved structure plan. I note that the council agrees this change.

Reporter's recommendations:

1. Add criterion(c) to policy DQ5 to read '*Where new mineral areas are identified through the strategic development plan.*'

2. Modify the first sentence of policy DQ5 to read '*There will be a general presumption against proposals for the winning and working of minerals throughout the local plan area.*'

Issue (ref and handling):	Issue 8.7 - Waste Management	Reporter: IAIN URQUHART
Development Plan Reference:	Pages 42-47 - Design Quality policies Page 45 - Policy DQ 6 – Waste Management Policy	
Bodies or Person(s) submitting a representation raising the issue:		
Scottish Environment Protection Agency (70)		
Provision of the development plan to which the issue relates:		
<p>Policy DQ1 - Assessing Proposed Uses sets out general environmental standards for assessing new development, e.g. protection of residential amenity, retention of open space and retention and enhancement of ecological resources.</p> <p>Policies DQ2 - DQ13 seek to achieve high standards of design across a range of development types and environmental criteria. Of particular relevance are Policy DQ2 - Design Quality, Policy DQ 3 - Assessment of Impact, Policy DQ6 – Waste Management Policy, Policy DQ7 - Landfill/Infill and Policy DQ8 -Renewable Energy Developments</p>		
Council’s summary of the representation(s):		
<p><u>1. Policy framework on waste management</u> Object to the lack of a suitable policy framework on waste management. The draft plan does not provide a clear policy framework on sustainable waste management in line with SPP10 and PAN63, and makes no reference to the objectives of the National Waste Strategy, National Waste Plan and the Area Waste Plan. These documents are material considerations and include important provisions for development plans and waste management proposals.</p> <p><u>2. Locational criteria for waste infrastructure</u> Object to the lack of a policy specifying clear locational criteria for new waste management facilities. This does not accord with national advice in SPP10 and PAN63.</p> <p><u>3. Safeguarding existing waste management sites</u> Object to the lack of a policy which safeguards existing waste management sites. This is promoted in SPP10. However existing municipal waste management sites are not identified and safeguarded, nor prejudicial neighbouring development discouraged.</p> <p><u>4. Identification of waste management sites and search areas</u> Object to the lack of a policy identifying potential suitable locations or search areas for major waste management infrastructure. PAN63 provides appropriate guidance and these issues should be taken into consideration in the plan making process and need to be addressed through a suitable local plan policy.</p> <p><u>5. Thermal treatment of waste and energy recovery</u> Object to the lack of a policy on the thermal treatment of waste.</p> <p>There is no clear direction for Energy from Waste (EfW) proposals, which can include small scale facilities such as anaerobic digestion facilities. LP2 should provide clear guidance on the thermal treatment of waste, reflecting SEPA's Thermal Treatment of Municipal Waste Guidelines (updated in 2009) and SPP10.</p>		

Modifications sought by those submitting the representations:1. Policy framework on waste management

The revised local plan should provide a clear policy framework to guide the proper assessment of waste management proposals, and consist of an additional DQ policy requiring applicants to demonstrate proposals accord with the sustainable transport principles and objectives of national and strategic waste strategies and plans.

2. Locational criteria for waste infrastructure

An additional DQ policy should be added in line with the model policy in SPP10 which specifies clear locational criteria for new waste management facilities. The recommended new policy should also state existing or former waste management sites and degraded/derelict land are also suitable locations for waste management facilities.

3. Safeguarding existing waste management sites

An additional DQ policy should be added which identifies and safeguards existing and new waste management sites. Specific sites should be identified in the policy and on the Proposals Map. Model wording is suggested.

4. Identification of waste management sites and search areas

An additional DQ policy should be added which clearly identifies specific sites or search areas for new waste management infrastructure in accordance with the advice in PAN63.

5. Thermal treatment of waste and energy recovery

DQ policies should be either added or revised to provide clear policy guidance on the thermal treatment of waste, in accordance with SPP10 and the land use provisions in the Thermal Treatment Guidelines.

Summary of response (including reasons) by planning authority:General

LP2 sought to follow advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing. Circular 1/2009 also notes: “Minor proposals and detailed policies may be removed to supplementary guidance, especially if there is no significant change from the previous plan, and provided an appropriate context remains in the plan itself.

With this in mind the following comments are made in response to the above waste management issues:

1. Policy framework on waste management; 2. Locational criteria for waste infrastructure; 4. Identification of waste management sites and search areas; 5. Thermal treatment of waste and energy recovery

East Dunbartonshire Council has long established arrangements for collecting and transferring all municipal waste, including recyclates, outwith the Council boundaries, via the waste transfer station at the Wilderness Plantation, Balmuilty Road, Bishopbriggs. This is also the location of the Council's main civic amenity site. There are three other established waste management sites:-

- Centurion Works, Balmuilty Road Bishopbriggs, where private demolition waste is recycled,
- Twechar Works Gavell Road Twechar, where certain types of commercial waste are treated, and
- Stirling Fibre, near Twechar, where waste paper is stockpiled for onward transfer.

The only remaining active landfill site, at Inchbelle, Kilsyth Road, Kirkintilloch is no longer accepting inert waste and is being restored.

There is therefore no known current requirement for new waste management infrastructure in East Dunbartonshire and, consequently, EDC considers there is no need for LP2 to set out either general locational criteria or identify specific sites.

EDC is also of the opinion that guidance in the various DQ policies sufficiently highlight, at an early stage, the range of material considerations to be taken into account in assessing the potentially very limited number of waste management infrastructure projects that could potentially be submitted during the lifespan of LP2. In any event such projects are likely to be the subject of extensive pre-application consultation to ensure due account is taken of all national, strategic and local design and locational criteria.

To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate a detailed policy framework on waste management.

3. Safeguarding existing waste management sites

Para 216 of SPP advises: *“Existing waste handling installations should be safeguarded in development plans and allocations on adjacent sites should not compromise waste handling operations, which may operate 24 hours a day and partly outside buildings.”* Following from this, and in light of SEPA’s objection, EDC is agreeable to modifying the LP2 to identify and safeguard existing waste management sites.

SUGGESTED CHANGE TO POLICY DQ6:

- modify the LP2 to identify and safeguard existing waste management sites.

Reporter’s conclusions:

1. Scottish Planning Policy (SPP) has replaced SPP10: Planning for Waste Management. The SPP requires councils to plan for waste management infrastructure to meet all waste needs in their local areas. It also states that all development plans must identify appropriate locations for required waste management facilities, where possible allocating specific sites, and provide a policy framework which assists the development of these facilities. Development plans should safeguard existing waste handling facilities. PAN 63: Waste Management Planning provides advice on identifying sites and assessing suitability.

2. Policy DQ6 falls well short of being a comprehensive statement of the council’s planning policy approach to development of waste management facilities. Similarly, it fails to provide developers and the wider community with an appropriate level of policy and detailed advice on the location of new facilities. It does not reflect up-to-date advice in the SPP.

3. I recognise the council’s objective of preparing a succinct local plan in line with advice in Circular 1/2009: Development Planning but I do not consider that policy DQ6 fulfils the objectives of the SPP. A new policy DQ6 is required. It should reflect guidance in the SPP and the content of the National Waste Strategy and the local Area Waste Plan. Further work will be required by the council and its partners to prepare a new policy based around the SPP and PAN 63.

4. Although I support the main thrust of SEPA’s representations, I consider it unnecessary for policy DQ6 to make reference to thermal treatment of waste and energy recovery. A new waste management policy should provide generic policy and locational

advice capable of application to a wide range of waste management facilities including, if necessary, waste to energy and thermal treatment of waste developments.

Reporter's recommendations:

Delete existing policy DQ6 and replace it with a new policy that addresses the following matters:

- a policy framework for the development of waste management facilities
- planning and development criteria for the location of waste management facilities
- a policy framework for safeguarding existing waste management sites, and the identification of these sites within the plan document
- a policy framework for the identification of suitable locations for large scale waste management infrastructure

Issue (ref and handling):	Issue 8.8 - Renewable Energy Developments	Reporter: IAIN URQUHART
Development Plan Reference:	Page 45 - Policy DQ8 – Renewable Energy Developments	
Bodies or Person(s) submitting a representation raising the issue:		
West Dunbartonshire Council (44)		
Provision of the development plan to which the issue relates:		
Supports proposals for renewable energy except where it would have an adverse impact on 'the landscape quality of the green belt, Campsie Fells and Kilpatrick Hills Regional Scenic Area. Goes on to state that the 'development of windfarms will be strongly resisted in the Campsie Fells and Kilpatrick Hills Regional Scenic Areas.		
Council's summary of the representation(s):		
Points out that there is repetition in policy DQ8. Questions the need for the last sentence which states "the development of windfarms will be strongly resisted in the Campsie Fells and Kilpatrick Hills Regional Scenic Area", as this was already confirmed in part (b) of the policy and is reinforced by Policy NE4: Protection of Landscape Character.		
Modifications sought by those submitting the representations:		
Delete last sentence of policy DQ8 and clarify the status of DQ8 in relation to windfarm development on the Kilpatrick Hills.		
Summary of response (including reasons) by planning authority:		
It is acknowledged that item (b) of Policy DQ8 sets out a presumption against renewable energy developments where they would have an adverse impact on the Campsie Fells and Kilpatrick Hills Regional Scenic Areas. However, for the avoidance of doubt, it is considered appropriate to state clearly that windfarm developments in particular will be strongly resisted in these areas. This ensures sufficient clarity and provides greater certainty, and so no modification would be required.		
Reporter's conclusions:		
<p>1. I consider that the introductory statement within policy DQ8 clearly sets out the council's support for all renewable energy developments subject to exception criteria (a), (b) and (c). Criterion (b) states that all renewable energy developments will be supported except there would be an adverse impact on the landscape quality of the Green Belt, Campsie Fells and Kilpatrick Hills Regional Scenic Areas.</p> <p>2. However, this is slightly at odds with the final sentence of the policy that identifies a specific type of renewable energy development, namely windfarms, which will be strongly resisted in the same areas. It appears that, regardless of landscape impact, windfarm developments will not be permitted in these sensitive areas.</p>		

3. Policy DQ8 needs greater clarity to better reflect the council's policy intentions. I believe that this should be achieved by rewording the policy and introducing a specific criterion to exclude general council support for windfarms in Scenic Areas.

Reporter's recommendations:

Delete the wording of policy DQ8 and replace with new wording as follows:

"The Council will generally support proposals for all types of renewable energy developments except:

- (a) where there would be an adverse impact on historic and natural environment resources defined in this plan*
- (b) where there would be an adverse impact on the landscape quality of the Green Belt, Campsie Fells and Kilpatrick Hills Regional Scenic Areas*
- (c) where there would be an adverse impact on local amenity through traffic, noise and visual impact*
- (d) windfarm developments in the Campsie Fells and Kilpatrick Hills Scenic Areas"*

Issue (ref and handling):	Issue 8.9 - Sustainable Drainage Systems	Reporter: IAIN URQUHART
Development Plan Reference:	Page 46 - Policy DQ10 – Sustainable Drainage Systems	
Bodies or Person(s) submitting a representation raising the issue:		
Scottish Environment Protection Agency (70) Scottish Water (97) CBRE on behalf of Muse Developments (153)		
Provision of the development plan to which the issue relates:		
Policy DQ10 Sustainable Drainage Systems encourages an environmental approach to surface water management through habitat creation or enhancement. It states that underground or hard engineered Sustainable Drainage Systems will generally be resisted and refers developers to CIRIA's "SuDS Design Manual".		
Council's summary of the representation(s):		
Scottish Environment Protection Agency (70) Object to the omission of clear statement that all new developments will be required to implement appropriate SuDS.		
Scottish Water (97) Requests that the policy also includes a requirement for developers who wish their SuDS system to be adopted by Scottish Water to refer to Sewers for Scotland 2 nd Edition.		
CBRE on behalf of Muse Developments (153) Objects to the resistance to hard engineered sustainable drainage systems in Policy DQ10, as environmental techniques are not always viable due to space or topography restrictions.		
Modifications sought by those submitting the representations:		
Scottish Environment Protection Agency (70) The following text should be added at the beginning of Policy DQ 10: <i>"All new developments will require Sustainable Urban Drainage Systems (SuDS) except proposals for single dwelling houses or where surface water discharge is made directly to coastal waters".</i>		
Scottish Water Amend wording to include required for developers to accord with Sewers for Scotland 2 nd Edition when proposing SuDS systems.		
CBRE on behalf of Muse Developments Insert text to Policy DQ10 stating that environmental drainage techniques are not always viable due to space and topography restrictions and that hard engineered systems may be appropriate in some instances.		

Summary of response (including reasons) by planning authority:**70**

LP2 sought to reflect advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing. Circular 1/2009 also notes: *“Minor proposals and detailed policies may be removed to supplementary guidance, especially if there is no significant change from the previous plan, and provided an appropriate context remains in the plan itself.”*

LP2 does include, as well as policy DQ 10 various policies relevant to Sustainable Drainage, e.g. Policy NE1 – Protection of Natural Diversity; Policy NE7 - River Basin Management Planning; Policy DQ1 – Assessing Proposed Uses, and Policy DQ2 – Design Quality. LP2 also indicates instances where further guidance notes will be prepared, e.g. implementation of ‘measures’ associated with River Basin Management Planning.

EDC is therefore of the opinion the various DQ policies sufficiently highlight, at an early stage, the significance of SuDS as a material consideration. Detailed design criteria, including the scale and type of development that may require SuDS, can be determined from the CIRIA Design Manual and other relevant design guidance.

To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate a detailed policy framework on the water environment.

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It is noted that Scottish Water was made responsible for the future maintenance and capital replacement of shared public Sustainable Drainage Systems (SuDS) through the enactment of Stage 3 of the Water Environment and Water Services (Scotland) Act 2003. In recognition of the role of Scottish Water, it is acknowledged that Policy DQ5 would benefit from including reference to the relevant Technical Manual ‘Sewers for Scotland (currently 2nd Edition) as a key guidance document for development proposals incorporating SuDS. This manual is also endorsed by SEPA and would provide a greater level of clarity for developers and help to ensure that the expected design and construction standards are met.

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The Council recognises that environmental drainage techniques may not always be viable, and it is considered that the wording of Policy DQ10 reflects this by stating that proposals for underground or hard engineered SuDS will *generally* be resisted. This establishes a presumption against hard engineered systems, whilst retaining a degree of flexibility through the word ‘generally’. As such, no change to the wording is necessary.

SUGGESTED CHANGE TO POLICY DQ10:

- modify the final sentence of the first paragraph of Policy DQ 10 to read: *“Developers should refer to the SuDS Design Manual published by CIRIA for further guidance **and, where the scheme is to be adopted by Scottish Water, the most recent Sewers for Scotland Technical Manual**”.*

Reporter’s conclusions:

1. New developments can increase surface water run-off and SuDS solutions can reduce both the risk of flooding and additional pressure on local drainage networks. Whilst I understand the need for the new local plan to be brief and succinct, I agree with the points made by SEPA that the absence of a specific SuDS requirement in policy DQ10 is an important omission particularly in light of the Water Environment (Controlled Activities) (Scotland) Regulations 2005.

2. It is likely that most SuDS systems will be adopted by Scottish Water. It is important that developers are directed to Scottish Water's technical standards at an early stage in the development process. Therefore, it would be appropriate for policy DQ10 to incorporate this guidance as proposed by Scottish Water.

3. There may be locations, particularly within the urban area, where design and space constraints require innovative SuDS solutions including underground and hard engineering systems. I consider that policy DQ10 should not *generally resist* this possibility provided these solutions meet the technical requirements of Scottish Water, SEPA and the council, and there is clear evidence of design and layout constraints. In these circumstance, I agree with the representation on behalf of Muse Developments that the council's proposed approach and policy wording does not provide sufficient flexibility.

Reporter's recommendations:

Modify policy DQ 10 as follows:

- Add the following sentence at the beginning of the paragraph 1 "*All new developments shall incorporate sustainable urban drainage systems (SuDS) except proposals for single dwellinghouses*"
- Add the following words to the end of the final sentence of paragraph 1: "*and where the scheme is to be adopted by Scottish Water, the most recent Sewers for Scotland Technical Manual.*"
- Delete the 2nd sentence of paragraph 1 and replace with the following 3 sentences: "*SuDS proposals should be appropriate to the location and layout of the site. Hard engineering solutions will only be acceptable where there is clear evidence of layout or design constraints. All SuDS solutions shall meet the technical requirements of Scottish Water, SEPA and the council.*"

Issue (ref and handling):	Issue 8.10 - Flood Risk	Reporter: IAIN URQUHART
Development Plan Reference:	Page 47 - Policy DQ11 – Flood Risk Page 16 -23 - Housing and Mixed Uses Page 58-60 - Economic Competitiveness – Business	
Bodies or Person(s) submitting a representation raising the issue:		
Scottish Environment Protection Agency (70) Penelope Sinclair (84) Dr H Macanespie (87) Bearsden North Community Council (88) John Mackintosh (116) Milngavie Civic Trust (123) Lower Kilmardinny Residents Association (145) Burnbrae Residents Association (147) A. Grimstead (169) Mr and Mrs Carruth (180)		
Provision of the development plan to which the issue relates:		
Policy DQ11 highlights flood risk as a material consideration and sets out criteria to be used in assessing development proposals. It states that development will not be supported where it increases the risk of flooding, would itself be at risk from flooding or does not provide adequate access to watercourses for maintenance. Policy HMU1 highlights development opportunities for Housing and Mixed Uses. Policy ECON 2 highlights Economic Development Opportunities.		
Council’s summary of the representation(s):		
Scottish Environment Protection Agency (70) <u>Objection to Policy DQ 11 - Flood Risk</u> Penultimate paragraph of policy DQ 11 suggests development at risk of flooding may be permitted if adequate mitigation measures can be secured. This is not consistent with SPP7 (and the emerging SPP Part 3) and therefore, SEPA object to this policy. <u>Objection to Allocations on Flood Risk Grounds</u> Particular allocation sites are located entirely or mostly within the 1 in 200 year flood map and therefore are at medium to high risk of flooding. These will involve new development on the undeveloped/sparsely developed functional flood plain contrary to SPP 7. Therefore SEPA object to the following allocations: <ul style="list-style-type: none">• HMU 1 22 - Broomhill Hospital, Kirkintilloch• HMU 1 23 - Broomhill Hospital, Kirkintilloch• HMU 1 45 – The Greens, Kirkintilloch• Econ 2(11) – Lillyburn Works, Milton of Campsie <u>Other flood risk issues and Strategic Flood Risk Assessment</u> Other allocation sites are located at least partly within the 1 in 200 flood map, some of which are known to have flooded (see Appendix 2 which provides additional comments on the proposed allocations). Parts of these sites are at medium to high risk of flooding. The		

Planning Authority may consider carrying out a Strategic Flood Risk Assessment (SFRA) of all sites at flood risk or revising the boundaries of these allocations at this stage.

At the planning application stage, SEPA would object to proposals which are located partly within the 1 in 200 flood map unless an appropriate Flood Risk Assessment is submitted.

Penelope Sinclair

No development should be permitted on flood plains.

Dr H Macanespie

Objects to development at the Lower Kilmardinny/ Westpark site as it is an existing flood plain.

Bearsden North Community Council

Would like to see clear emphasis in the relevant schedules of Policy UC1 regarding avoiding development on floodplains.

John Mackintosh

To carry forward the requirements of the adopted local plan policy Schedule UC2C on development at Lower Kilmardinny/ Westpark. Also suggests including greater emphasis on avoiding development on flood plains.

Milngavie Civic Trust

Would like to see clear emphasis in the relevant schedules of Policy UC1 regarding avoiding development on floodplains.

Lower Kilmardinny Residents Association

Would like to see clear emphasis in the relevant schedules of Policy UC1 regarding avoiding development on floodplains.

Burnbrae Residents Association

Would like to see clear emphasis in the relevant schedules of Policy UC1 regarding avoiding development on floodplains.

A Grimstead

Considers that the proposals map does not accurately reflect those areas prone to flooding. Specifically, Manse Burn by Milngavie Road and the area between Auchenhowie Road and Allander Water are omitted.

Mr and Mrs Carruth

Would like to see clear emphasis in the relevant schedules of Policy UC1 regarding avoiding development on floodplains.

Modifications sought by those submitting the representations:

Scottish Environment Protection Agency (70)

Objection to Policy DQ 11 - Flood Risk

Policy DQ11 should be revised to clarify that new development will not be permitted on the undeveloped/sparsely developed functional floodplain irrespective whether any mitigation measures are proposed. A revised policy should also clarify that all development proposals on the floodplain, which may be considered an exception under SPP7, and other proposed sites which may be at flood risk will require submission of detailed Flood Risk Assessments (FRAs). It is also recommended the revised policy and proposals map should make explicit reference to the Indicative River and Coastal Flood Map (Scotland) and SPP7 (and any

subsequent revised policy).

Objection to Allocations on Flood Risk Grounds

Objections could be addressed by removing these proposed allocations or amending the boundaries to ensure that no new development will take place on the undeveloped/sparsely developed flood plain.

Other flood risk issues and Strategic Flood Risk Assessment

SEPA recommend that the draft plan should be subject to a Strategic Flood Risk Assessment (SFRA). This should inform the revision of the plan and allocations. The Planning Authority should contact the Flood Prevention Authority for any flood risk information it may hold.

Penelope Sinclair

Amend Policy DQ11 to state that no development will be permitted on the flood plain.

Dr H Macanespie

Remove any reference to development at Lower Kilmardinny/ Westpark within Schedule C of UC1 due to adverse impacts on the floodplain.

Bearsden North Community Council

Insert statement to relevant Schedules of UC1 emphasising: protection of greenbelt, avoiding floodplains, enhancing the character of communities and the need for links to sustainable transport.

John Mackintosh

Amend Policy UC1 and/or Policy DQ11 to emphasise the importance of avoiding development on potential flood plains.

Milngavie Civic Trust

Amend Policy UC1 and/or Policy DQ11 to emphasise the importance of avoiding development on potential flood plains.

Lower Kilmardinny Residents Association

Amend Policy UC1 and/or Policy DQ11 to emphasise the importance of avoiding development on potential flood plains.

Burnbrae Residents Association

Amend Policy UC1 and/or Policy DQ11 to emphasise the importance of avoiding development on potential flood plains.

A Grimstead

Amend proposals map to include Manse Burn by Milngavie Road and the area between Auchenhowie Road and Allander Water as Flood Risk Areas.

Mr and Mrs Carruth

Amend Policy UC1 and/or Policy DQ11 to emphasise the importance of avoiding development on potential flood plains.

Summary of response (including reasons) by planning authority:

70

Objection to Policy DQ 11 - Flood Risk

Policy DQ 11 already states: "...regard should be had to the policies contained within Government Policy, which will be held in significant weight." However the Council is

agreeable to modifying the wording of policy DQ 11 to accord with the SPP, and to include a clearer reference to the Flood Map.

SUGGESTED CHANGE TO POLICY DQ11:

- modify the wording of Policy DQ 11 to accord with the SPP and clarify that all development proposals on the floodplain which may be considered an exception under the SPP, and other proposed sites which may be at flood risk, will require submission of detailed Flood Risk Assessments.
- amend the policy and proposals map as appropriate to make explicit reference to the Indicative River and Coastal Flood Map (Scotland).

Objection to Allocations on Flood Risk Grounds

- HMU 1 22 - Broomhill Hospital. Site allocation followed PLI into 2005 Local Plan. The Reporters' recommendation states: "*Development must take account of the local flood risk...*" EDC requests allocation remains though is agreeable to clearer definition of the site boundary on the proposals map.
- HMU 1 23 - Former Broomhill Hospital. Site occupies an elevated 'drumlin' type feature, and therefore is unlikely to be at risk from flooding. EDC requests allocation remains, subject to appropriate FRA being carried out, in consultation with SEPA.
- HMU 1 45 - The Greens. Site is provisionally identified for affordable housing, but has not been subject to any FRA. It does comprise of low lying land adjacent to the Park Burn. EDC requests that the allocation remains, subject to appropriate FRA being carried out, in consultation with SEPA.
- Econ 2(11) – Lillyburn Works. Site benefits from detailed planning permission, and appropriate flood risk and drainage assessments have been carried out, in consultation with SEPA, with suitable safeguarding conditions incorporated in the permission.

SUGGESTED CHANGE TO PROPOSALS MAP:

- amend the proposals map to more clearly define HMU Site 22 Broomhill Hospital.

Other flood risk issues and Strategic Flood Risk Assessment

Flood risk is an important material consideration, and EDC will always request appropriate FRA's in line with SEPA's advice. It is not, at this time, possible to carry out a SFRA on LP2 without seriously compromising the programme for examination and adoption. However EDC will consider this recommendation in more detail in the preparation of the Main Issues Report for the East Dunbartonshire Local Development Plan.

84, 87, 88, 116, 123, 145, 147, 169, 180

The Proposals Map illustrates those areas that are considered to be at risk from flooding, and makes it clear that it should be read in conjunction with Policy DQ11, which addresses the issue of flood risk. The flood mapping data is provided by SEPA. The Council will continue to liaise with SEPA to ensure that all areas of flood risk are identified on the Proposals Map.

Policy DQ11 sets out the specific criteria against which development proposals will be assessed, and fulfils the key requirements of national policy as set out in the new Scottish Planning Policy and Planning Advice Note 69: *Planning and Building Standards Advice on Flooding*. The policy is aimed at preventing development on the functional floodplain and to avoid piecemeal reduction. Detailed matters relating to flood risk associated with individual development proposals – including the potential requirement of a flood risk or drainage assessment – will be addressed during the development management process.

The 'Flood Risk Areas' identified on the Proposals Map include part of the Lower Kilmardinny/Westpark area, as referred to in UC1 Schedule C. Policy DQ11 would therefore apply in this case. However, it is important to note that the Schedules referred to within Policy

UC1 are intended to provide details of the specific land use development proposals for each area, rather than to provide specific details of design quality, with this being addressed in Chapter 8. The provisions of Schedule C should therefore be read in conjunction with Policy DQ11, and in the interests of brevity it is not considered appropriate to address the issue of flood risk in Policy UC1 Schedule C.

In all cases it is considered that national policy guidance on flood risk is equally valid, but that it is unnecessary to restate the advice contained within the relevant national documents, including the 'Risk Framework' set out in Scottish Planning Policy. It should be noted that the policies contained within Government policy will be held in significant weight. No modification to the Plan in this respect is required.

Reporter's conclusions:

Policy DQ 11: Flood Risk

1. The Scottish Planning Policy (SPP) was published in 2010 after publication of the finalised local plan and submission of representations. It sets out the up-to-date policy position on flooding and flood risk management. It states that development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted. Developers and planning authorities are encouraged to take a precautionary approach in taking decisions when flood risk is an issue. I find that the general terms of policy DQ 11 are broadly consistent with this government advice.

2. However, I understand SEPA's concerns that the detailed wording of DQ 11 is a little ambiguous and could infer that the introduction of mitigation measures would be sufficient to override other policy criteria which do not support development which would be at risk from flooding, or would increase the risk of flooding. I recommend that the reference to mitigation measures is removed from the policy but it should be replaced with a reference to the risk framework contained in the SPP which provides a more rigorous basis for planning decision making relating to flood risk.

3. Similarly, I consider that policy DQ 11 should refer to SEPA's Indicative River and Coastal Flood Map (Scotland). In this way, potential developers will be better informed of those locations falling within 1 in 200 flood map areas where detailed Flood Risk Assessments will be required to support development proposals.

Site Specific Objections on Flood Risk Grounds

4. The Council has not identified precise boundaries for sites HMU 1 (22) and (23). It is intended to establish the boundaries at the planning application stage, and after a flood risk assessment has been carried out. It is possible that the elevated site of the former hospital building, HMU 1 (23), will be capable of development for housing, but a large part of the lower-lying floodplain area, HMU 1 (22), is more problematic as it lies within an area of medium to high risk of flooding as identified on the River and Coastal Flood Map (Scotland). However, I do not agree with SEPA's argument that the location of both sites automatically precludes them from development. The SPP envisages certain circumstances where development may be possible.

5. A detailed flood risk assessment would be required before any land within sites (22) and (23) could be identified as being capable of built development. Therefore, I consider it is premature at this stage for HMU 1 Table Schedule A to incorporate capacity figures for either site. Comments should also be attached to both sites in Schedule A to indicate that flood risk assessments will be required.

6. I believe that a similar approach is necessary for the site at Greens Avenue, HMU 1 (45). It is a low lying area beside a watercourse where any development capacity can only be established after a flood risk assessment has been completed.

7. The council granted planning permission in September 2008 for a mixed use development of business space and housing at Lillyburn Works, Milton of Campsie, site HMU 1 (60) and Econ 2 (11). I note that the developer had lodged a flood risk assessment in support of the application and, after consultation with SEPA, the council incorporated a condition in the planning permission to restrict development to an area outwith the 200 year flood envelope of the Glazert Water. On this basis, I do not support SEPA's representation and I recommend that the Lillyburn Works site remains designated for housing and mixed use development.

Strategic Flood Risk Assessment

8. A number of representees seek amendment to policy UC 1, and accompanying schedules, to emphasise the importance of avoiding or preventing development on floodplains.

9. The local plan should establish a broad policy framework for development in flood risk areas. It is not the purpose of the local plan to repeat detailed Government advice on flood risk or development on floodplains. I am recommending that policy DQ 11 makes specific reference to the flood risk framework contained in the SPP as a basis for assessing development proposals (see paragraph 2 above). So, I am content that an amended policy UC 1, when read in conjunction with policy DQ 11, will provide sufficient policy guidance on developing sites on floodplains, or sites at risk of flooding. I do not recommend further changes to policy UC 1.

10. Several representees make specific mention of the Lower Kilmardinny/Westpark site (policy UC 1 Schedule C). Planning permission in principle has been granted by the Reporter for a mixed use development on this site. I have noted that the reporter addressed objections in relation to flooding and drainage, and conditions have been attached to the planning permission in relation to these matters. I have dealt with representations regarding this site under Issue 2.3 and I have set out a number of recommendations. Therefore, I do not consider it necessary to recommend further amendments to policy UC 1 Schedule C under this Issue.

11. The council has not provided a specific response to the representation by A Grimstead regarding flood risk areas in the vicinity of Milngavie Road, Manse Burn, Auchenhowie Road and the Allander Burn. I note that much of this area is identified as liable to flooding on the River and Coastal Flood Map (Scotland) but is not identified as a flood risk area on the proposals map accompanying the local plan. Parts of the area now have development commitments. Planning permission has been granted for mixed use development at Lower Kilmardinny/Westpark and the Council has agreed to grant planning permission for a sports club development at Auchenhowie Road. I am recommending that both development sites should be identified on the local plan proposals map (see Issues 2.3 and 2.4). Therefore, it would be sensible for the proposals map to denote the flood risk zone in the same area.

Reporter's recommendations:

1. Delete the penultimate sentence of policy DQ 11: Flood Risk and replace with the following sentence:

'Development proposals in areas of flood risk will be considered against the flood risk assessment framework contained in the Scottish Planning Policy (SPP). The council will

have regard to the River and Coastal Flood Map (Scotland) produced by SEPA in identifying areas of flood risk.'

2. Modify policy UC 1 Table Schedule A by deleting Housing Capacity numbers for Site 22: Broomhill Hospital (Greenfield) and Site 23: Broomhill Hospital (Brownfield), and delete the Comments wording for each site and replace with the following wording '*A flood risk assessment will be required to identify appropriate development areas and, if necessary, flood prevention measures, and a site masterplan should be prepared.*'

3. Modify policy UC 1 Table Schedule A by adding the following sentence to the Comments wording for Site 48: Greens Avenue, Kirkintilloch '*A flood risk assessment will be required to identify an appropriate development area and, if necessary, flood prevention measures.*'

4. Modify the local plan proposals map by denoting a flood risk area in the area between Milngavie Road, to the west, and Auchenhowie Road, to the north and east, as contained in the River and Coastal Flood Map (Scotland) produced by SEPA.

Issue (ref and handling):	Issue 8.11 - Safeguard Consultation Zones and Pipeline Consultation Corridors	Reporter: IAIN URQUHART
Development Plan Reference:	Page 47 - Policy DQ13 – Safeguard Consultation Zones and Pipeline Consultation Corridors	
Bodies or Person(s) submitting a representation raising the issue:		
Civil Aviation Authority (3) Health and Safety Executive (6)		
Provision of the development plan to which the issue relates:		
Policy DQ 13 requires that development proposals within the safeguard consultation zone and pipeline consultation corridors identified in Appendix 5 will be determined in consultation with the Health and Safety Executive (HSE) and the facilities owners/operators. Policy DQ 13 states that development within the Airport Safeguarding Zone which adversely affects the operation, integrity or safety of the airport will not normally be permitted.		
Council’s summary of the representation(s):		
Civil Aviation Authority (3) Where safeguarded aerodromes lie with a Council's jurisdiction, requests that the Council considers the need for aerodromes within the development plan and consults with the operator/licensee directly.		
Health and Safety Executive (6) Suggests that routes of pipelines and consultation distances of both major hazard sites and pipelines should be included on all inset maps to help the public and developers identify constraints more easily.		
States that housing sites north of Kirkintilloch and Lenzie, and north of Torrance may be affected by National Grid Transco pipeline 2187.		
Modifications sought by those submitting the representations:		
Civil Aviation Authority (3) To accept and acknowledge a 'non-official safeguarding map' from any aeronautical site, and to respond sympathetically to requests for non official safeguarding. Also requests that appropriate notification is given to the CAA and operator for Telecoms masts and Wind Turbine proposals. Also requests that all proposed developments over 90m in height are notified to the Directorate of Airspace Policy (DAP) relating to the need or otherwise for aviation obstruction lights. Also requests that the venting and flaring is gas from mineral extraction is borne in mind when granting planning permission.		
Health and Safety Executive (6) Add all pipeline routes and major hazard sites to proposal map.		
The Council should also use the Health and Safety Executive’s most recent ‘Planning Advice for Developments near Hazardous Installations’ (PADHI+) tool to identify areas that may not be suitable for proposed developments, and generate a response from HSE.		

Summary of response (including reasons) by planning authority:**3**

This representation is not an objection as such, but requests that all development proposals are properly considered in terms of the potential impact on aviation safety, and that consideration is made of non-official safeguarding maps provided by the operator of local aeronautical site. The Council are happy to consult with operators, the Civil Aviation Authority and the Ministry of Defence (Defence Estates) on major development proposals that may constitute an aviation hazard. It is considered that Policy DQ 13 - Safeguard Consultation Zones and Pipeline Consultation Corridors adequately addresses such safety provisions, and that issues relating to telecoms installations, wind turbines and the venting/flaring of gas will be dealt with through the appropriate development management procedures in accordance with Circular 2/2003.

6

It should be noted that the Council currently makes use of the PADHI+ tool to consult with the Health and Safety Executive regarding development proposals near to a major hazard chemical installation or pipeline.

The route of the major gas pipeline in East Dunbartonshire is shown in Appendix 5. The housing areas in Kirkintilloch and Torrance referred to within this representation appear to relate to the housing sites identified through the adopted Local Plan, rather than the finalised Local Plan 2. Nevertheless, the Council can confirm that none of the housing sites allocated through the finalised Local Plan encroach on the boundary of the pipeline or its buffer. Decisions on planning applications will take account of the requirements to maintain appropriate distances between the pipeline and residential areas. As such no change to the Plan would be required.

Reporter's conclusions:

1. There are no requirements in Scotland that planning authorities protect civil aerodromes from the potential adverse effects of new development, other than those aerodromes formally safeguarded. The Civil Aviation Authority (CAA) is prepared to offer advice on preparation of non-official safeguarding maps at the request of any aerodrome operator or planning authority. There has been no representation from an aerodrome operator to policy DQ13. Equally, there has been no representation from an operator to any site specific development proposals contained in the proposed local plan.

2. On this basis, I consider it unnecessary for policy DQ13 to incorporate specific requirements to safeguard any local aeronautical site. Instead, I am content to rely on the council's normal development management procedures and standards if this issue were to arise in the future.

3. The CAA representation also seeks to have policy DQ13 incorporate more detailed advice on the type and scale of development which might constitute a safety hazard to air navigation. I accept that the council would not normally permit development which affected the operation, integrity or safety of Glasgow Airport. Also, I note that policy DQ14B: Airport Safeguarding Zone contained in the adopted East Dunbartonshire Local Plan (EDLP) is similar to proposed policy DQ13. However, in paragraph 4.1.59 the adopted local plan provides some more explanation, albeit limited, of the type of development requiring prior consultation. I consider that this approach is helpful. Appendix 5 to the proposed local plan should be amended to include a schedule listing the main types of development requiring prior consultation with the appropriate civil and military aviation authorities. In this way, it will be clear to prospective developers about their prior consultation obligations at an early stage

in the development management process.

4. I note that the council uses the appropriate Health and Safety Executive (HSE) analytical tools to assess the appropriateness of development close to notifiable pipelines and installations. Council assessments and decisions should therefore reflect up-to-date HSE advice. So, I do not believe that it is necessary for all inset maps to show the locations of pipelines and hazard sites as proposed by HSE when this information is already shown at a larger scale in Appendix 5. However, it would be helpful for developers to be aware of the consultation distances. In the interests of consistency, this information would also be best incorporated as a brief schedule attached to Appendix 5.

5. HSE express some concern about the suitability of a number of development sites and areas at Kirkintilloch, Lenzie and Torrance due to their proximity to a gas pipeline. The areas concerned are already identified for residential development in the adopted local plan. In the absence of specific and detailed objections from HSE, I accept the council's position that none of the sites listed in the HSE representation fall within the pipeline buffer zone. I would also expect that any planning application submitted for these sites in the future would be subject to detailed assessment using the appropriate HSE analytical tools and, if necessary, any mitigation or avoidance measures can be considered at that time. In the meantime, I do not consider that these development sites should be omitted from the new local plan.

Reporter's recommendations:

1. No modification to policy DQ13 is required

2. Appendix 5 should be modified to incorporate schedules showing (a) the types of development requiring prior consultation with appropriate civil and military aviation bodies within the airport safeguarding area, and (b) appropriate consultation distances for pipelines and hazard sites shown on the plan forming part of Appendix 5.

Issue (ref and handling):	Issue 9.1 - Historic Environment	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Pages 48-51 Policy HE 1A – Antonine Wall Policy HE 1B – Antonine Wall Buffer Zones Policy HE 2 – Listed Buildings Policy HE 3A – Conservation Areas Policy HE 3B – Townscape Protection Areas Policy HE 4 – Scheduled Monuments and Other Archaeological Sites and Monuments Policy HE 5 – Historic Gardens and Designed Landscapes	
Bodies or Person(s) submitting a representation raising the issue:		
Friends of Milngavie Reservoir (2) Regent Square Resident's Association (12) Bearsden West Community Council (16) Waterside Tenants and Resident Association and Waterside Community Council (74) Caroline James (79) Bearsden North Community Council (88) J and L Edwards (119) Penelope Sinclair (125) Milngavie Community Council (131) Historic Scotland (133) Lower Kilmardinny Resident's Association (145) Baldernock Community Council (172) Mr and Mrs Carruth (180)		
Provision of the development plan to which the issue relates:		
Policies HE 1A and HE 1B states a presumption against development adversely impacting upon the Antonine Wall and its Buffer Zones, unless there is agreed mitigation and no conflict with other policies in the case of the buffer zones. Policy HE2 aims to protect the character and appearance of listed buildings, and its setting. Policies HE 3A and 3B seek to protect the setting and character of Conservation Areas and Townscape Protection Areas respectively. Policy HE3A promotes the preservation, management and enhancement of Conservation Areas. The accompanying text refers to the series of appraisals on Conservation Areas and Townscape Protection Areas being published, which describe the historical significance and townscape character of the areas. Appendix 1 provides a list of up to date list of these areas. Policy HE 4 states that there will be a presumption in favour of preserving in situ the significant archaeological resources shown on the Proposals Map. Policy HE 5 requires that developments will protect, preserve and enhance such sites, and will not adversely impact upon their character, views or setting.		
Council's summary of the representation(s):		
Friends of Milngavie Reservoir (2) Consider it appropriate to add to Policy HE3A: "The Council adopts the principles detailed in the Milngavie Reservoirs Conservation and Recreation Management Plan, and will continue		

to work in partnership with Scottish Water and the local community to protect this unique national asset."

It is noted that Milngavie Reservoir is not included in the list Appendix 3 – Sites of Special Scientific Interest, etc. Consider this is an oversight.

Regent Square Resident's Association (12)

Requests that South Lenzie Conservation Area is considered for 'Outstanding' status.

Bearsden West Community Council (16)

Westerton Garden Suburb Conservation Area should be extended to include the original unique shop building and inscribed foundation stone.

Waterside Tenants and Resident Association and Waterside Community Council (74)

We are disappointed to note that in Appendix 1 (Townscape Protection Areas) there is no mention of Waterside.

Ms. Caroline James (79)

The boundaries of all Historic Gardens and Designed Landscapes (as identified by the recent survey carried out by EDC) be plotted on to the Local Plan Map so that they can be accurately identified by all interested parties

Bearsden North Community Council (88)

Policies HE 1A and HE 1B should state that there is a requirement to consult with Historic Scotland where development may be permitted.

J and L Edwards (119)

Background information from the adopted Local Plan has been excessively weakened, specifically the positive statement in NE5B of the adopted Plan which aims to "*encourage the enhancement, restoration and sensitive management of any designed landscape and historic garden*" (particularly in relation to Milngavie Reservoir).

Penelope Sinclair (125)

Would like to see appropriate cycle paths along the Antonine Wall to protect grass.

Milngavie Community Council (131)

Consideration should be given to protecting buildings which lie outwith the Conservation areas and have not been afforded listed building status, yet still make a significant contribution to the character of the area.

Historic Scotland (133)

- Scheduled Monuments and Other Archaeological Sites and Monuments. Objection is made to Policy HE 4, with particular reference to the emphasis of protection. HS have not been able to discern a rationale for the selection of 'archaeological sites' shown on the Proposals Map and they do not, in our opinion, represent the full extent of locally important archaeological sites. Nor do they take account of archaeological assets which are discovered during the life of the plan. As such the policy does not provide adequate protection to all undesignated archaeological resources. Policy HE 4 therefore sits at odds with that of national policy for undesignated archaeology set out in SPP 23 which states "Government policy is to protect and preserve non-designated, other historic environment interest in situ where feasible".
- Site Allocations – Bishopbriggs, Kirkintilloch and Twechar. HMU 1 (13) – Bishopbriggs Town Centre and HMU 1 (46) – Meiklehill House - These site allocations contain B and C(S) listed buildings. Any development should avoid adverse impacts on

the site and setting of these buildings. HMU 1 (58) – Glen Shirva Road, Twechar - Northern limit of this site is located in the Antonine Wall WHS while the remainder of the site is in the buffer zone. Any development should respect the Outstanding Universal Value of the WHS.

- **Forth and Clyde Canal.** HS recognise the value of the canal as a working monument and the need to encourage leisure use. The canal is a scheduled monument and this should be cross referenced to appropriate historic environment policies.
- **Historic Gardens and Designed Landscapes.** LP2 asks Historic Scotland to consider inclusion of three Gardens and Designed Landscapes on the national Inventory – Milngavie Reservoirs, the Cawder Estate, Bishopbriggs and the Glorat Estate, Milton of Campsie. It is concluded that only the Milngavie Reservoirs might justify a more detailed assessment for Inventory status. Neither Cawder nor Glorat can be regarded as being nationally significant designed landscapes.
- **Proposals Map.** Various concerns re mapping of Antonine Wall WHS, Scheduled Monuments and archeological sites.

Lower Kilmardinny Resident's Association (145)

Policies should state that there will be a requirement to consult with Historic Scotland on development issues relating to the Antonine Wall and its Buffer Zones.

Baldernock Community Council (172)

Feels that policies should state that there will be a requirement to consult with Historic Scotland on development issues relating to the Antonine Wall and its Buffer Zones.

Mr and Mrs Carruth (180)

Policies HE 1A and HE 1B should state that there is a requirement to consult with Historic Scotland where development may be permitted.

Modifications sought by those submitting the representations:

Friends of Milngavie Reservoir (2)

Add to Policy HE3A: *"The Council adopts the principles detailed in the Milngavie Reservoirs Conservation and Recreation Management Plan, and will continue to work in partnership with Scottish Water and the local community to protect this unique national asset."*

Include Milngavie Reservoir in the list Appendix 3 – Sites of Special Scientific Interest, etc.

Regent Square Resident's Association (12)

Re-assessment of South Lenzie as an 'Outstanding' Conservation area. Questions whether Conservation Area status can be removed without consultation with the residents.

Bearsden West Community Council (16)

Amend Conservation Area boundaries to include this building.

Waterside Tenants and Resident Association and Waterside Community Council (74)

Modify settlement headings to refer to Waterside.

Bearsden North Community Council (88)

Change wording of Policies HE 1A and HE 1B should state that there is a requirement to consult with Historic Scotland where development may be permitted.

Ms. Caroline James (79)

Modify plan to plot boundaries of Historic Gardens and Designed Landscapes.

J and L Edwards (119)

Insert the statement "*The Council will encourage the enhancement, restoration and sensitive management of any designed landscape and historic garden*" should be retained" to HE5, as was included in the adopted Plan.

Penelope Sinclair (125)

Amend Policy T03 (iv) to include the provision of an appropriate cycle path along the Antonine Wall.

Milngavie Community Council (131)

Insert a statement to the effect that important buildings of merit which are outwith Conservation Areas and are not listed will still receive due consideration and protection.

Historic Scotland (133)

- Scheduled Monuments and Other Archaeological Sites and Monuments. Policy HE 4 should be amended to reflect national policy for undesignated archaeology. This can be achieved by removing the reference to the Proposals Map in the policy and/or reverting to the wording in the model policy given in SPP 23 which reads, "All other significant archaeological resources shall be preserved in situ wherever feasible....".
- Site Allocations – Bishopbriggs, Kirkintilloch and Twechar. No modifications required, but EDC should take account of potential impacts of development on the historic environment.
- Forth and Clyde Canal. The canal is a scheduled monument and this should be cross referenced to appropriate historic environment policies.
- Historic Gardens and Designed Landscapes. Modify supporting text to Policy HE5 to take account of this response.
- Proposals Map. Modify mapping to take account of concerns raised.

Lower Kilmardinny Resident's Association (145)

Amend wording of HE 1A and 1B to require developers to consult with Historic Scotland on all proposals affecting the Antonine Wall and its buffer zones.

Baldernock Community Council (172)

Amend wording of HE 1A and 1B to require developers to consult with Historic Scotland on all proposals affecting the Antonine Wall and its buffer zones.

Mr and Mrs Carruth (180)

Change wording of Policies HE 1A and HE 1B should state that there is a requirement to consult with Historic Scotland where development may be permitted.

Summary of response (including reasons) by planning authority:**Bearsden West Community Council (16)**

LP2 notes that a series of Appraisals of Conservation Areas and Townscape Protection Areas is being published. The Westerton Garden Suburb Conservation Area has yet to be appraised. As and when this does take place then the Council will assess the appropriateness of the boundary being amended to include the former shop building.

Milngavie Reservoirs Conservation & Recreation Management Plan

Policy TO3 supports the development and enhancement of various tourism and visitor attractions, including the Milngavie Reservoirs. It is specifically stated that: "*The Council will continue to work in partnership with Scottish Water and the local community to deliver appropriate tourism and leisure related facilities identified in the Milngavie Reservoirs Conservation & Recreation Management Plan.*"

The Council considers the heritage value of the Reservoirs is otherwise sufficiently safeguarded by the relevant heritage policies.

Appendix 3 identifies the site as the Craigmaddie and Mugdock Reservoirs.

Antonine Wall (88, 125, 145, 172, 180)

As a World Heritage Site, the Council will strongly protect the integrity of the Antonine Wall and its Buffer Zones from inappropriate development. This is reflected in Policies HE1A and HE1B. Policy HE 4 also states that *“Scheduled monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances”*.

The role of the planning system in the protection of both the site and setting of scheduled monuments is reflected in the statutory consultation requirements set out in Schedule 5 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, and in the notification requirements of the Town and Country Planning (Notifications of Applications) (Scotland) Direction 1997. Schedule 5 – ‘Consultation by the Planning Authority’ states in Part 5 (4) (b) that the planning authority must, before determining an application for planning permission for development, consult the Scottish Ministers (Historic Scotland), in the case of development which may affect the site of a scheduled monument or its setting. Historic Scotland will therefore continue to be consulted on any major developments affecting the Antonine wall or its immediate setting.

In addition, the associated paragraph on page 50 makes reference to the Antonine Wall Management Plan 2007-2012 (Historic Scotland) and the emerging Supplementary Planning Guidance which will set out the requirements for all developments, including the role of Historic Scotland. This will reflect the background information included in the adopted Local Plan. It is considered that Policies HE 1A and 1B together with HE4 provide an appropriate level of protection for the Antonine Wall and that it is not necessary to amend the Policies as suggested.

In respect of the provision of cycle paths, the Antonine Wall Management Plan recognises the need to improve access to the site and such projects will be encouraged. However, the designation of new cycle paths is not a matter for the Local Plan.

‘Outstanding’ Conservation Areas (12)

In relation to the proposed designation of South Lenzie Conservation area as ‘outstanding’, it is the Council’s understanding that this term is no longer in use. Previously, Historic Scotland designated certain conservation areas of exceptional merit as outstanding, and this was primarily for grants purposes, in order to identify priority areas for funding. However, this was never linked to any added legislative protection. It is therefore recommended that the two conservation areas currently listed as outstanding in Appendix 1 of the draft Plan – namely Bardowie and Old Bearsden – are amended accordingly so that they no longer refer to outstanding status. It should be noted that conservation area status cannot be removed without proper public consultation.

Ms. Caroline James (79)

In several cases, including Kilmardinny Loch, the Historic Garden and Designed Landscape ‘flower’ symbol is not shown on the proposal map due to overlaying by other allocations. This will be rectified for the publication of the adopted plan. To ensure clarity in the mapping the Council did not map their boundaries.

Waterside Tenants and Resident Association and Waterside Community Council (74)

The Council is agreeable to modifying the Kirkintilloch settlement heading in Appendix 1 to read 'Kirkintilloch and Waterside'.

Historic Gardens and Designed Landscapes (119, 133)

Although the policy relating to Historic Gardens and Designed Landscapes (HE5) has been reworded, the key principles of the policy have been retained. Whereas the adopted Plan states *"the Council will encourage the enhancement, restoration and sensitive managed of any designed landscape and historic garden"*, the draft Plan states that *"development affecting gardens and designed landscapes as shown on the Proposals Map shall protect, preserve and enhance such places and shall not impact adversely upon their character..."* This is considered to be sufficiently clear, and indeed strengthens the policy of the adopted Plan. Furthermore, the draft Plan advises that Guidance Notes will set out detailed design guidance for new development affecting the character and appearance of Historic Gardens and Designed Landscapes. Taking this into account, no modification to the wording of Policy HE5 is required.

With specific regard to HS's response to EDC's proposal to seek inclusion of three designed landscapes and historic gardens in the National Inventory, EDC notes the views of HS and is agreeable for LP2 to be modified to take account of this response.

Protecting Unlisted Buildings

Buildings which are considered historically or architecturally significant will be given 'listed' status through a process overseen by Historic Scotland. Any buildings not currently listed, but considered to make a significant contribution to the character of the area, would require to be assessed by Historic Scotland's Listings team in accordance with the Scottish Historic Environment Policy (2008). It is not considered appropriate to afford currently unlisted buildings any special protection, given that existing planning policies are designed to protect the urban and environmental quality. Such buildings will therefore continue to be subject to normal development management procedures. As such, no change to the finalised Local Plan is required.

Scheduled Monuments and Other Archaeological Sites and Monuments and Proposals Map (133)

The wording of Policy HE4 is based on the wording of model policies in the now superseded SPP23 Planning and the Historic Environment. EDC accepts the concerns raised and is agreeable to the wording being modified along the lines suggested. EDC is also agreeable to undertaking a further review of all archaeological sites in East Dunbartonshire to ensure that the Proposals Map of the adopted LP2 includes an updated, comprehensive and clearly and accurately plotted dataset of Archaeological Sites.

Site Allocations – Bishopbriggs, Kirkintilloch and Twechar (133)

HS concerns are noted and the impact of proposals on the historic environment will be taken into account through the development management process.

Forth and Clyde Canal (133)

EDC are agreeable to modifying LP2 to highlight the scheduled status of the Canal.

SUGGESTED CHANGE TO TEXT ON PAGE 31:

- Amend the 'Forth and Clyde Canal' green box text on Page 31 to read: *"This Plan replaces the Forth & Clyde Canal Local Plan. The Canal, **which is a Scheduled Monument**, is recognised as a key leisure, heritage, tourist and economic development asset. Developments which realise the value of this asset will be encouraged and*

*although no sites are specifically identified for canal related developments, any proposals will be assessed against **all relevant Local Plan 2 policies including the criteria set out in Policy DQ 1 – Assessing Proposed Uses.***

SUGGESTED CHANGE TO POLICY HE4:

- Modify the wording of Policy HE4 to state *"All other significant archaeological resources shall be preserved in situ wherever feasible"*.

SUGGESTED CHANGE TO TEXT ON PAGE 52:

- Modify penultimate paragraph to state *"The Council requests Historic Scotland to include Milngavie Reservoirs, Milngavie in its Inventory of Gardens and Designed Landscapes in Scotland."*

SUGGESTED CHANGES TO APPENDIX 1:

- Delete the 'Outstanding' designation from relevant Conservation Areas.
- Modify the Kirkintilloch settlement heading to read 'Kirkintilloch and Waterside'.

SUGGESTED CHANGES TO THE PROPOSALS MAP:

- Ensure that the Historic Garden and Designed Landscape 'flower' symbol is not obscured by other overlaying designations.

Include an updated, comprehensive and clearly and accurately plotted dataset of Archaeological Sites in the proposals map of the adopted LP2.

Reporter's conclusions:

1. There are several representations asking that Policies HE 1A and 1B that protect the Roman Empire (Antonine Wall) World Heritage Site (WHS) should include a requirement for consultation with Historic Scotland. The Council has drawn attention to its statutory responsibility, when determining development applications, to consult Historic Scotland in the case of development which may affect the site of a scheduled monument or its setting. Therefore, there is no need to include such a requirement in these policies. Furthermore, in accordance with national policy, in response to the Antonine Wall Management Plan 2007-2012, the relevant Councils are preparing Supplementary Planning Guidance (SPG) in partnership with Historic Scotland.

2. My understanding of the representation by Mrs Sinclair is that she is concerned about the possible damage to grass paths within the WHS by cyclists, rather than arguing for an Antonine Wall cycleway. This is a matter best addressed through the Management Plan and SPG.

3. I note that J and L Edwards are concerned at the omission, as compared with the adopted plan, of an explanation as to why it is important to preserve the setting as well as the line of the Antonine Wall. I agree that it would be helpful if some explanation of the reason for the buffer zone were added in the introduction to these policies.

4. Historic Scotland are concerned that the WHS buffer zone is not shown in the Twechar Inset Map, that the WHS is not shown accurately on the Bishopbriggs inset map and that the WHS and Scheduled Monument be shown as present within the Business Area in Policy ECON 2 (16). Boundaries of these features should be checked by the Council and corrected as necessary.

5. I agree with the Council's response to the concern of Milngavie Community Council for the protection of unlisted buildings outside conservation areas. Unless such buildings are of listable quality or form part of an area of architectural or historic interest that justifies a conservation area designation, the planning system offers no special protection.

Nevertheless, the character of an area, and the individual buildings within it, should always be taken into account in reaching planning decisions.

6. The designation of Conservation Areas, including their extension, is a matter for the Council under the separate legislation of section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Therefore, it is not appropriate to consider the extension of the Westerton Garden Conservation Area, as suggested by Bearsden West Community Council, as part of the preparation of this local plan.

7. In answer to the query raised by the Regent Square Residents' Association, it is possible for a planning authority to cancel the designation of a conservation area under section 62 of the Act. Notice of any such cancellation has to be published in the Edinburgh Gazette and at least one local newspaper.

8. Under section 69 of the same Act, Scottish Ministers may make grants or loans if they consider a conservation area to be of outstanding architectural and historic interest. Only in this limited context is the use of the term "outstanding" appropriate. It has no direct implication for the determination of development proposals, so that I agree with the Council that it should not be applied in the context of this Local Plan. In any case, Policy HE 3A makes clear that development and demolition proposals within a Conservation Area, or affecting its setting, shall preserve or enhance its character. It follows that individual characteristics will always need to be taken into account in reaching decisions.

9. The Milngavie Reservoirs are designated as a Conservation Area and a draft Conservation Area Appraisal has been published. In Tourism Policy TO 3 the reservoirs are listed as one of a number of tourism and visitor attractions to be developed and enhanced. This policy also notes that the Council will continue to work in partnership with Scottish Water and the local community to deliver appropriate tourism and leisure related facilities identified in the Milngavie Reservoir Conservation & Recreation Management Plan. The reservoirs are also listed in Appendix 2 as one of the Historic Gardens and Designated Landscapes to which Policy HE 5 applies. Therefore, the value of these reservoirs is fully recognised and their future management referred to within the plan. I see no need for a special reference in Policy HE 3A.

10. Friends of Milngavie Reservoir are concerned also that the reservoirs are not listed in Appendix 3 - Sites of Special Scientific Interest, Local Nature Conservation Sites and Important Wildlife Corridors. In fact the reservoirs are included under the names Craigmaddie and Mugdock Reservoirs in this appendix as a Local Nature Conservation Site.

11. The request of the Waterside Tenants and Residents Association and the Waterside Community Council to mention Waterside in Appendix 1 has been agreed by the Council.

12. The Council also agrees to the modification of Policy HE 4 to meet the objection of Historic Scotland that the policy does not provide adequate protection for all undesignated archaeological resources. Such an amendment is necessary to comply with the current consolidated version of Scottish Planning Policy. The policy should also protect Scheduled Monuments designated during the lifetime of the plan.

13. I note that Historic Scotland also requests that Scheduled Monuments should be shown on the Proposals Map, but that because of their concern that the full extent of locally important archaeological sites are not shown, suggests that these be removed. On balance, I take the view that there is merit in drawing attention to the locations of both Scheduled Monuments and other known archaeological sites (as distinctive categories) on the Proposals Map, but only if this is fully updated prior to publication.

14. The council argues, in response to the representation by J and L Edwards, that the wording of Policy HE 5 strengthens the policy as compared with the adopted plan. I consider that the new policy reiterates the first part of the current policy in a different form, although without the same emphasis on measures for improvement, restoration and management.

This justifies the retention of the final sentence of the current policy with its emphasis on enhancement, restoration and sensitive management.

15. A note following Policy HE 5 requests Historic Scotland to include within its Inventory of Gardens and Designated Landscapes in Scotland, 3 sites from the Council's own list. Historic Scotland's view is that only the Milngavie Reservoirs might justify a more detailed assessment for inventory status, but that neither Cawder, Bishopbriggs nor Glorat, Milton of Campsie can be regarded as nationally significant designated landscapes. I agree with the Council that the note should be revised accordingly.

16. Caroline James requests that the boundaries of Historic Gardens and Designated Landscapes subject to Policy HE 5 should be plotted on the Proposals Map, so that they can be accurately identified by interested parties. This is clearly a policy that applies to areas of land of significant extent. I consider that the use of a symbol in the centre of a site is inadequate to show clearly the land where the policy applies. I appreciate that the overlapping of several designations in some parts of the Proposals Map can result in lack of clarity. However, in a number of locations, the current flower symbol is difficult to see against the green background. I believe that the problem of illustrating overlapping areas should not be insuperable.

17. Historic Scotland draw attention to 2 sites identified for Housing and Mixed Uses that affect the site and setting of listed buildings, and one (HMU table B 58) that it believes affects the Antonine Wall WHS and its buffer zone. Further information submitted by the Council shows that it would be confined to the buffer zone. All these sites will be subject to relevant Historic Environment policies, but a reference to these conservation issues in the comment column of the HMU Table to highlight these matters would be helpful. The comment against HMU table B (46) Meiklehill House already has an adequate note that the setting of the Listed Building will need to be protected.

18. Similarly, it would be appropriate to draw attention to the scheduled monument status of the Forth and Clyde Canal in the comment section of item 7 on page 31 of the Community and Leisure Facilities chapter.

Reporter's recommendations:

1. Add a new sentence to the first bullet point after Local Plan Policy on page 49:-

"The buffer zone is necessary because the setting of the wall is important in understanding its relationship to the surrounding landscape and the reasons why this particular line was chosen by the Romans."

2. The boundaries of the Antonine Wall WHS and its buffer zone should be checked and corrected as necessary on the Proposals Map and its Insets.

3. In Appendix 1 Conservation Areas delete all references to "(O) Designated Outstanding"

4. Appendix 1 - replace the subheading "Kirkintilloch" with "Kirkintilloch and Waterside"

5. Amend Policy HE 4 as follows:-

first paragraph, first sentence, after the words "Scheduled monuments and other identified nationally important archaeological resources" insert ", including those newly scheduled or identified during the currency of the plan,"

second paragraph, first sentence - delete and replace with:-

"All other archaeological resources, including those newly identified during the currency of the plan, shall be preserved in situ wherever feasible."

6. The Proposals Map should be amended to show the location of all Scheduled Monuments, distinguishing these from other archaeological sites. It should also be updated in accordance with the latest sites and monuments records to show the locations of all known

archaeological sites.

7. Policy HE 5 add the following sentence at the end:-

“The Council will encourage the enhancement, restoration and sensitive management of any historic garden or designated landscape.”

8. The second note following Policy HE 5 should be deleted and replaced by:-

“The Council requests Historic Scotland to consider including Milngavie Reservoirs, Milngavie in its national Inventory of Gardens and Designed Landscapes.”

9. The Proposals Map should be revised to show the boundaries of Historic Gardens and Designed Landscapes.

10. HMU Table - Section A - site 13 Bishopbriggs Town Centre - add to the comment the note:-

“Development to avoid adverse impact on listed buildings”.

11. HMU Table – Section B – site 58 Glen Shirva Road, Twechar – add a comment

“The development of this site should respect the outstanding value of the WHS.”

12. Item 7 on page 31 of the Community and Leisure Facilities chapter – add the following sentence to the existing comment on the Forth and Clyde Canal.

“Any proposals must also take into account the Scheduled Monument status of the canal in accordance with Policy HE4.”

Issue (ref and handling):	Issue 10.1 - Natural Environment	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Pages 55-57 - Chapter 10 – Natural Environment, Page 56 - Policy NE1 Protection of Natural Diversity Page 57 Policy NE4 – Protection of Landscape Character Policy NE5 – Promotion of Campsie Fells Regional Park Page 73 - Appendix 3 – Local Nature Conservation Sites (Milngavie)	
Bodies or Person(s) submitting a representation raising the issue:		
Scottish Wildlife Trust (64) Scottish Environment Protection Agency (70) Waterside Tenants and Resident Association & Waterside Community Council (74) Bearsden North Community Council (88) J and L Edwards (119) Milngavie Civic Trust (123)	Burnbrae Resident's Association (147) Central Scotland Forest Trust (155) Baldernock Community Council (172) Mr and Mrs Carruth (180) Eve Gilmore (187) Scottish Natural Heritage (196) Mr. A Hussain-Campbell (220)	
Provision of the development plan to which the issue relates:		
<p>Chapter 10 of LP2 notes the natural environment of East Dunbartonshire is crucial to maintaining the area's quality of life and attractiveness to incoming investors and includes various policies to preserve, protect, manage and enhance the natural environment.</p> <p>Policy NE1 sets out a range of policies aimed at protecting national regional and local natural heritage sites and endorsing the provisions of the Council's Local Biodiversity Action Plan (2008) which includes details of Important Wildlife Corridors.</p> <p>Policy NE1A promotes geo-diversity, and notes that following a survey by the British Geological Society, the Council will identify and protect Regionally Important Geological/Geomorphological Sites (RIGS).</p> <p>Natural Environment NE4 aims to protect Landscape Character in green belt and Kilpatrick Hills/Campsie Fells, while NE5 supports the designation of Campsie Fells as a Regional Park.</p> <p>Appendix 3 lists all Local Nature Conservation Sites as illustrated on the Proposals Map.</p>		
Council's summary of the representation(s):		
<p>Scottish Wildlife Trust (64) The Scottish Wildlife Trust is pleased with many of the policy statements relating to environmental and biodiversity aspects in the document.</p> <p>We have a few comments and queries:</p> <p>Policy GB 1 - Presumption against Development: First paragraph might be open to misinterpretation. Welcome clarification that all greenbelt developments should: - "...not have a significant adverse environmental impact"</p> <p>Policy GB 2 - Excepted Categories of Development: Concerned GB 2A and GB 2D too wide open unless conditions in GB 1 conditions apply. Welcome clarification on this.</p>		

Page 44 : Policy DQ 3 - Assessment of Impact: We consider that the wording insufficiently strong."May" should be replaced by "will". This is indeed the case in Policy DQ 5 - Mineral Extraction.

Policy NE 1 & NE 1A - Protection of Natural Diversity and Geo-diversity: - Reference is made to Guidance Notes. Will these be issued by EDC? The SWT would be most interested in their content.

Pages 71-74 : Appendix 3 - SSSIs, LNCSs and IWCs: - A number of corrections and updates are required to the list of sites.

Scottish Environment Protection Agency (70)

Object to the lack of a suitable policy framework on the protection of the water environment and river engineering works, regarding:

- protection of the water environment (including watercourses, lochs, wetlands, riparian areas, groundwater, etc); and
- avoidance of engineering works which may have a significant adverse impact on the status of the water environment. Proposals involving culverting of watercourses should be discouraged.

Waterside Tenants and Resident Association and Waterside Community Council (74)

We are disappointed to note that in Appendix 3 (SSSI's, LNCS's and IWC's) there is no mention of Waterside.

Bearsden North Community Council (88)

Suggests an additional Important Wildlife Corridor is inserted to the Proposals Map as an extension to the Craigdhu Wedge.

J and L Edwards (119)

Tannoch Loch shown on Proposals map as a Local Nature Conservation Site but omitted from the corresponding list in Appendix 3. Suggests Barloch Moor should also be included as a LNCS.

The course of Tannoch Burn should be designated as an Important Wildlife Corridor.

Policy NE4 should be annotated to require that new developments in the green belt or Regional Scenic Area are assessed for their impact by landscape consultants.

NE5 should be annotated to require that the views of the Campsie Fells are taken into consideration when assessing developments.

Milngavie Civic Trust (123)

More emphasis should be placed on protecting wildlife corridors which are considered to be eroding.

Burnbrae Resident's Association (147)

Feels that it is important to safeguard and improve Craigdhu Wedge, and that an extension should be included on the Proposals Map.

Central Scotland Forest Trust (155)

1. Would like to see set out in the written statement how the vision and objectives for the Central Scotland Forest relate to the local plan area, priorities, policies and programmes. We would also request that the Forest area and Local Forestry Framework proposals are

features in local plan proposal maps.

2. Would also like to see specific reference to the protection of woodlands included in the Urban Capacity Policy UC1.
3. Encourage a policy commitment to promote structural tree planting in advance of major new development areas - especially larger scale industrial, commercial or housing development sites - to provide an enhanced context for later development.
4. Ask that the Central Scotland Forest Strategy and Local Forestry Framework are also used to inform Guidance Notes relating to the Protection and Enhancement of Open Space, when they are being developed.
5. Would also like to see tree planting in particular encouraged within Sustainable Drainage Systems (SuDS), as well as the role of woodland planting in flood mitigation recognised more generally.
6. CSFT recommends the continued use of developer contributions but would like to see this extended to include not only the creation of greenspace, but also for woodland upgrading and woodland / structural planting as part of landscape setting enhancements in any development.
7. Where development in the green belt is permitted the quality of the landscape setting must be retained and the site should be enhanced through woodland planting and by an appropriate level of greenspace included in the development.
8. To further the policy of green belt management and enhancement the Council may also wish to consider a programme of landscape enhancement and woodland planting, to strengthen and improve the quality of the remaining greenbelt areas throughout East Dunbartonshire.
9. Would like to see the name of the policy changed to The Protection of Trees & Woodlands.
10. Would like to see a policy on the Promotion of Trees & Woodlands
11. Would like to see the Carron Valley included as a Tourism and Visitor Asset, as although lying largely outwith the Council's boundary, it is a key recreational hub and linking into this from East Dunbartonshire should be looked at as a priority.
12. CSFT would like to see locations identified on proposals maps where woodland planting for biomass energy will be supported.
13. CSFT would like to see the local plan confirm support for the existing Woodland Habitat Action Plan, the Central Scotland Forest Local Forestry Framework and other supplementary planning documents on woodland and forestry topics.

Baldernock Community Council (172)

Feels that it is important to safeguard and improve Craigdhu Wedge, and that an extension should be included on the Proposals Map.

Mr and Mrs Carruth (180)

Suggests an additional Important Wildlife Corridor is inserted to the Proposals Map as an extension to the Craigdhu Wedge.

Eve Gilmore (187)

1. Surely the wording should be 'promotion' not just 'protection'.
2. Each site would be a geo-diversity-site under the geo-diversity plan, not a RIGS (Regionally Important Geological Site), for example Campsie Glen, which is unique in East Dunbartonshire as a RIGS site where the public are actively encouraged to visit, with the help of leaflets. Each geo-diversity site, once designated, should be shown on the Local Plan map.

Scottish Natural Heritage (196)

- 1. Policy protection for biodiversity. Object to absence of any policy protection for biodiversity outwith national or local sites. Biodiversity cannot be conserved merely through the positive measures in the Council's Local Biodiversity Action Plan. LP2 should provide the primary safeguard against the often piecemeal, net loss of biodiversity to built development. The proposed second sentence of NE1 would not do this. Local plans also

have a crucial role in raising awareness of protected species throughout the development management process, and in encouraging developers to couple avoidance of illegal impacts with positive measures that enhance biodiversity.

- 2. Policy protection for Local Nature Reserves; Object to the absence of a policy for Local Nature Reserves (LNRs). LNRs are an essential component in delivering the Council's vision for sustainable and attractive communities. LNR's have been endorsed at Lenzie Moss, Merkland, and Kilmardinny Loch and significant resources provided for their management.
- 3. Policy protection for Sites of Special Scientific Interest. Object unless the Plan's policy on national natural heritage sites accords with Model Policy 6 in the report *Pilot model policy study: conclusions and next steps* (SEDD, 2006). Any proposal adversely affecting an SSSI is likely to meet a statutory objection from SNH. Thus the clarity provided in the Model Policy would help ensure that the robustness of SSSI protection is understood from the outset.
- 4. Incomplete mapping of Local Nature Conservation Sites (LNCS's). Object to the mapping of Local Nature Conservation Sites (LNCS) as it appears to not yet fully represent the outcomes of the two recent studies part-funded by SNH. It is not clear if Ancient or Long-Established woodlands are included in the new LNCS network.
- 5. Strong recommendations to modify/strengthen policy wording in respect: - of i) Policy DQ10 - Sustainable drainage systems; ii) Policy NE4 - Protection of landscape character; iii) Protection and Enhancement of LNCS's, and iv) Housing and Mixed Use sites HMU1(22) & (23) - Broomhill Hospital site.
Various concerns are raised that policy wording does not provide sufficient safeguards or promote appropriate design standards to protect and enhance these aspects of the Natural Environment.
- 6. Recommendations to modify/strengthen policy wording, including geodiversity, promotion of Green Network, protection of trees, green belt, design quality and assessment of impact.

Various concerns are raised that policy wording does not provide sufficient safeguards or promote appropriate design standards to protect and enhance these aspects of the Natural Environment.

- 7. Overlap between an LNCS and economic development site noted at Cadder.
- 8. Potential unacceptable impacts of the proposed Bishopbriggs Relief Road (see TRANS 3) on the Low Moss LNCS should be explicitly stipulated.

Mr. A Hussain-Campbell (220)

It is proposed to introduce a blanket TPO for Bearsden. However some of these trees don't exist, have been removed to allow development or have died of natural causes. Old plans have been relied on and these should be updated to reflect the current situation.

The Council has not been robust in protecting trees. The blanket cover is not appropriate in some instances and could cause grievance to householders. This policy area may be suitable for a conservation area.

Modifications sought by those submitting the representations:

Scottish Wildlife Trust (63)

Modify policy wording in respect to the various concerns raised.

Scottish Environment Protection Agency (70)

A new policy or policies should be added in Chapter 10 to addressing:

- protection of the water environment (including watercourses, lochs, wetlands, riparian areas, groundwater, etc); and
- avoidance of engineering works which may have a significant adverse impact on the status of the water environment. Proposals involving culverting of watercourses should be discouraged.

Waterside Tenants and Resident Association and Waterside Community Council (74)

Modify settlement headings to refer to Waterside.

Bearsden North Community Council (88)

0Amend Proposals Map to show additional Important Wildlife Corridor comprising an extension of the Craigdhu Wedge running behind Cromarty Crescent, behind Mosshead Primary School, behind Queensbury Avenue and continuing behind Heather Park and Heather Avenue, Bearsden

J and L Edwards (119)

Insert Tannoch Loch as a Local Nature Conservation Site in Appendix 3.

Include Barloch Moor as a Local Nature Conservation Site.

Designate Tannoch Burn as an Important Wildlife Corridor.

Insert the following statement to NE4: "The proper assessment of **landscape** impact of development proposals may require the submission of appropriate report(s) from suitably qualified **landscape** consultants."

Insert a requirement for views of the Campsie Fells from significant routes and venues to be taken into account when assessing developments to NE5.

Milngavie Civic Trust (123)

Insert greater emphasis on protecting wildlife corridors to the Natural Environment chapter.

Burnbrae Resident's Association (147)

Amend proposals map to extend the Craigdhu Wedge important wildlife corridor to the area behind Cromarty Crescent behind Mosshead Primary in Bearsden.

Central Scotland Forest Trust (155)

1. Include a statement on how the vision and objectives of the Central Scotland Forest Strategy and Local Forestry Framework relate to the local plan in an appropriate section. Also illustrate the forest areas on the proposals map.
2. Include a requirement to protect woodlands within Policy UC1.
3. Include a requirement to provide structural tree planting in advance of major new developments.
4. Use the Central Scotland Forestry Strategy and Local Forestry Framework to inform Guidance Notes.
5. Include reference to tree planting in terms of its contribution to SuDS under Policy OS1.
6. Include woodland upgrading and structural planting as a potential developer contribution in addition to the creation of greenspace under Policy OS 2.
7. Amend Policy GB 1 to require the enhancement of sites through woodland planting and an appropriate level of greenspace.
8. Amend Policy GB 3 to include support for a programme of landscape enhancement and woodland planting as part of the greenbelt management.
9. Modify the title of Policy NE 6 from "Protection of Trees" to Protection of Trees **and Woodlands**.

10. Add a policy on the *promotion* of trees and woodland.
11. Modify Policy TO 3 to include the Carron Valley as a Tourism and Visitor Asset.
12. Amend proposals map to identify areas where woodland planting and biomass energy will be supported.
13. Include support for the existing Woodland Habitat Action Plan, the Central Scotland Forest Local Forestry Framework and other supplementary planning documents on woodland and forestry topics in appropriate section.

Baldernock Community Council (172)

Amend Proposals Map to show additional Important Wildlife Corridor comprising an extension of the Craighdu Wedge running behind Cromarty Crescent, behind Mosshead Primary School, behind Queensbury Avenue and continuing behind Heather Park and Heather Avenue, Bearsden.

Mr and Mrs Carruth (180)

Amend Proposals Map to show additional Important Wildlife Corridor comprising an extension of the Craighdu Wedge running behind Cromarty Crescent, behind Mosshead Primary School, behind Queensbury Avenue and continuing behind Heather Park and Heather Avenue, Bearsden.

Eve Gilmore (187)

Modify wording of Policy NE1A to 'promote' rather than 'protect' and distinguish between RIGS and geo-diversity sites. Show geo-diversity sites on the proposals map.

Scottish Natural Heritage (196)

- 1. The absence of specific policy protection for biodiversity. Include a new policy clearly committing to protection of biodiversity, unless there were satisfactory arrangements for damage to be fully compensated by habitat creation / enhancement elsewhere. The new policy should also refer to protection of legally protected species and enhancement of their habitat.
- 2. The absence of specific policy protection for Local Nature Reserves. Include a new policy, as indicated in NPPG 14 para 71. The Council should also commit to designating, protecting and actively managing areas suitable for LNR status, The new policy should be accompanied by separate listing of LNRs in Appendix 3, and Kilmardinny Loch LNR must be added to the map.
- 3. Policy protection for Sites of Special Scientific Interest. Modify LP2 to include model SSSI protection policy.
- 4. Incomplete mapping of Local Nature Conservation Sites (LNCS's). Update mapping in consultation with SNH and EDC's biodiversity officer.
- 5. Strong recommendations to modify/strengthen policy wording. Modify and strengthen wording as appropriate.
- 6. Recommendations to modify/strengthen policy wording. Modify and strengthen wording as appropriate.
- 7. Recommend altering the LNCS boundary to remove the overlap.
- 8. Modify wording of Policy TRANS 3 to accord with the recommendation.

Mr. A Hussain-Campbell (220)

Modify the Bearsden TPO designation on the proposals map.

Summary of response (including reasons) by planning authority:**Scottish Wildlife Trust (63)**Green Belt Policy Wording

The Council confirms development criteria set out in GB1 applies to all development in the green belt.

Policy DQ 3 - Assessment of Impact

The policy notes assessments may be required 'as appropriate', denoting a degree of 'project by project' flexibility when deciding the range of information required in support of planning applications. It is not therefore necessary to amend the wording.

Policy NE 1 & NE 1A - Protection of Natural Diversity and Geo-diversity

Guidance Notes will be prepared by the Council, in consultation with all stakeholders, including the Scottish Wildlife Trust.

Appendix 3 - SSSIs, LNCSSs and IWCs

The Council intends to seek further meetings with SNH in order to finalise the findings of recent studies regarding LNCS's in East Dunbartonshire, which can then be incorporated into the aforementioned Guidance Note.

Central Scotland Forest Trust (155)

1. As a National Development identified through the NPF 2, East Dunbartonshire is committed to supporting and contributing to a Central Scotland Green Network, including a strategic network of woodland and other habitats. This is established by Policy NE 3 – Promotion of Green Network. At a Strategic level, the Council is a participant in the Glasgow and Clyde Valley Green Network Partnership, which promotes and extends a network of high quality green spaces. The local context is provided by the Councils Local Biodiversity Action Plan (2008) which compliments the local plan and sets out a series of objectives and targets in relation to woodland. In particular it promotes the management of, and where appropriate, the expansion of woodlands in a way that will enhance the environment in accordance with the Scottish Forestry Strategy. Taken together it is considered that the local plan provides an appropriate level of commitment to the Central Scotland Forest area and that no modification to the local plan or proposals map is required.
2. It is not agreed that UC1 should include a requirement to protect woodlands. The requirement to protect local biodiversity, green networks and trees is addressed under Policies NE1, NE3 and NE6 respectively. Policy UC1 is intended to set out the development priorities at each of the identified sites (Schedules A-E). It should be noted that Policy UC1 already states that the *"potential nature conservation value and green network value of sites will be given particular consideration in assessing development proposals"*. As such no modification would be required.
3. Policy HMU 1 is primarily intended to establish the principle of housing and mixed use development at each of the sites identified in the HMU Table. The potential requirement for structural tree planting will be assessed on a case by case basis according to the particular circumstances of each proposed development site, however there is no requirement to modify the policy wording.
4. The Council notes this request and will consider the Central Scotland Forestry Strategy and Local Forestry Framework when reviewing the Guidance Notes.
5. It is not agreed that Policy OS1 should include reference to the contribution of tree planting to SuDS. Matters relating to SuDS are addressed by Policy DQ10.
6. It is not agreed that Policy OS2 should include reference to woodland upgrading and structural planting as a developer requirement as this Policy relates to the provision of open space.

7. It is not agreed that Policy GB1 should include a requirement to enhance sites through woodland planting. The items (i-vi) are intended to set out the requirements of all developments within the green belt, providing clarity to developers. However, woodland planting/greenspace is not considered a universal requirement and as such its inclusion would be inappropriate.
8. The Council notes the request to consider a programme of landscape enhancement and woodland planting. The proposed green belt management strategy and Green Network will address these issues and so no modification is required.
9. It is agreed that the title of Policy NE 6 should be amended to "Trees and Woodlands", to provide a more accurate reflection of the content of the policy.
10. It is not agreed that there is a need to add an additional policy promoting trees and woodlands. The principle of enhancing and promoting trees and woodlands is already established by Policy NE 3 and the relevant Guidance Note (14).
11. It is considered that matters relating to the potential tourism, recreation and biodiversity value of the Carron Valley will be addressed in partnership with the adjoining Local Authorities through the promotion of the Campsie Fells as a Regional Park. Policy NE 5 sets out the Council's position in this respect and so no modification is considered necessary.
12. The Structure Plan maps out areas where there may be opportunities for biomass energy crops, however it is not considered that this is a significant enough development issue to justify inclusion on the local plan proposals map.
13. It is considered that the local plan currently provides adequate support for woodland protection and expansion, through Policies GB3, NE1, NE3 and NE6 together with the relevant Guidance Note

Important Wildlife Corridors (88, 119, 123, 147, 172, 180)

Following advice from Scottish Natural Heritage, Important Wildlife Corridors have been incorporated into the Local Nature Conservation Sites which have replaced Sites of Importance to Nature Conservation. As such, Important Wildlife Corridors benefit from protection under Policy NE1 and although they are shown on the Proposals Map, they are not specifically named (as noted in Appendix 3).

- Craigdhu Wedge. The area north of Cromarty Crescent and continuing to Heather Avenue is designated as greenbelt and will be strongly protected from development. It is recognised that there is a degree of wildlife value within this general area associated with the line of trees adjacent to the Core Path and which separate the housing area to the south and the greenbelt to the north. If it is confirmed through the review of Wildlife sites as consistent with other IWC designations, the Council would be willing to consider an extension to the Important Wildlife Corridor in this area as suggested.
- Tannoch Burn. It is acknowledged that Tannoch Burn may possess wildlife value, linking Tannoch Loch with Allander Water through a heavily wooded area in Barloch Moor. The Council will consider the designation of the burn in this area as an Important Wildlife Corridor.

Eve Gilmore (87)

Taking account of SPP (para. 143) and relevant guidance from SNH the LP2, for the first time in East Dunbartonshire, is promoting geo-diversity. The findings of the survey have only recently (March 2010) been made available, so it will not be feasible to identify and 'protect' potential sites in the LP2. The Council is agreeable to modifying policy wording to distinguish between RIGS and geo-diversity sites. These matters can also be progressed through the proposed Guidance Notes.

Scottish Natural Heritage (196)

- General. LP2 sought to follow advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing. Circular 1/2009 also notes:- *“Minor proposals and detailed policies may be removed to supplementary guidance, especially if there is no significant change from the previous plan, and provided an appropriate context remains in the plan itself.”*

With this in mind the following comments are made in response to the above issues:

- 1. Policy protection for biodiversity. Policy NE1 clearly states: *“Any other sites that may be identified as having green space value will be similarly protected”*, and also notes that:
 - i. further environmental reports may be required to properly assess natural heritage impact of development proposals, and
 - ii. guidance notes will be brought forward.

On this basis the Council remains of the view Policy NE1, in conjunction with the Dunbartonshire LBAP, other relevant detailed national and strategic guidance and the proposed Guidance Note, provide sufficient safeguards for natural diversity in East Dunbartonshire.

To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate more detailed policy wording. The Council will ensure SNH has an early and effective input in the preparation of the proposed Guidance Note, which can also included detailed guidance for LNR's and SSSI's.

- 2. Policy protection for Local Nature Reserves. The Council remains of the view Policy NE1 sufficiently safeguards established Local Nature Reserves in East Dunbartonshire, all three of which are in Council ownership. There are no current proposals to designate additional LNR's. To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate more detailed policy wording. The Council is however agreeable to modifying Appendix 3 to incorporate a separate section for LNR's.
- 3. Policy protection for Sites of Special Scientific Interest. The six SSSI's in East Dunbartonshire are unlikely to be the subject of development pressures during the lifespan of LP2. The Council remains of the view Policy NE1 sufficiently safeguards established SSSI's in East Dunbartonshire. To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate more detailed policy wording. The Council is however agreeable to modifying Appendix 3 to better highlight the locations of SSSI's.
- 4. Incomplete mapping of Local Nature Conservation Sites (LNCS's). The Council intends to seek further meetings with SNH in order to finalise the findings of these studies, which can then be incorporated into the aforementioned Guidance Note.
- 5. Strong recommendations to modify policy wording. The Council is of the view that LP2 provides sufficient general guidance on safeguarding and enhancing these elements of the Natural Environment, and that the proposed Guidance Note is the most appropriate place to set out detailed advice.

The development management process will then determine, on a site by site basis, more detailed design criteria, taking account established national guidance, the views of relevant statutory consultees and the aforementioned Guidance Note.

To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate more detailed policy wording.

- 6. Recommendations to modify policy wording, including geodiversity, promotion of Green Network, protection of trees, green belt, design quality, assessment of impact and protection of trees. Same response as 5 above.
- 7. Cadder LNCS boundary. This will be taken up in the preparation of a Guidance Note – see para 4 above.
- 8. Wording of Policy TRANS 3. The Bishopbriggs Relief Road is a long established infrastructure project shown on a succession of development plans. Re-alignment would incur significant additional costs. This northern section, yet to be the subject of a formal application for planning permission, will require an Environmental Assessment, where proper account will be taken of the impact on the LNCS and appropriate mitigation instigated.

Landscape Character (119)

It is not agreed that Policy NE4 should include reference to the possible requirement for a landscape impact assessment. The purpose of NE 4 is to establish the importance of protecting the landscape and the policy wording makes it clear that development in either the greenbelt, Campsie Fells or Kilpatrick Hills will not be permitted if it harms the character of the landscape.

The impact of developments in these areas will be determined on an individual basis through normal development management procedures and in conjunction with the Glasgow and Clyde Valley Landscape Character Assessment (1998). Any development within the greenbelt will be assessed in accordance with Policy GB1. The inclusion of a statement requiring landscape impact assessments may cause unnecessary confusion and a lack of clarity regarding those developments which would require an assessment. Policy DQ 3 sets out the Council policy on assessing the impact of developments (See Issue 8.4: Assessment of Impact).

The Council do not agree that such a statement would be appropriate within Policy NE5. The existing wording clearly establishes the landscape value of the Campsie Fells and is primarily intended to promote support for its designation as a Regional Park. The Council's policy relating to the impact of proposed developments is adequately set out through Policies NE4, DQ1 and DQ3. Therefore, it is not considered necessary to include a statement within NE5 requiring the assessment of development proposals to take account of views of the hills from significant routes and venues.

Local Nature Conservation Sites (119)

It is acknowledged that Tannoch Loch has been omitted from Appendix 3, but is illustrated as a Local Nature Conservation Site on the Proposals Map. Appendix 3 will be amended accordingly.

Local Nature Conservation Sites are identified through the Council's joint Local Biodiversity Action Plan with West Dunbartonshire and as such the designation of new sites is outwith the scope of this Local Plan.

Lack of Suitable Policy Framework on Protection of Water Environment (70)

LP2 sought to reflect advice set out in Circular 1/2009 – Development Planning that development plans should be succinct map based documents. Policy wording and supporting text was therefore purposefully streamlined to avoid unnecessarily detailed wording and cross referencing. Circular 1/2009 also notes: *“Minor proposals and detailed policies may be removed to supplementary guidance, especially if there is no significant change from the previous plan, and provided an appropriate context remains in the plan itself.”*

LP2 does include various policies relevant to the water environment, e.g. Policy NE1 – Protection of Natural Diversity; Policy NE7 - River Basin Management Planning; Policy DQ1 –

Assessing Proposed Uses; Policy DQ2 – Design Quality, and Policy DQ10 – Sustainable Drainage Systems. LP2 also indicates instances where further guidance notes will be prepared, e.g. implementation of ‘measures’ associated with River Basin Management Planning.

EDC is therefore of the opinion the various DQ policies and proposed guidance notes sufficiently highlight, at an early stage, the significance of the water environment as a material consideration.

To ensure LP2 remains a concise and accessible document EDC is therefore reluctant to incorporate a detailed policy framework on the water environment.

Bearsden TPO (220)

The Bearsden TPO No. 5 was approved by the former Dumbarton County Council in the 1960’s. It is not a blanket TPO, rather it protects numerous individual trees, groups of trees and woodlands, all specifically identified in various maps and schedules. The Council recently completed a review of all TPOs in East Dunbartonshire. There is thus a detailed database of the age and condition of all trees in the Bearsden TPO No. 5., and this is used by the Council’s tree officer when assessing the merits of proposals affecting trees.

The mapping of the TPO on the proposals map serves the useful purpose of highlighting a potential site constraint, for example for site developers and property inquiries, and the Council would wish the designation to remain.

With regard to Conservation Area designation, the Proposals Map shows that in certain areas covered by the TPO additional protection of trees is afforded by Conservation Area designations. It would, however, not be appropriate to extend the Conservation Area boundaries to match the extent of the TPO.

SUGGESTED CHANGE TO POLICY NE 1A:

- Modify wording of Policy NE1A to distinguish between RIGS and geo-diversity sites.

SUGGESTED CHANGE TO POLICY NE 6:

- Amend wording of the title of Policy NE 6 to “*Protection of Trees **and Woodlands***”

SUGGESTED CHANGES TO APPENDIX 3:

- Add Tannoch Loch as a Local Nature Conservation Site
- Modify Appendix 3 to incorporate a separate section for Local Nature Reserves.
- Modify Appendix 3 to better highlight the locations of SSSI’s.

SUGGESTED CHANGES TO THE PROPOSALS MAP:

- Designate the area north of Cromarty Avenue and Tannoch Burn as Important Wildlife Corridors, subject to a review for consistency with other designations.

Reporter’s conclusions:

1. The representations of Scottish Natural Heritage (SNH) include some minor changes to the introductory sections of the Natural Environment Chapter, which I agree would improve this section of the plan.
2. SNH also propose some significant changes and additions to the policy content of the Natural Environment chapter. These are resisted by the Council on the grounds that Circular 1/2009 indicates that Scottish Ministers expect Local Development Plans to be concise map-based documents, leaving minor proposals and detailed policies to supplementary guidance. Whilst I appreciate the reasons for the Council’s response, as the circular also states, the plan

does need to set out an appropriate context. Further advice is given in Scottish Planning Policy, notably in respect of designations of locally important landscape and natural heritage, where national policy states:- “Both statutory and non-statutory local designations should be identified and protected in the development plan and the factors which will be taken into account in development management decision making should be set out.”

3. Although I consider that the content of the current adopted plan is unnecessarily detailed and that a more concise set of policies is justified, the proposed plan has moved too far in the opposite direction. I find the policies far too thin to provide the necessary context for development decisions, to draw distinctions between different levels of protection and to form an adequate background for supplementary guidance. In particular, I agree with SNH that biodiversity requires more comprehensive treatment, with encouragement for positive measures to enhance biodiversity, taking account of the needs of protected species and their habitats. Sites of Special Scientific Interest (SSSI), Local Nature Reserves (LNR) and Local Nature Conservation Sites (LNCS) (including those that function as Important Wildlife Corridors (IWC)) deserve individual policies. These revised policies should address the concerns of Milngavie Civic Trust that wildlife corridors are insufficiently protected.

4. As it is likely that geodiversity sites will, in due course, be classified as part of the LNCS network and that some sites will combine both biodiversity and geodiversity, I shall incorporate both into the same protective policy. The word geodiversity is appropriate because it includes both geological and geomorphological interests.

5. I have noted the concern of Eve Gilmore that in relation to geodiversity the wording should refer to promotion not just protection. I have concluded that it would be clearer to have separate policies that address ‘protection’ on the one hand and ‘promotion/enhancement and access’ for both biodiversity and geodiversity sites.

6. The SNH recommendation that the Council should commit to designating and actively managing areas suitable for LNR status needs to recognise that, however desirable, the pursuit of such a policy is likely to be limited by available resources.

7. A separate listing in Appendix 3 and mapping of LNRs is needed to parallel the recommended separate policy and Kilmardinny Loch should be added to the Proposals Map. As the Council suggests, it would also be helpful to give better locational information for SSSIs in this appendix.

8. Representations made by SNH and others about the accuracy of listing and mapping of existing Local Nature Conservation Sites in Appendix 3 (including Tannoch Loch) and on the Proposals Map, could be corrected by cooperation between the Council and interested parties. The overlap of site ECON 2(16) with Cadder LNCS also needs to be resolved. If the further work recommended by SNH identifies appropriate sites from the Inventory of Ancient, Long-Established and Semi-natural Woodlands as LNCS’s, these will be protected by the revised LNCS protection policy.

9. There are a number of representations for the designation of the area known as the Craigdhu Wedge between Bearsden and Milngavie as an eastward extension to an IWC. Here there is an overgrown hedgerow, for much of its length bordering a small stream, separating residential development from open agricultural land. I consider that this continuous feature may have some benefit for wildlife. The Council is willing to consider an extension, but believes that any new IWC should be identified through existing arrangements rather than by amendments to this plan. It would be helpful if the necessary evaluation could be completed swiftly, so that, if the Council’s current opinion is confirmed, the site can be included on the Proposals Map.

10. The Council has agreed to correct Appendix 3 to include Tannoch Loch. It has not expressed any opinion on the suggestions for Barloch Moor to be designated an LNCS, but is willing to consider an IWC for the course of the Tannoch Burn (linking Mugdock Loch with the Allander Water, via Tannoch Loch and Barloch Moor). As Appendix 3 lists LNCS’s and the

Proposals Map shows both LNCS's and IWC's the Council should make their standard assessments and include this LNCS and/or IWC if appropriate.

11. The request of the Waterside Tenants and Residents Association and the Waterside Community Council to mention Waterside in Appendix 1 has been agreed by the Council. I see no reason not to agree to this request for Appendix 3.

12. I note that the Scottish Wildlife Trust would like the Central Scotland Green Network and the National Planning Framework mentioned in relation to Policy NE 3 – Green Network, but I consider that this policy is sufficiently clear as written.

13. Turning to protection of landscape character, SNH are concerned at the loss, as compared with the current plan, of a general presumption against development in Regional Scenic Areas and for development to be required to “enhance and reinforce landscape”. SNH also comments on the intention (contained in a note following the policy) to consider Local Landscape Quality (LLQ) designations, and suggests that if it is not possible to include them in the current plan, future such designations should be given policy protection. I agree that Policy NE 4 needs to be strengthened and that protection for future LLQs should be included.

14. Also in relation to Policy NE4, I agree with the representation that landscape impacts may need a professional landscape assessment, in the same way that Policies NE1 and NE1A note the need for an environmental assessment. An appropriate note can be added after the policy. This would also provide a safeguard for the related concern that views of the Campsie Fells should be taken into account in development decisions.

15. The natural environment policies deal with the protection of trees from development in Policy NE 6, but SNH is concerned that the policy omits the current requirement for proposals that have a significant impact on trees to be accompanied by a full tree survey. I agree that this is a requirement that should be reiterated in the new plan, as it is an important measure to ensure the protection of trees and woodlands. Although Policy NE 3 would go some way to encourage tree planting as part of the Green Network, there is nothing in either policy to actively promote the planting of trees for amenity purposes. This could include, as the Central Scotland Forest Trust (CSFT) suggests, the provision of structural tree planting in advance of major development. The title and content of the existing protection policy needs to be amended to indicate a positive approach to amenity tree planting, as well as tree and woodland protection.

16. The plan lacks attention to forestry and new woodland planting, so that I find the generality of the concerns of the CSFT to be justified. National policy in SPP comments on the need for woodland of high conservation value to be identified in development plans and relevant policies for protection and enhancement. Planning authorities should consider preparing woodland strategies as supplementary guidance to inform the future development of woodland and forestry. Detailed guidance on forestry and woodland strategies has now been published (The right tree in the right place – Planning for forestry and woodlands: Forestry Commission Scotland: May 2010). The strategy should include a differentiated approach to woodland types, including energy forests. It is therefore appropriate to include an additional policy requiring a forestry and woodland strategy to be prepared as supplementary planning guidance. This guidance should take account of the Central Scotland Forest Strategy, the existing Woodland Habitat Action Plan and the Local Biodiversity Action Plan. The Council will have the option of combining this supplementary guidance with the guidance proposed under Policy NE 3 – Promotion of Green Network.

17. SEPA is concerned that the plan has no policy requiring protection of the water environment and avoidance of engineering works that may have a significant adverse impact on the water environment. Although there are other policies, such as NE 7 River Basin Management Planning and DQ10 Sustainable Drainage Systems, that are relevant to the protection of the water environment, I believe that a specific policy is necessary. This omission is not justified by the Council's view of how concise the plan should be.

18. CSFT suggest a requirement to protect woodlands within Policy UC1. This policy already requires consideration of the potential nature conservation and green network value of sites. This matter is adequately covered by the recommended revised Policy NE 6.

19. Although revised Policy NE 1C covers the concerns of SNH for the development of HMU1 (22) & (23) Broomhill Hospital relative to the LNCS, it may be helpful to point up the issue with a note in the comments column of HMU Table Section A.

20. The benefit of habitat creation, which could include tree planting, to Sustainable Drainage Systems is recognised in Policy DQ10. There is no need to repeat this in Policy OS 1 – Protection and Enhancement of Open Space.

21. The encouragement of landscaping, including tree planting, is now covered by recommended revised Policy NE 6, so that it is unnecessary to expand the content of Policy OS 2.

22. I consider that the phrase “In all cases” in Policy GB1 makes it sufficiently clear that the criteria relate to all categories of green belt development, including the excepted categories in Policy GB2. The recommended revised Policy NE 6 – Protection of Trees and Woodlands and the new Policy NE 6A – Forestry and Woodland Strategy would apply within the green belt. Together, these should meet the concern of CSFT for the landscape treatment of green belt development and the role of landscaping and woodland planting in green belt management. However, in the majority of cases, there would be no justification for requiring a development to fund substitute greenspace or woodland.

23. The Scottish Wildlife Trust is concerned that the use of the word “may” in the first sentence of Policy DQ 3 is insufficiently strong. I do not agree, because it could be that none of the specialist assessments are appropriate, or the Council may decide that an adverse impact is so evident that there is no need for a more detailed assessment.

24. I agree with the Council that the relationship between the Campsie Fells Regional Park and the Carron Valley is a matter for liaison between planning authorities and this is covered by Policy NE 5.

25. CFST would like to see locations for woodland planting for biomass energy to be shown on the Proposals Map. This is a topic that would be included in the supplementary guidance prepared as part of the forestry and woodland strategy under the recommended new Policy NE 6A.

26. SNH have identified the potential for a “highly significant impact” by the northern section of the Bishopbriggs Relief Road (see Policy TRANS 3) on the Low Moss LNCS, which is a lowland raised bog, an internationally important type of habitat. As this proposal is included in the current and previous development plans, it is not subject to Strategic Environmental Assessment. SNH believe that, although it may still be possible to route the road west of Low Moss Prison, this might require minor re-routing, and/or use of particular design or construction methods and/or compensation via habitat enhancement elsewhere. The Council notes that when planning permission is sought an environmental assessment will be required, taking proper account of the LNCS impact and necessary mitigation. I consider that SNH’s concern would be covered by the recommended revised Policy NE 1C.

It is clear from the Council’s response that it is not intending to introduce a new Tree Preservation Order (TPO) covering all trees in the Bearsden area, which is the main concern of Mr A Hussain-Campbell. I agree that it is helpful for the Proposals Map to show for information, in a simplified form, the areas where a current TPO is in force. Its illustration on the map has no implications for the operation of the legislation that allows the Council to preserve trees, and for tree owners to apply for felling or other work to such trees. The legislation also allows for an appeal to Scottish Ministers if consent is denied or made subject to conditions. Policy NE 6, as recommended for amendment (see below), would provide a framework for the exercise of powers for the protection of trees and woodlands. Designation

as a conservation area recognises architectural or historic interest and is distinct from the power to impose TPOs.

Reporter's recommendations:

1. Introduction paragraph 2

after "open space," add "agricultural land,

2. National Planning Context

update the first 3 paragraphs to reflect the latest combined statement of National Planning Policy.

at the end of the paragraph referring to Scotland's Biodiversity Strategy – add a new sentence: -

"In this context account should be taken of the guidance on Local Nature Conservation Sites published by Scottish Natural Heritage in 2006."

3. Local Context

delete third and fourth sentences and replace with:-

"It incorporates sites designated in this plan for their local biodiversity value, formerly called SINC's, and now part of the Local Nature Conservation Site network."

4. Local Plan Policy

insert as a new first paragraph:

"This plan establishes for the first time a network of Local Nature Conservation Sites (LNCS), encompassing:

local biodiversity sites (formerly SINC's; comprehensive review recently completed);

local geodiversity sites;

important wildlife corridors."

5. Biodiversity

delete Policies NE1 and NE 1A and replace with the following: -

"Policy NE 1 - Protection of Local Biodiversity

The existing biodiversity of the district will be protected from development likely to have an adverse impact, unless satisfactory arrangements can be ensured for damage to be fully compensated by habitat creation and/or enhancement elsewhere. In assessing any such impacts, account will be taken of the findings and recommendations of the Local Biodiversity Action Plan. In addition to avoiding illegal impacts on protected species, developers will be encouraged to take positive steps to enhance biodiversity."

"Policy NE1A - Sites of Special Scientific Interest

Development that affects a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated:-

a) the objectives of the designated area and the overall integrity of the area would not be compromised; or

b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance."

"Policy NE1B - Local Nature Reserves

Existing sites for Local Nature Reserves will be protected from any development or change of use that is not in accordance with the approved management plan. Within the limits of available resources, the council will seek to identify, designate and manage any other areas suitable for Local Nature Reserve status."

"Policy NE1C - Protection of Local Nature Conservation and Geodiversity Sites

Development that would adversely affect the designated interest of a Local Nature Conservation Site, including designated Important Wildlife Corridors, or sites identified as

regionally or locally important for their geological/geomorphological value, will not be permitted, unless there are satisfactory arrangements for such impacts to be compensated for by on-site protection or by the creation or enhancement of an appropriate interest elsewhere. Where a proposal would sever the function of an Important Wildlife Corridor, compensatory habitat creation/enhancement should be located to reinstate the function of that particular Corridor. This policy will extend to sites of recognised Local Nature Conservation Site status that are identified subsequent to the preparation of this plan.”

“Policy NE1D - Promotion and Enhancement of Local Nature Conservation Sites, Geodiversity Sites and Important Wildlife Corridors

The Council will support proposals for the sustainable management and enhancement of, and where appropriate public information and access to, Local Nature Conservation Sites, Geodiversity Sites and Important Wildlife Corridors.”

6. Appendix 3 should include better locational information for SSSIs, and Local Nature Reserves should be listed separately. The subheading “Kirkintilloch” should be replaced with “Kirkintilloch and Waterside”. The Council should cooperate with SNH to ensure the accuracy of listing and mapping of existing nature conservation sites in Appendix 3 (including Tannoch Loch) and on the Proposals Map (including Kilmardinny Loch), and to resolve the overlap with site ECON 2(16) at Cadder.

7. The suggested Craigdhu Wedge IWC extension to be added to the Proposals Map, subject to its value being confirmed by the appropriate evaluation. Suggestions for Barloch Moor to be designated an LNCS and for an IWC for the course of the Tannoch Burn (linking Mugdock Loch with the Allander Water, via Tannoch Loch and Barloch Moor) to be considered by the Council and added to the Proposals Map and Appendix 3 if appropriate.

8. Policy NE 4 – Protection of Landscape Character - delete the existing policy wording and substitute:-

“Development in any location will not be permitted if it would result in significant adverse impacts on the landscape character of the Green Belt or a Regional Scenic Area (Kilpatrick Hills/Campsie Fells). In assessing any impact, account will be taken of the landscape value of any area designated during the life of the plan as of Local Landscape Quality, and of the findings and recommendations of the Glasgow and Clyde Valley Landscape Character Assessment. Development within either Regional Scenic Area should be designed and landscaped so as to protect and reinforce its landscape character.”

9. After Policy NE 4 add a sentence to the existing note :-

“The assessment of landscape impacts may require the submission of reports from suitably qualified landscape consultants.”

10. Policy NE 6 – Protection of Trees

delete the policy and replace with: -

“Policy NE 6 – Protection and Promotion of Trees and Woodlands

Significant trees and woodlands will be protected from inappropriate development. Further Tree Preservation Orders will be promoted as and when required. Any development likely to affect existing trees should be accompanied by a full tree survey with written justification for any losses. New amenity tree planting will be encouraged, including, where appropriate, through a requirement to submit and implement a landscaping scheme for new developments. Detailed advice on the treatment of trees on development sites will be contained within Guidance Notes.

11. Add new policy after policy NE 6

“Policy NE 6A – Forestry and Woodland Strategy

The Council will prepare a forestry and woodland strategy, in the form of supplementary guidance, dividing land into categories to indicate its suitability for new woodland planting and also to identify how the categories apply to different woodland types.”

12. Add a new policy after Policy NE 7: -

“Policy NE 8 – Protection of the Water Environment

Development or engineering works, including “in river” and river bank works, will not be permitted if they would result in the deterioration of the water environment (including watercourses, lochs, wetlands, riparian areas and groundwater), through harm to the quality or ecological status or potential of such features, or would prejudice the ability to restore such water bodies to good ecological status, through impacts on water quality, quantity or flow rate, riparian habitat or protected species. Proposals involving culverting of watercourses will be discouraged.”

13. MHU Table Section A HMU1 (22) & (23) add additional note to comments column in both cases.

“Masterplan to take account of protection for Local Nature Conservation Site.”

Issue (ref and handling):	Issue 11.1 - Protection of existing business land and property	Reporter: KATRINA RICE
Development Plan Reference:	Page 59 - Policy ECON 1	
Bodies or Person(s) submitting a representation raising the issue:		
John Warren (176)		
Provision of the development plan to which the issue relates:		
<p>Policy ECON 1 aims to safeguard existing business land and buildings to retain employment and wealth in the area. Redevelopment or changes of use will generally be resisted, with four exceptions including:</p> <ul style="list-style-type: none">• the existing use harms the character of the area• property has been unsuccessfully marketed for 12 months• permanent employment would be created by the new use• alternative businesses will be created nearby		
Council’s summary of the representation(s):		
<p>Object to ECON1 on basis that it should allow development of industrial and business land for other purposes if it is calculated that there is an adequate supply of industrial land in the area.</p>		
Modifications sought by those submitting the representations:		
<p>Amend wording of ECON 1 to state that industrial or business land can be considered for other uses provided that there is no prejudice to the local economy and that an adequate supply of industrial and business land remains.</p>		
Summary of response (including reasons) by planning authority:		
<p>National planning policy requires that planning authorities ensure a range and choice of marketable sites and locations for businesses allocated in development plans. Accordingly, the aim of Policy ECON1 is to protect the existing business/industry land and property uses within East Dunbartonshire, as established in the Council’s Economic Development Framework (2007). These identified areas are a valuable economic resource in terms of maintaining a strong entrepreneurial culture, supporting existing businesses and protecting local employment opportunities.</p> <p>Nevertheless, the Council acknowledges that over time certain sites may no longer be marketable and could be developed for alternative uses. The minimum period of 12 months of unsuccessful marketing is an important element of the Policy, and is intended to allow for short term circumstances which may account for any lack of activity on a particular site. The current policy wording (items a to d) aims to provide an appropriate level of flexibility for alternative uses, and includes criteria for acceptable uses which will be assessed on an individual basis. This is consistent with Scottish Planning Policy which requires planning authorities to “<i>take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised.</i>” Taking this into account, no modification to Policy ECON 1 is considered necessary.</p>		

Reporter's conclusions:Further information received

1. The council has clarified that despite what is said in its schedule 4 response, the intention is that through policy ECON 1, all sites and premises within existing business areas (as listed in Table ECON 2) should be retained. The comments made in the schedule 4 form relate to sites outside the identified business areas. Reference is made to the council's Economic Development Framework (2007) which identifies the provision of a portfolio of high quality sites and buildings as a key priority. Therefore the council will strongly resist changes of use within existing business areas.

2. In terms of adequacy of supply the council argues that East Dunbartonshire's industrial/business base is relatively small, making it all the more important that the existing supply of land and property is protected in order to retain local employment opportunities. Through joint working with the other councils of the Strategic Development Plan Joint Committee, it has been agreed that each council area requires its own business land supply and should not be dependant on other local authority areas. This will reduce the need to travel to employment sites outwith the local authority area, particularly Glasgow. The council also points out that the Glasgow and the Clyde Valley Structure Plan specifically identifies East Dunbartonshire as an area where there is a need to reduce commuting by car.

Conclusions

3. The structure plan states in paragraph 11.6 that it is important to safeguard the established supply of marketable land listed in table 10 (of which 36 hectares is identified in East Dunbartonshire). It then states in paragraph 11.8 that shortages of marketable good quality industrial and business land in areas such as Dunbartonshire are of most immediate concern. Strategic policy 6 also encourages the safeguarding of local employment opportunities. I therefore find that the protection of existing business areas in East Dunbartonshire is strongly supported by the structure plan and agree with the council that this protection should be reflected in local plan policy. Policy ECON 1 states that redevelopment or changes of use resulting in the loss of such land or buildings will "generally" be resisted. The use of the word "generally" allows for some flexibility to be applied if appropriate.

Reporter's recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 11.2 - Westerhill Strategic Industrial and Business Location	Reporter: KATRINA RICE
Development Plan Reference:	Page 59-60 - Policy ECON 2	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council (86) Montagu Evans on behalf of Minerva Plc and Harper Collins (157) Montagu Evans on behalf of Caledonian Properties (161)		
Provision of the development plan to which the issue relates:		
Paragraph under ECON 2 seeks to protect and develop Westerhill for economic development and associated uses, such as small scale food outlets for site employees and hotel accommodation for business travellers.		
Council's summary of the representation(s):		
Bishopbriggs Community Council (86) Suggests that the Westerhill business site would be more appropriate as a transport hub, rather than hotel accommodation. It should incorporate park and ride facilities, bus terminal, cycle sheds and shuttle buses from outlying areas. It is maintained that this will remove traffic from Bishopbriggs town centre and create a more attractive site for economic investment.		
Montagu Evans on behalf of Minerva Plc and Harper Collins (157) Outlines an interest in the future development of Westerhill Strategic Business and Industrial Location, and considers that a new development strategy should be developed, which should become a key planning document to inform strategic decision making. Any strategy should include the completion of the Bishopbriggs Relief Road.		
Montagu Evans on behalf of Caledonian Properties (161) Seeks to vary the line of the Bishopbriggs Relief Road, as proposed, north of the rail line. Moving the line of the road east, to enclose additional land and further housing land allocations, could contribute funding towards the Bishopbriggs Relief Road under Policy TRANS 3.		
Questions the two economic development opportunities allocations (ECON 2 03) and whether there will be a demand for these sites, in the foreseeable future. Also expresses doubt as to whether these sites will be taken up during the period of the plan without completion of the BRR.		
Modifications sought by those submitting the representations:		
Bishopbriggs Community Council (86) Designate land at Westerhill for a public transport hub incorporating park and ride, bus terminal, cycle sheds and shuttle buses from outlying areas. Amend the wording of the Westerhill industrial/business site paragraph on page 59 from 'hotel accommodation' to a public transport hub.		

Montagu Evans on behalf of Minerva Plc and Harper Collins (157)

Amend ECON 2 (or accompanying text) to refer to the Westerhill Corridor Development Framework (2008) stating that its principles will be taken into consideration in the future development strategy.

Montagu Evans on behalf of Caledonian Properties (161)

Amend the line of the proposed Bishopbriggs Relief Road by shifting it to the east, enclosing additional land within the urban envelope and identifying further housing land allocations.

Summary of response (including reasons) by planning authority:

The Council will support the creation of a new rail halt with an appropriate level of park and ride facilities at Westerhill, as set out in Policy TRANS 4. The Council will liaise with Transport Scotland and the rail operators to take this forward as appropriate. However, the wider site is not considered suitable for a Transport 'hub' as suggested. The Westerhill Corridor Development Framework (2008) was produced for Scottish Enterprise Dunbartonshire and identifies a wide range of opportunities for the redevelopment of this area, including the provision of a hotel which will support the proposed business and leisure environment. It is the aim of the Council to take forward the recommendations of the Westerhill Development Framework in partnership with relevant land owners. However, as the document has not yet received full Council approval it would be inappropriate to refer to it within the Local Plan. It should also be noted that any development proposals will be required to accord with Policy TRANS 1 in terms of accessibility by walking, cycling and public transport networks.

In terms of the suggested allocation of additional land for housing at this site, the Structure Plan has identified Westerhill as a Strategic Industrial and Business Location. The Structure Plan safeguards these areas and requires priority to be given in terms of industrial, business and infrastructural investment. It would therefore be inappropriate to allocate additional housing land as part of the Westerhill SIBL. The Council also disagrees with the proposed variation of the BRR in terms of the impact on the greenbelt. The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy. Local Plans shall define detailed boundaries and policies (p20).

The SP does not identify any strategic development locations in East Dunbartonshire (p.20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (p. 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (p30). Further inter-related Joint Structure Plan objectives for the green belt are listed in LP2.

The Council has considered the various other material considerations put forward in support of green belt release, in particular the facilitation of the construction of the Bishopbriggs Relief Road. None are deemed of sufficient weight to justify departing from national and strategic guidance.

Reporter's conclusions:**Representation 86**

1. The reference to a hotel in the text appears to contradict policy ECON 2 which states that development on this site should normally fall within use classes 4, 5 or 6 of the Use Classes Order. I accept the council's point that a hotel is referred to as a possible use for part

of the site in the Westerhill Corridor Framework Final Report (WCFFR) but as the council then goes on to say; this has yet to receive full council approval. The report also refers to a health centre, and bowling alley but these are not referred to in the finalised local plan text. The finalised local plan does however state that East Dunbartonshire's employment land and property base is small and it is important that the existing supply of industrial/business land is strongly protected. Until the contents of the WCFFR have been approved by the council I do not consider that any specific non-employment uses should be referred to in the local plan text. Instead I propose to amend the current text to use the wording "ancillary land uses", which is included in the council's Planning Service Review of Industrial and Business Land 2009 regarding the Westerhill site.

2. I agree with the council that the provision of a new rail halt and the expansion of park and ride capacity are already referred to in policy TRANS 4. (Modifications to this policy are recommended under Issues 12.6, 12.7 and 12.8). However given their importance to the sustainable development of the site and the recognised traffic and transport problems associated with the site (referred to in the WCFFR), I consider that some reference should also be included in the text at policy ECON 2.

Representation 157

3. I agree with the council that it would be inappropriate to refer to the Westerhill Corridor Framework Final Report within the local plan until such time as it has been agreed by the council.

Representation 161

4. See issue 7.2 with regard to the proposed allocation of housing at this site.

5. Westerhill is identified as a Strategic Industrial and Business Location in schedule 5 (b) of the Glasgow and the Clyde Valley Structure Plan. The structure plan acknowledges that the advantages of these locations make them attractive to other users but they are often difficult to replace and crucial to the competitiveness of the area. It recommends that they should be given priority in terms of industrial, business and infrastructural investment and ancillary service provision (defined as small scale retailing and small scale offices which provide services to the industrial and business base of these locations) and the maximum protection from unrelated non-industrial uses.

6. The council refer in the finalised local plan to the recent success of business developments in Bearsden, Milngavie, Kirkintilloch and Lennoxton as confirming high unmet demand for well designed and located premises. The structure plan refers to shortages of marketable good quality industrial and business land in among other places, Dunbartonshire. The Westerhill sites, ECON 2(03), are located adjacent to existing business uses and in an ideal location to meet this unmet demand. On the evidence before me I am not persuaded that this unmet demand will not continue into the new plan period. I therefore do not agree with the concern expressed about the development of the sites for industrial and business use within the plan period. The possibility of other uses being able to provide more funding towards the provision of the Bishopbriggs Relief Road does not alter my view that these sites should continue to be allocated as economic development opportunities to be assessed against policy ECON 2.

Further information received

7. I note that SNH state in their representation that the ECON 2(16) site now overlaps partly with the adopted Cadder Local Nature Conservation Site (LNCS). Although the area of overlap is small, SNH recommend that the LNCS boundary should be altered at this location to remove the overlap. The "Review of LNCS:Ecology" will inform this decision. The council has responded that it is content to alter the boundary as suggested prior to publication of the Proposals Map and subject to the outcome of the "Review of LNCS: Ecology".

Conclusions

8. I accept that the Proposals Map should be altered to reflect the up to date position with regard to the Cadder LNCS boundary.

Reporter's recommendations:

1. Modify the second paragraph of text after policy ECON 2 as follows:

"The Strategic Industrial and Business Location at Westerhill, Bishopbriggs should continue to be protected and developed for economic development. The development of ancillary land uses which support the growing business community will also be encouraged. A similar flagship location for business investment will be developed at the Woodilee Gateway location. The merits, costs and feasibility of new rail halts will be investigated during the plan period at both Westerhill and Woodilee. The Council will also support the principle of expanded park and ride capacity (see TRANS 4)."

2. Modify the Proposals Map to update the boundary of the Cadder Local Nature Conservation Site and remove the overlap with site ECON 2(16). The outcome of the "Review of LNCS: Ecology" should be taken into account.

Issue (ref and handling):	Issue 11.3 - Proposed Economic Development Opportunity Site – Bandenheath, Mollinsburn	Reporter: KATRINA RICE
Development Plan Reference:	Page 59-60 - Policy ECON 2	
Bodies or Person(s) submitting a representation raising the issue:		
Ryden on behalf of Cargill Development Management (178)		
Provision of the development plan to which the issue relates:		
The Council will encourage a range of business developments at the locations identified in ECON Table 2 and on the Proposals Map. Proposals should be compatible with the existing uses and satisfy appropriate development management requirements. Such development should normally fall within use classes 4, 5 or 6 of the Use Classes Order.		
Council's summary of the representation(s):		
Objects to the allocation of the Bandenheath site in the south east (near Mollinsburn) as greenbelt, and consider that it would be an appropriate site for a single user distribution centre or data centre. Argues that its allocation will help meet an identified demand for such uses and will provide a site for development which will benefit East Dunbartonshire's economy and provide significant employment opportunities.		
Modifications sought by those submitting the representations:		
<p>Amend the greenbelt boundary to exclude the Bandenheath site.</p> <p>Allocate/safeguard the Bandenheath site as a development opportunity for a single user storage and distribution centre/data centre.</p> <p>Amend the proposals map accordingly.</p>		
Summary of response (including reasons) by planning authority:		
Given its proximity to the motorway network and road improvements associated with the Moodiesburn by-pass, the Council recognises the potential of this area for future Class 6 uses. It is considered that further investigation into the attributes and/or constraints of the site would be required and that it would be inappropriate to release land from the greenbelt at this stage. It is recommended that the development of this site is considered through the next Local Development Plan. No modification required.		
Reporter's conclusions:		
<p>1. This 74 hectare site lies in the green belt, to the south east of East Dunbartonshire and abuts the boundary of North Lanarkshire Council. It is located opposite an existing large industrial area (Westfield) and separated from it by Mollins Road. Part of the site is covered by a local nature conservation site designation and an important wildlife corridor runs down its western edge. The site is in agricultural use and there are views to open countryside across the site to the north and west.</p>		

2. The Glasgow and the Clyde Structure Plan states in paragraph 8.30 that “In view of the inherited and potential capacity of urban brownfield land and Community Growth Areas, no strategic adjustments are required to the general extent of the current green belt except where necessary to meet other structure plan requirements.” The development of this site would not meet any of these requirements. Guidance in Scottish Planning Policy (SPP) states that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available.

3. It is argued that there is a demand within the central belt for sites for regional distribution centres/data centres and this site is regarded as ideal given its location adjacent to an existing industrial area and its ready access to the motorway network. However I have not been provided with sufficient evidence of an “established need” for such facilities. Furthermore, regardless of whether there is an established need for such a site, I have no evidence before me to show that this is the only suitable site available within the wider area. There may be no alternative sites within East Dunbartonshire itself but this would be a regional facility and a site search would be better undertaken at a strategic level, through the relevant strategic development plan.

4. Given the above, together with the site’s green field status, I do not consider that there is sufficient justification to remove the site from the green belt and allocate or safeguard it as an economic development opportunity for a single user storage and distribution centre/data centre.

5. The economic benefits cited with regard to job creation and the possibility of enhanced public transport services and landscaping do not outweigh these considerations.

Reporter’s recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 11.4 - Proposed Economic Development Opportunity Site – Former Brickworks, Twechar	Reporter: KATRINA RICE
Development Plan Reference:	Page 59-60 - Policy ECON 2 Page 37 - Policy GB2 – Excepted Categories of Development	
Bodies or Person(s) submitting a representation raising the issue:		
Keppie Planning on behalf of Phillip C Smith (108)		
Provision of the development plan to which the issue relates:		
<p>The Council will encourage a range of business developments at the locations identified in ECON Table 2 and on the Proposals Map. Proposals should be compatible with the existing uses and satisfy appropriate development management requirements. Such development should normally fall within use classes 4, 5 or 6 of the Use Classes Order.</p> <p>Policy GB 2: ‘Excepted Categories of Development’ sets out those developments that may be considered appropriate within the green belt.</p>		
Council’s summary of the representation(s):		
<p>To seek the introduction of an additional category of excepted development, to allow the development of vacant and redundant facilities in the green belt for suitable alternative use e.g. recycling and reusing of waste products/ renewable energy provision. The site north of Twechar should be considered brownfield. The proposed use is considered to be wholly appropriate given the location of the site adjacent to the waste services development, the accessibility of the site and the neutral impact on the surrounding area.</p>		
Modifications sought by those submitting the representations:		
<p>Amend Policy GB 2 to include an additional category for the redevelopment of vacant and redundant facilities for suitable alternative use (e.g. recycling and reusing of waste products).</p>		
Summary of response (including reasons) by planning authority:		
<p>Whilst it is acknowledged that there may be a small number of vacant sites and redundant facilities within the greenbelt which would be suitable for redevelopment, it is expected that any development proposals for such sites will continue to be assessed on an individual basis in accordance with relevant policies. Any relaxation to accommodate ‘suitable alternative’ uses could adversely affect the integrity of the greenbelt and potentially conflict with the core principle of protecting the greenbelt from inappropriate development. Furthermore, it is not considered that there is sufficient demand for the redevelopment of such sites which would justify the inclusion of an additional category within the excepted categories of development Policy as requested.</p> <p>In terms of the proposed use, the Council is generally supportive of proposals for materials recycling facilities at Civic Amenity sites, as explained in Policy DQ6. Renewable Energy Developments, including biomass energy, will also be supported in accordance with Policy DQ8. It is recognised that the proposed site outside Twechar has the potential for future expansion to accommodate future waste management operations. However, in general there is not a recognised wider demand for waste management facilities within East</p>		

Dunbartonshire. Proposals for such facilities will continue to be assessed on their individual merits in accordance with Policies DQ 6, DQ8 and any other relevant policy.

Consequently, it is not recommended that an additional excepted category to allow the redevelopment of vacant and redundant facilities is included under Policy GB2 as suggested.

Reporter's conclusions:

Further information received

1. The council explained that the need for waste management facilities in the area has been assessed at a strategic level and consequently there is no document containing a local assessment. However existing provision within the local authority area includes the Twecher Works, Gavell Road (adjacent to the proposed site, which treats commercial waste), Stirling Fibre to the east of Twecher (which stockpiles waste paper for onward transfer), Wilderness Plantation, Bishopbriggs (which collects and transfers municipal waste) and Centurion Works, Bishopbriggs (which recycles demolition waste). The council does not therefore consider that there is a current requirement for new waste management/recycling infrastructure in East Dunbartonshire. Should demand arise in the future, the council is of the view that the proposed site may be an appropriate location, given that it is adjacent to the existing Twecher Works.

Conclusions

2. Policy GB 2 of the finalised local plan already allows development in the green belt at sites where there are existing developments such as operational industrial and institutional uses. I agree with the council that this provides sufficient flexibility for the redevelopment of existing uses in the green belt. To allow the redevelopment of vacant and redundant facilities which have now ceased operating could set an undesirable precedent for the reuse of numerous vacant quarries/mines and other redundant uses located in the green belt. I consider that this could lead to the cumulative erosion of the green belt's integrity and would be contrary to both national and strategic policy advice.

3. While I acknowledge the previously developed nature of these sites, the Glasgow and the Clyde Valley Structure Plan clearly states in its glossary definition of brownfield land that a brownfield site should not be presumed to be suitable for development, especially in green belt and other countryside areas. The alleviation of amenity problems associated with redundant facilities and vacant land would not outweigh these considerations. I therefore agree with the council that the addition of a category to policy GB 2 for the redevelopment of vacant and redundant facilities for suitable alternative use (for example recycling and reusing of waste products) would not be appropriate.

4. Looking at this site in particular, it is located within the green belt on the B8023, to the north of Twecher. It is in the open countryside and adjacent to an existing waste disposal site (Biffa). The site is designated as a Local Nature Conservation Site – Important Wildlife Corridor. It is located within the Antonine Wall World Heritage Site Buffer Zone and has core paths along its northern and southern edges. There are no visible buildings on the site and it has the appearance of an open field covered in grass and scrubland.

5. Guidance in SPP states that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. The structure plan recommends in paragraph 10.10 that local plans should identify sites or provide criteria to identify suitable sites or areas of search for waste management installations. It recognises that potentially suitable locations include existing waste management facilities. Policies DQ 6 and DQ 8 of the finalised local plan provide criteria against which such proposals would be assessed.

(Under Issue 8.7 it is recommended that policy DQ 6 should be deleted and replaced with a new policy which better reflects guidance in SPP and PAN 63: Waste Management Planning.)

6. On the evidence before me I am unable to conclude that an “established need” exists for a site for a facility for the recycling and reusing of waste products/renewable energy provision within East Dunbartonshire. Furthermore, regardless of whether there is an established need for such a site, I have not been given any evidence to show that this is the only suitable site available within the wider area. Given its environmentally sensitive location in the open countryside and within the Antonine Wall World Heritage Site Buffer Zone, the proof that no less sensitive, alternative sites exist is particularly important. Without this justification I agree with the council that it is appropriate for any such facilities to be assessed on an individual basis against relevant policies.

Reporter’s recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 11.5 - Proposed Economic Development Opportunity Site – Former Bus Garage site, Milton Road, Kirkintilloch	Reporter: KATRINA RICE
Development Plan Reference:	Page 59-60 - Policy ECON 2 Economic Development Opportunities (including Table ECON 2 and Proposals Map) Site 09	
Bodies or Person(s) submitting a representation raising the issue:		
Muir Smith Evans on behalf of Forrest Developments (140)		
Provision of the development plan to which the issue relates:		
The Council will encourage a range of business developments at the locations identified in ECON Table 2 and on the Proposals Map. Proposals should be compatible with the existing uses and satisfy appropriate development management requirements. Such development should normally fall within use classes 4, 5 or 6 of the Use Classes Order.		
Council's summary of the representation(s):		
<p>There is inconsistency in the way that sites covered by Policy ECON 1 and ECON 2 are identified in Table ECON 2 and the Proposals Map. Table ECON 2 lists existing business areas along with business development locations and flagship locations. The table therefore relates to areas covered by both Policy ECON 1 and ECON 2. This is confusing and the table would benefit from separating ECON 1 sites and ECON 2 sites.</p> <p>The identification of the former bus garage site at Milton Road, Kirkintilloch as an Economic Development Opportunity under Policy ECON 2 (09) is inappropriate. There is no justification within the local plan for the site being identified on the Proposals Map as an economic development opportunity rather than part of an existing business area. Identification of the site under Policy ECON 2 does not reflect that the Council resolved to grant planning permission in 2006 for a mixed use development at this site.</p>		
Modifications sought by those submitting the representations:		
<p>The site should be removed from the terms of Policy ECON 2 and be identified as a mixed use opportunity site with Table ECON 2 and the Proposals Map being amended accordingly.</p> <p>Separate Table ECON 2 into 'existing business uses', 'business development locations' and 'flagship locations' to avoid confusion.</p>		
Summary of response (including reasons) by planning authority:		
<p>It should be noted that although the Council were minded to grant planning permission for the change of use of this site from industrial to retail comprising DIY, Garden Centre, Fast Food Unit and associated car parking and servicing (TP/ED/05/1210), this was subject to the completion of a Section 75 agreement. This Agreement was never finalised and full consent was not granted.</p> <p>The surrounding area is predominantly business and industrial land operations ranging from heavy to light industry, including office uses to the east. Re-designation to mixed use (presumably under Policy HMU 1 – Development Opportunities for Housing and Mixed Uses) would not be appropriate. It remains the Council's view that Policy designation ECON 2 (9) is</p>		

therefore a suitable designation for this parcel of land. However it is acknowledged that the ECON 2 Table in its current format has the potential to cause confusion in terms of the meaning of 'Business Development Locations' and 'Business Areas'.

SUGGESTED CHANGE TO ECON 2 TABLE:

- Amend the wording of the sub headings within the table to clarify the meaning of Business Areas and Business Development Locations and their relationship to ECON 1 and ECON 2 respectively.

Reporter's conclusions:

1. The ECON 2(09) site is split into two parcels to the east and west of Milton Road. The representation received relates only to the land to the west of Milton Road, on the junction with Kilsyth Road. The site is the location of the former bus garage and is currently vacant with no visible built development. The site is covered in small trees/bushes and scrubland. It has an Important Wildlife Corridor designation running down its western and northern boundary and is within a Flood Risk Area.

Further information received

2. The council has clarified that it was only willing to look favourably on the previous proposal for retail development on the site for two reasons. Firstly because it was subject to a legal agreement which would have enabled the development of 10,000 square metres of modern business uses on the site (classes 4/5) and secondly because the retail use was restricted to bulky goods, for which a need had been identified in the Glasgow and the Clyde Joint Structure Plan.

3. Following my request for further clarification from Muir Smith Evans about the mix of uses proposed in their representation they have confirmed that the proposed mix of uses includes:

Phase 1 - supermarket – 1,649 square metres (17,750 sq.ft)

Phase 2 – restaurant with drive through – 218 square metres (2,350 sq.ft)

Phase 3 – class 5/6 units (general industrial and storage and distribution uses) – 1,301 square metres (14,000 sq.ft)

4. In their view, the proposed mix of uses remains broadly similar to that approved by the council in 2006 and the area now allocated for class 5/6 uses is double the area previously allocated for class 4/5 uses.

5. In response to this clarification the council strongly disagrees that the proposed mix of uses is broadly similar to that approved in 2006, as a substantial class 1 supermarket is now included in contrast to the bulky goods retail use in the 2006 approval. In addition the opening of the retail unit was to be constrained by the council until the business unit was ready for letting. The new masterplan drawing indicates that the supermarket would form the first phase of the development with the class 5/6 industrial storage and distribution (rather than business) aspect comprising the final phase. It remains the council's position that the preferred use for this site is business use and that unrestricted retailing would not be acceptable.

6. With regard to Table 2, the council proposes that the title of policy ECON 1 be amended to "Protection of Existing Business Areas" and that the "Business Areas" sub heading in Table ECON 2 be amended to read "Existing Business Areas (ECON 1)"

Conclusions

7. This site is currently allocated as an economic development opportunity suitable for business use or light/general industry in policy ECON 3 of the adopted local plan. The council states in the finalised local plan that the recent success of business developments in Bearsden, Milngavie, Kirkintilloch and Lennoxton confirms high unmet demand for well designed and located premises. The structure plan refers to shortages of marketable good quality industrial and business land in, among other places, Dunbartonshire. This site is located adjacent to existing business uses in Kirkintilloch and could contribute towards meeting this unmet demand. Although there are some non-industrial/business units on the other business areas around the site (including a McDonalds restaurant on the opposite side of Milton Road), the majority of units are in business, industrial, storage or other ancillary use. This cleared site provides the opportunity for employment development adjacent to other similar uses without the need to develop greenfield land.

8. Therefore on the evidence before me I agree with the council that this site should continue to be allocated as an economic development opportunity in Policy ECON 2. I do not regard the fact that the council was previously minded to approve a mixed use scheme on the site to be sufficient justification for departing from the existing local plan designation. In any case some flexibility still remains with regard to what ancillary uses are permissible on the site as the policy states that development should “normally” fall within use classes 4, 5 or 6 of the Use Classes Order.

9. Turning to the detailed proposal contained within this representation, although the council were minded to approve a previous planning application on this site for mixed use including retail, this was to enable the provision of a ready to let business unit and was for bulky goods retailing only, the need for which had been identified at a strategic level. I agree with the council that including food retailing and moving the provision of the business element to the final phase of the development makes the mixed use proposal included in this representation fundamentally different to the previous scheme.

10. Furthermore the uses now proposed include food retailing, but no evidence that a sequential approach has been applied has been submitted and the possible impacts on the town centre have not been considered. Guidance in Scottish Planning Policy (SPP) is clear in stating that where development proposals in edge of centre, commercial or out of centre locations are not consistent with the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing centres is acceptable.

11. The argument that retail uses also generate employment and stimulate economic activity, the proposed increase in the area allocated for employment uses and the proposed amendment to the town centre boundary do not alter my view that as stated above the preferred use for this site should be business use.

12. I agree that the current format of the ECON 2 table is confusing and should be amended. However I consider that the amendments suggested by the council would not overcome this confusion. Instead I agree with the representee that two separate tables should be included in the local plan, one listing those sites relating to policy ECON 1 and the other listing the policy ECON 2 sites.

Reporter's recommendations:

1. No modification to the local plan is required with regard to site ECON 2 (09)
2. Modify ECON 2 Table by splitting it into two separate tables. One listing those sites covered by policy ECON 1 and the other listing those sites covered by policy ECON 2.

Issue (ref and handling):	Issue 11.6 - Proposed Economic Development Opportunity Site – Gartshore Estate	Reporter: KATRINA RICE
Development Plan Reference:	Page 59-60 - Policy ECON 2	
Bodies or Person(s) submitting a representation raising the issue:		
Colliers on behalf of Caledonian Trust (207)		
Provision of the development plan to which the issue relates:		
The Council will encourage a range of business developments at the locations identified in ECON Table 2 and on the Proposals Map. Proposals should be compatible with the existing uses and satisfy appropriate development management requirements. Such development should normally fall within use classes 4, 5 or 6 of the Use Classes Order.		
Council’s summary of the representation(s):		
Object to the non inclusion of Gartshore Estate (east of Kirkintilloch) as an economic redevelopment opportunity and non inclusion within Policy TO 3 ‘Other Tourism and Visitor Assets’.		
The site should be considered as an excepted category of development under Policy GB 2. An additional category should include the redevelopment or rehabilitation of buildings where they offer economic competitiveness.		
Modifications sought by those submitting the representations:		
Modify Policy ECON 2 to include Gartshore as an Economic Development Opportunity in the ECON 2 table		
Modify Proposals Map to include Gartshore as an Economic Development Opportunity		
Modify Policy TO3 to include Gartshore as an ‘Other Tourism and Visitor Asset’		
Modify Policy GB 2 – Excepted Categories of Development		
Summary of response (including reasons) by planning authority:		
The Council’s Economic Development service may investigate opportunities for tourism and leisure related development at this location. However, as no detailed assessment of this site has been carried out, the Council is not in a position to designate this site accordingly at this stage.		
Reporter’s conclusions:		
1. This extensive 94 hectare site is situated within the green belt between the B8048 and the railway line. It is part of the Gartshore estate, in a countryside location and includes areas of mature woodland and fields in agricultural use. Much of the site is covered by a Local Nature Conservation Site designation and an Important Wildlife Corridor runs along the south of the site. There are a number of buildings, some of historical importance arranged within		

the site. The site includes many features of historical and cultural interest such as the gardens and designed landscapes associated with Gartshore House and several listed structures including stables, an 18th century dovecote and a Quaker cemetery. Both the 17th century and 19th century Gartshore houses are now demolished. A core path runs through the site.

2. On my site visit it was clear that the estate is now in a poor and deteriorating condition. Although buildings such as the listed stables are still utilised as living accommodation, the designed landscape and historic gardens are overgrown and neglected and other historic structures such as the walled garden and dovecot are in a poor state of repair.

Further information received

3. While acknowledging the rich natural and cultural land-use history of the Gartshore Estate, the council is of the opinion that there are more appropriate locations for economic development opportunity sites which are better located in terms of infrastructure, access and strategic requirements. These sites are listed in Table ECON 2 and are primarily located in urban areas with an identified need for further business or industrial space. In the council's view there is no evidence to show that Gartshore is any more likely to attract economic development and jobs than existing ECON 2 sites such as Westerhill. The council states that there is adequate provision in the finalised local plan for economic development opportunities should the economic situation improve over the next 5-7 years and it would be unreasonable to release such a large area of additional land from the green belt without a firm evidence base. Agreeing to such a speculative zoning (particularly one requiring housing as enabling development) in a sensitive greenbelt location would set a significant precedent placing other similar green belt areas at risk.

4. Policy TO 3 is primarily intended by the council to support the development and enhancement of established key tourism and visitor assets and Gartshore was not identified in the council's Tourism Strategy and Action Plan as a priority for developing the tourist sector in the area. The council considers there is no justification at present for releasing the site from the green belt or including it as a separate excepted category of development under policy GB 2. However proposals for leisure, tourism or outdoor recreation use (such as a golf course) could still be considered under policy GB 2D or 2E. If appropriate proposals emerge, the potential of this site for tourism related development can be investigated with the council during the course of preparation for the forthcoming Local development Plan.

Conclusions

5. The Glasgow and the Clyde Valley Structure Plan states in paragraph 8.30 that in view of the inherited and potential capacity of urban brownfield land and Community Growth Areas, no strategic adjustments are required to the general extent of the current green belt except where necessary to meet other Structure Plan requirements. In addition, strategic policy 9 seeks to avoid isolated and sporadic development in the green belt and the wider countryside. Guidance in Scottish Planning Policy states that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available.

6. It is argued that there is a need for further economic, tourism and leisure development within East Dunbartonshire. However I agree with the council that there are alternative economic development opportunities identified in the finalised local plan in more suitable locations with regard to accessibility and where there is an identified need. Furthermore Policy GB 2 already permits certain proposals for outdoor recreation and the provision of tourist facilities, within the green belt. The need for additional employment land to be allocated at this location or for additional tourism and leisure development over and above what is already permitted in the green belt has not, in my view been established.

7. Given the above I do not consider that there is sufficient justification to identify the site as a “redevelopment opportunity” or to include it as a tourism and visitor asset under policy TO 3 or as an economic development opportunity under policy ECON 2.

8. I note that the representation also submits that policy GB2 should contain a further category of exception to allow the redevelopment or re-instatement of former buildings (where the original footprint exists) into active use. Policy GB 2 of the finalised local plan already allows development in the green belt at sites where there are existing developments such as operational industrial and institutional uses. I consider that this provides sufficient flexibility for the redevelopment of existing uses in the green belt. To allow the redevelopment or re-instatement of former buildings, where only the original footprint exists could set an undesirable precedent for the rebuilding of numerous redundant and vacant sites located in the green belt. I consider that this would lead to the cumulative erosion of the green belt’s integrity and would be contrary to both national and strategic policy advice. I therefore agree with the council that the addition of such a category to policy GB 2 would not be appropriate.

9. Turning to the detailed proposal referred to in the representation, I note that high quality, low density residential development is also proposed on the site. However paragraph 8.33 of the structure plan recommends that there should be a general presumption against isolated and sporadic development, including low density, low impact housing, in the green belt and wider countryside as this would undermine the objectives of promoting urban regeneration. The need for cross subsidy to fund the preservation and enhancement of an important historic and cultural site does not in my view justify the level of development proposed, on a very large site within the green belt and in a countryside location.

10. The argument advanced that sensitively built development may be able to be accommodated within the established landscape setting, the existence of a lapsed outline permission for a golf course hotel and country club and the opportunity for the promotion of the core path network do not alter my conclusions.

Reporter’s recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 11.7 - Proposed Economic Development Opportunity Site – Primrose Way, Lennoxton	Reporter: KATRINA RICE
Development Plan Reference:	Page 59-60 - Policy ECON 2	
Bodies or Person(s) submitting a representation raising the issue:		
Hg Consulting on behalf of Campsie Spring (219)		
Provision of the development plan to which the issue relates:		
The Council will encourage a range of business developments at the locations identified in ECON Table 2 and on the Proposals Map. Proposals should be compatible with the existing uses and satisfy appropriate development management requirements. Such development should normally fall within use classes 4, 5 or 6 of the Use Classes Order.		
Council’s summary of the representation(s):		
The draft Plan should release land from the green belt to accommodate the development of commercial and industrial proposals in connection with the Campsie Spring operations. This should be included as an economic development opportunity under ECON 2.		
Modifications sought by those submitting the representations:		
Modify Table ECON 2 to include the site as a business development location. Amend Proposals Map to re-designate the site from Green Belt to ECON 2.		
Summary of response (including reasons) by planning authority:		
NOTE TO REPORTER: This representation was received almost a month (18th December 2009) after the deadline for submissions. The deadline was the 23rd November 2009. The Council is keen to see the retention of the Greencore plant in the Lennoxton area and will work with the owners to investigate and bring forward any proposals for development or improvement to the operation.		
SUGGESTED CHANGE TO ECON 2 TABLE AND THE PROPOSALS MAP: • Add this site to the ECON 2 Table and amend the Proposals Map accordingly.		
Reporter’s conclusions:		
1. This site is located in the green belt between the B822 and a single track access road. It consists of an area of woodland (Redhills Community Woodland) and also covers the adjacent travelling person’s site, now burnt out. Part of the site is designated as a Park and Open Space and Important Wildlife Corridors run along the northern and eastern edges. A core path runs along the eastern edge. The community woodland has a series of footpaths within it and on my site visit, appeared well used. 2. Guidance in Scottish Planning Policy states that where a proposal would not normally be consistent with green belt policy it may still be considered appropriate either as a national		

priority or to meet an established need if no other suitable site is available. I have noted the council's support for the identification of this site as an economic development opportunity in policy ECON 2. The justification given is the need to retain the Greencore plant in the Lennoxton area. However I have not been provided with any details about the proposed development by either the council or in the representation or any evidence to show there is an established need and that no other suitable sites are available. This lack of evidence is of particular concern not only because the site is in the green belt but also given its sensitivity as an existing community woodland and a travelling person's site.

3. Furthermore the council's green belt boundary review states that the green belt boundary to the south of Lennoxton is currently strong and clearly defensible following the route of the Glazert Water and the footpaths running parallel. It refers to the many environmental designations in this area which are reinforced by the Glazert Waters floodplain, which acts as a buffer zone for the southern green belt boundary. This clearly defensible boundary would be lost if this site was excluded from the green belt.

4. I do not consider that, on the evidence before me, there is adequate justification to remove the site from the greenbelt or to allocate it in policy ECON 2 as an economic development opportunity.

Reporter's recommendations:

No modification to the local plan is required.

Issue (ref and handling):	Issue 11.8 - Tourism	Reporter: KATRINA RICE
Development Plan Reference:	Page 61-63 - Economic Competitiveness – Tourism	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council (86) Dr H MacAnespie (87) Scottish Natural Heritage (196) Mr J Hooper (199) Mrs R Hooper (200)		
Provision of the development plan to which the issue relates:		
Chapter 11: Economic Competitiveness Part B supports new or enhanced tourism facilities, making reference to 8 specific assets under Policy TO3. It also seeks to promote the designation of the Campsie Fells as a Regional Park.		
Council’s summary of the representation(s):		
Bishopbriggs Community Council (86) Policy TO3 lacks supporting information on how the Council will promote the Forth and Clyde Canal as a tourist attraction.		
Dr H MacAnespie (87) Objects to the omission of policies on tourism, with specific reference to the promotion of caravan sites.		
Scottish Natural Heritage (196) Recommends policy TO 3(i) Kilpatrick Hills specifically refers to improving non-motorised access to the Kilpatrick Hills.		
J & R Hooper (199, 200) Considers that a manned tourist office with computer facilities should be made available in Milngavie to assist tourists at the start of the West Highland Way.		
Modifications sought by those submitting the representations:		
Bishopbriggs Community Council (86) Include reference to opportunities at Balmuldy Bridge, Cadder and Glasgow Bridge for water based/recreational facilities, bike and boat hire as included in the adopted 2005 Plan.		
Dr H MacAnespie (87) Insert policy supporting proposals for caravan sites at a relevant point in the Plan.		
Scottish Natural Heritage (196) Modify policy wording to take account of the recommendation.		

J & R Hooper (199, 200)

Amend Policy T03 to include requirement for a manned tourist office within Milngavie town centre.

Summary of response (including reasons) by planning authority:

The Forth and Clyde Canal is recognised as a key leisure, heritage, tourist and economic development asset as stated under the Communities and Leisure Facilities chapter (page 31). New canal related leisure and business premises will be encouraged as part of the Kirkintilloch Initiative under UC1 Schedule B. There are a range of opportunities along and around the Forth and Clyde Canal for leisure and recreation activity. For example the new Southbank Marina in Kirkintilloch and the canal side infrastructure works in Twechar in particular are recognised as attractive locations for leisure/recreation business. In addition, the tourism development potential of the Forth and Clyde Canal towpath will be enhanced through partnership with adjoining Councils as explained in Policy T03 (iii).

The route of the Canal links well with other key attractions such as the Antonine Wall/ Barrhill Fort, which has potential for improved facilities and infrastructure to support visitors to the UNESCO World Heritage site. The Antonine Wall runs through five authority areas and these Council's are currently undertaking a joint review of development and promotional opportunities for the Wall and surrounding areas.

Aspirations for leisure and recreation development at Twechar, a canal side settlement, include:

- Outdoor pursuit facilities
- Visitor Centre/Roman Camp
- Links with Auchinstarry Basin and Quarry (for rock climbing)

With regard to West Highland Way, it is considered that the wording of Policy T03 (ii) to encourage "*well designed and suitably located facilities*" is appropriate. It is not considered necessary to specify a requirement for a staffed office with computer facilities, and so no change is required.

Whilst the Council recognises the tourism value of its existing caravan sites at Badenheath Farm at Mollinsburn and Bankell Farm by Milngavie, it is not considered that there is any requirement to include a specific policy relating to the promotion of new sites. It is acknowledged that this is a change from the adopted Local Plan, however in accordance with the modernised planning system and the Scottish Government's requirement to create more concise and streamlined documents, there is no longer a requirement to specifically refer to proposals for caravan and chalet sites. Any development proposals for either new sites or an extension to the existing sites will be assessed in accordance with Policy T01.

With regard to non-motorised access to the Kilpatrick Hills the Council considers the current succinct policy wording allows for such enhancements, reinforced by relevant policy commitments in the Core Path Plan and LP2 Chapter 12 – Transport.

Reporter's conclusions:

1. I agree with Dr MacAnespie that it is unusual for the tourism section of a local plan, for an area such as East Dunbartonshire, not to include some reference to caravan sites as a type of tourist accommodation. However I accept that the council is under no obligation to do so. I consider that any proposals for new caravan sites can be adequately assessed against policy T01 and other relevant policies of the local plan.

2. I note that policy TO 4C of the adopted local plan seeks to support and implement, with the council's partners, improved access to the Kilpatrick Hills for hill walking. However it also includes details about specific projects proposed at Clachan of Campsie which are not now directly referred to in policy TO 3 of the finalised local plan. I therefore agree with the council that in order to be consistent with the conciseness of the other criteria in this policy, direct reference to improving non-motorised access to the Kilpatrick Hills is not appropriate. Such proposals could be supported under this policy as currently worded.

3. For similar reasons I do not consider that reference to a tourist office with computer facilities within policy TO 3 is necessary. I agree with the council that the existing wording "well designed and suitably located facilities" is sufficiently detailed for inclusion in a local plan. Further detail could be included in the council's tourism strategy if required. The further promotion of the Milngavie and Bearsden areas for tourism would also be best achieved through the tourism strategy.

Further information received

4. In response to the comments of Bishopbriggs Community Council with regard to the inclusion of specific projects on the Forth and Clyde Canal referred to in the 2005 plan, East Dunbartonshire council does not consider that there is a requirement to identify specific small scale and unfunded opportunities for potential improvements. To date no proposals for development at these three sites have come forward. The council intends policy TO 3 to identify those tourism and visitor attractions for which specific enhancement measures and improvement strategies are already programmed. As no sites along the Forth and Clyde Canal have been specifically identified for canal related developments the council has not included them in policy TO 3.

5. I note that Scottish Natural Heritage (SNH) refer in their representation to the heading "Local Biodiversity" on page 62 being in error. The council has responded to agree that this is a drafting error and that it should be replaced by the heading "Tourism".

Conclusions

6. The Forth and Clyde Canal is listed under policy CLF 1 of the local plan as a key leisure, heritage, tourist and economic development asset and is listed as one of East Dunbartonshire's key tourist attractions in the council's Tourism Strategy and Action Plan 2008-2011. It is also identified in strategic policy 7 of the Glasgow and the Clyde Valley Structure Plan as a Strategic Environmental Resource together with the Antonine Wall, Campsie Fells and the Kilpatrick Hills. I therefore have sympathy with the views of the Community Council with regard to the lack of any detail in policy TO 3.

7. While accepting that the council is not under any obligation to include reference to small scale developments where it regards these as unrealistic, I do not follow the council's logic in not referring in broad terms to the Forth and Clyde Canal in the policy. Other fundable projects may come forward during the life time of the local plan as is recognised by the council in the Community and Leisure Facilities chapter. The adopted local plan has two policies dealing with the canal, policies TO 4A and TO 4B. I agree with the council that the level of detail included in these policies would not be appropriate. However I regard the council's intention to move to a situation where the canal is not mentioned, other than in relation to the canal towpath, in a local plan policy titled "Other Tourism and Visitor Assets" to reduce the level of detail to an unacceptable level. I therefore propose to add wording to policy TO 3 taken from the adopted local plan policy TO 4A and from the reference to the canal in the Community and Leisure Facilities chapter. I do not propose to refer to the individual developments listed.

I accept that the drafting error as noted by SNH should be corrected.

Reporter's recommendations:

1. Modify policy TO 3 – Other Tourism and Visitor Assets as follows:

Add a new criterion:

“Forth and Clyde Canal – *The council will work in partnership with other agencies, riparian landowners, adjacent local authorities, private developers and particularly British Waterways to encourage developments which realise the value of this asset. (See also policy CLF 1)*

2. Modify the heading “Local Biodiversity” on page 62 to read “*Tourism*”.

Issue (ref and handling):	Issue 11.9 - Clachan of Campsie – Tourism/Housing	Reporter: KATRINA RICE
Development Plan Reference:	Page 63 - Policy T03 – Other Tourism and Visitor Assets Item (vii)	
Bodies or Person(s) submitting a representation raising the issue:		
Penelope Sinclair (125)		
Provision of the development plan to which the issue relates:		
Supports the development of limited well designed housing as a means of delivering townscape enhancements and improved visitor facilities at Clachan of Campsie.		
Council’s summary of the representation(s):		
Objects to the promotion of housing at Clachan of Campsie, and considers that the area already has adequate visitor facilities.		
Modifications sought by those submitting the representations:		
Delete reference to the promotion of well designed housing at Clachan of Campsie under Policy T03 (vii).		
Summary of response (including reasons) by planning authority:		
Whilst there is no allocation for housing at Clachan of Campsie under Policy HMU1, the Council recognise the potential for limited high quality housing development to support an improvement in tourism and visitor facilities in the area. It is envisaged that such improvements will help to promote the Campsie Fells as a valuable asset for tourism, which is important in terms of supporting and enhancing the local economy. Any proposals will be assessed on their individual merits, taking account of the impact on the integrity of the greenbelt. The emphasis will be on high quality development given the sensitive nature of this location and the proximity to the Campsie Fells. It is considered that no change to this policy is required.		
Reporter’s conclusions:		
<u>Further information received</u>		
1. In order to improve visitor facilities and improve the townscape of the village square by creating enclosure on the eastern side, the council is of the opinion that a limited amount of high quality housing would be acceptable as a way of delivering the improvements. Any housing would be subject to the terms of policy GB 2H as an excepted category of development and would have to ensure that there is no adverse impact on the amenity and character of the village. The council regards the Clachan of Campsie village envelope as an exception in the sense that no other village envelopes have been identified as a Tourism and Visitor Asset. However the council will assess any proposed development within the village boundary, including housing, in the same way as would be the case for any other village envelope.		

Conclusions

2. Policy GB 2 already permits appropriate developments within the village envelopes of Balmore, Bardowie, Haughhead and Clachan of Campsie as long as they maintain the amenity and character of these small communities in a rural setting. Housing could be permitted in Clachan of Campsie where it satisfied policy GB 2 even if it was not mentioned in policy TO 3. Furthermore Clachan of Campsie is recognised in the council's Tourism Strategy and Action Plan 2008-2011 as a key tourism attraction. I therefore consider the delivery of the townscape and visitor related improvements listed in policy TO 3 to be appropriate in supporting the council's intention to develop and enhance the village as a tourist attraction.

3. I agree with the council that the policy wording is acceptable. However, to ensure that the policy is applied consistently with other village envelopes, I propose that a reference to policy GB 2 should be made in the wording.

Reporter's recommendations:

1. Modify criterion (vii) of policy TO 3 – Other Tourism and Visitor Assets as follows:

"Clachan of Campsie – The council will promote limited well designed housing development as a means of delivering townscape enhancements and improved visitor facilities at Clachan of Campsie. *(See also policy GB 2H).*

Issue (ref and handling):	Issue 12.1 - Transport Chapter – General	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Pages 64-67 - Transport Chapter	
Bodies or Person(s) submitting a representation raising the issue:		
Bishopbriggs Community Council (86) Strathclyde Partnership for Transport (130)		
Provision of the development plan to which the issue relates:		
The Transport Chapter aims to consolidate the transport policies of the adopted 2005 Plan into a more concise format, taking account of recent changes to legislation and national policy.		
Council’s summary of the representation(s):		
Bishopbriggs Community Council (86) Considers that the Transport chapter is generally more negative than the adopted 2005 Plan. Would like to see positive comments on networks of footpaths, walking routes, cycleways, a cycling strategy and bridleways.		
Strathclyde Partnership for Transport (130) Suggest that the transport section is positioned closer to the beginning of the plan in order to reflect the importance of transport policies within this land use planning document. SPT would welcome a reference to the Regional Transport Strategy and delivery plan in this section of the local plan.		
Modifications sought by those submitting the representations:		
Bishopbriggs Community Council (86) Insert policies which encourage networks of footpaths, walking routes, cycleways, a cycling strategy and bridleways. Amend wording of Policy TRANS 4 from “The Council will <i>support</i> ” to “the Council will <i>promote</i> ”.		
Strathclyde Partnership for Transport (130) Place the Transport chapter closer to the front of the document. Make reference to SPT’s Regional Transport Strategy and delivery plan in this chapter.		
Summary of response (including reasons) by planning authority:		
Bishopbriggs Community Council (86) The Council notes the respondent’s concerns regarding the wording of the document in comparison with the adopted 2005 Local Plan. Policy TRANS 5 establishes support for the protection of Core Paths, and matters relating to walking routes etc are addressed in greater detail within the Core Path Plan. In addition, it is not agreed that Policy TRANS 4 would be strengthened by amending the wording from “support” to “promote”. The existing wording sufficiently demonstrates the Council’s position on these sites and as such there is no requirement to modify TRANS 4.		

Strathclyde Partnership for Transport (130)

It is intended that the order of the chapters will reflect that of the adopted Plan. Whilst the Council recognises the relevance of the Regional Transport Strategy it is considered that the relevant regional land use planning context is provided by the Structure Plan, and as such it is not necessary to refer to it within this section of the Local Plan.

Reporter's conclusions:

1. National policy is that opportunities for personal travel should give priority to walking and cycling followed by public transport, with buildings and facilities accessible by foot and by cycle. Therefore, a safe and comprehensive active travel network should be a priority in both urban and rural areas, including adequate provision for secure cycle parking. The new transport infrastructure required should be identified in development plans. This network should include longer distance routes for walking, cycling and horse riding as part of the "green network" outlined in the Joint Structure Plan. The local plan refers to the strong public support during consultation for the principle of sustainable access and transport, including the integration of public transport with walk/cycle routes.

2. The concerns of Bishopbriggs Community Council are justified in that, apart from Policy TRANS 5 that seeks to protect Core Paths and to address gaps in the path network, the finalised plan lacks a policy to address the need to develop a comprehensive active travel network. This is an essential part of the achievement of sustainable growth in line with Policy SPD 1, as recommended for amendment in Issue 1.1.

3. I note that Bishopbriggs Community Council emphasises the importance of a transport hub at Westerhill, incorporating a park and ride facility, bus terminal, covered cycle sheds and shuttle buses for outlying areas. Therefore, the Council requests a change to the wording of Policy TRANS 4 to "promote" rather than "support" these rail network and park and ride facilities. The word "promote" may be read to imply a more active commitment by East Dunbartonshire Council, possibly including financial assistance. Its role in relation to these developments is solely for that Council to determine, so that such a change to this planning policy is not justified.

4. The positioning of any chapter within the local plan does not, in itself, indicate the importance of the subject, and therefore should be of no importance. However, it is not until the final transport chapter of the plan that Policy TRANS 1 sets the criteria that all developments should meet to support more sustainable transport patterns. This policy is fundamental to the achievement of sustainable growth in accordance with Policy SPD 1, as recommended for amendment. The key question is whether TRANS 1 has clearly exercised an appropriate influence over all other proposals of the plan, with sites selected for development judged against these accessibility criteria, and more general policies reflecting this sustainable transport imperative. These considerations are outside the scope of this issue, but any concerns on this score would not be resolved by changing the position of the transport chapter.

5. As the Regional Transport Strategy has been approved by Scottish Ministers, a reference to it within the Strategic Context section of the transport chapter would be appropriate. It is relevant to setting the scene for the integration of land use and transport.

Reporter's recommendations:

1. Retitle Policy TRANS 5 as "Active Travel Network" delete text and substitute:-

"The Council will develop proposals defining and enhancing a safe and comprehensive active travel network, incorporating footpaths, cycleways and bridleways throughout urban and rural areas integrated with public transport services and including, where necessary, facilities for

secure cycle parking. Support will be given to proposals which protect identified active travel routes, including paths identified in the Core Path Plan, and which address gaps in the active travel network.”

2. At the end of the Strategic Context section of the Transport Chapter add: -

“The Regional Transport Strategy for the west of Scotland 2008-21 sets out the key areas for action to help deliver transport improvements, highlighting the strategic corridors on which action will be focused for the first five years.”

Issue (ref and handling):	Issue 12.2 - Air Quality and Transport Policies	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Pages 64-67 - Chapter 12 – Transport	
Bodies or Person(s) submitting a representation raising the issue:		
Scottish Environment Protection Agency (70)		
Provision of the development plan to which the issue relates:		
LP2 transport policies integrate with East Dunbartonshire Local Transport Strategy (LTS) (2009) Policy TRANS 1 - Development and Transport supports more sustainable travel patterns; Policy TRANS 2 - Road Design Guidance and Parking Standards seeks to implement best practice road layout and parking standards; Policy TRANS 3 - Developer Requirements seek developer contributions in support of the main action plans in the Local Transport Strategy.		
Council’s summary of the representation(s):		
East Dunbartonshire is an area associated with high car ownership rates which contribute significantly to the impact on air quality. However, we consider that the draft plan does not address air quality in the transport policies, where it can be most effectively tackled. Around 4,000 deaths are believed to be linked with traffic related air pollution in the UK each year. People with respiratory problems are most at risk due to microscopic particulate matter.		
Modifications sought by those submitting the representations:		
It is recommended transport policies should be amended to adequately reflect the impact sustainable transport can make in ameliorating the effects on air quality from traffic emissions.		
Summary of response (including reasons) by planning authority:		
SPP states that: “Authorities should ensure that the local transport strategy and development plan are complementary.” One of the principle objectives of the LTS is to manage the transport network efficiently with a focus on reducing congestion and improving air quality. EDC considers LP2 transport policies and proposed guidance notes provide clear land use planning support for this objective, but the LTS should remain the ‘lead’ document in determining the overall direction of sustainable transport policy.		
The Council is therefore reluctant to modify LP2 to accord with this recommendation of SEPA.		
Reporter’s conclusions:		
1. The local plan is part of the statutory development plan and subject to the legal requirement of the Planning etc (Scotland) Act 2006 that its preparation should meet the objective of contributing to sustainable development. As national policy makes clear, the achievement of emission reduction targets requires coordinated action and a significant contribution to adapting the built environment to reduce the need to travel, and to provide for active travel and travel by public transport. Therefore, I consider that the local plan should set		

the framework for the Local Transport Strategy and for other work such as the Council's Air Quality Action Plan.

2. Solutions to traffic related air pollution may require more fundamental approaches than managing the transport network more efficiently. The health benefits of improved air quality deserve to be specifically recognised within the local plan, particularly in the context of a more sustainable approach to movement.

3. At present the main policy TRANS 1 refers only to the location of development to support more sustainable transport patterns. Other than Policy SPD1, as recommended for amendment, there is no clear policy commitment to sustainable transport or its benefits. I conclude that this weakness can be overcome by an appropriate addition to the beginning of Policy TRANS 1.

Reporter's recommendations:

Policy TRANS 1 – Development and Transport.

add the following paragraph at the start of this policy: -

"The council will adopt an integrated approach to development and transport with the aims of ensuring that the need to travel is reduced, that active travel and travel by public transport is facilitated and encouraged, and that the effect of traffic on air quality is ameliorated."

Issue (ref and handling):	Issue 12.3 - Sustainable Travel and Accessibility	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 66 - Policy TRANS 1 – Development and Transport	
Bodies or Person(s) submitting a representation raising the issue:		
Glasgow City Council (73) Strathclyde Partnership for Transport (130) Railfuture Scotland (146) Jo Swinson MP (173) Scottish Natural Heritage (196)		
Provision of the development plan to which the issue relates:		
TRANS 1: Development and Transport – Supports sustainable travel patterns. New developments must demonstrate accessibility by walking, cycling and public transport networks for all.		
Council's summary of the representation(s):		
Glasgow City Council (73) There is no map showing 'accessibility zones' for applications to be judged against and no information is provided on frequency requirements. No policy is provided on the development of Quality Bus/Corridors/ Streamline Routes extending out from Glasgow as required by the Structure Plan Policy 3 Schedule 3(b), Table 7.		
Strathclyde Partnership for Transport (130) <ul style="list-style-type: none">• Policy UC 1 should include a reference to supporting development of sites that are accessible by established walking, cycling and public transport routes.• Schedule B or UC1 (Kirkintilloch Initiative) should also include a reference to investigating and implementing core bus services along Quality Bus Corridors.• Both Policy HMU 1 and HMU 2 fail to prioritise housing sites in sustainable locations.• Encourage a reference to good links and accessibility to town centres and facilities to be included within Policy TCR 6.• Encourage a reference to good links and accessibility to town centres and facilities to be included within Policy TCR 6.• SPT would suggest that Policy OS 2 - Provision of Open Space in New Developments is altered to include a reference to providing good links to open space for new and existing residents, ensuring that all of the community gain the benefits of open space.• Bullet point (iv) of GB1 Presumption Against Development should be extended to read; <i>'preferably be located adjacent to existing buildings and existing access, and if possible close to transport networks.'</i>• Within Policy DQ 2 - Design Quality, there should be an additional bullet point to highlight the need for all development to have good accessibility and links to transport corridors.• Within Policy ECON 2 - Economic Development Opportunities there should be the promotion of development in sustainable locations particularly in relation to accessibility. There should be an emphasis on connecting communities to areas of opportunity and		

economic activity, supporting developments which are well connected to existing transport networks and ensuring opportunities for employees to travel to a site by modes other than by a car.

Railfuture Scotland (146)

Concerned that the maximum 400m distance from the nearest public transport access point as specified in TRANS 1 does not take sufficient account of natural or built obstacles and detours.

Jo Swinson MP (173)

Concerned that there are no positive proposals to promote the use of walking or cycling through extended networks and provision.

Scottish Natural Heritage (196)

Recommend second sentence of TRANS 1 - Development and transport is reworded as follows:

"All new developments must demonstrate accessibility by walking and cycling, *taking full account of the Core Path network*, and public transport... [etc.]"

Modifications sought by those submitting the representations:

Glasgow City Council (73)

Include map showing 'accessibility zones' (to be developed in conjunction with Glasgow City Council).

Insert policy on Quality Bus/Corridors/Streamline Routes extending out from Glasgow to Transport chapter.

Strathclyde Partnership for Transport (130)

- Insert a reference to UC1 supporting development of sites that are accessible by established walking, cycling and public transport routes.
- Insert a reference to investigating and implementing core bus services in Schedule B.
- Suggest that both housing policies are altered to include a specific emphasis on new housing being located close to existing amenities and services along with good access and integration with existing transport services and infrastructure, including both rail and higher frequency bus services.
- Include reference to good links and accessibility to town centres and facilities in TCR 6.
- Policy CLF 1 is altered to include a reference to new facilities being appropriately located and accessible to all of the community by walking, cycling and public transport.
- Policy OS 2 - Provision of Open Space in New Developments is altered to include a reference to providing good links to open space for new and existing residents, ensuring that all of the community gain the benefits of open space.
- Bullet point (iv) of GB1 should be extended to read; 'preferably be located adjacent to existing buildings and existing access, and if possible close to transport networks.'
- Within Policy DQ 2 - Design Quality, there should be an additional bullet point to highlight the need for all development to have good accessibility and links to transport corridors.
- Within Policy ECON 2 - Economic Development Opportunities there should be the promotion of development in sustainable locations particularly in relation to accessibility. There should be an emphasis on connecting communities to areas of opportunity and economic activity, supporting developments which are well connected to existing transport networks and ensuring opportunities for employees to travel to a site by modes other than by a car.

Railfuture Scotland (146)

Amend wording of TRANS 1 part 2 to read: 'Where access to public transport networks are further than 400m by walking *as measured along recognised and easily accessed routes*'

Jo Swinson MP (173)

Amend Trans 1 to include positive proposals to promote walking and cycling by extending networks and provision.

Scottish Natural Heritage (196)

Modify policy in accordance with representation.

Summary of response (including reasons) by planning authority:**Glasgow City Council (73)**

The Council do not agree that it is necessary to include a map showing accessibility zones for applications to be judged against. It is the responsibility of applicants to demonstrate that they have taken accessibility into consideration, in accordance with the provisions of Policy TRANS 1 and any other relevant policies. The applications will then be assessed on an individual basis. With reference to Quality Bus Corridors/Streamline Routes, this is a matter addressed through the Local/Regional Transport Strategy and therefore no change to the draft Plan is required.

Strathclyde Partnership for Transport (130)

Policy TRANS 1 sets out the Council's policy on the accessibility of new developments to walking, cycling and public transport networks. It includes a requirement to locate new development where access to public transport networks is not further than 400 metres by walking. Policy SPD1 also states that the national and strategic planning context will be applied in relation to sustainable development. For reasons of brevity, it is not considered necessary to restate these requirements within policies UC1, HMU1, HMU2, CLF1, DQ1, DQ2 or ECON2.

Railfuture Scotland (146)

The Council acknowledges the respondent's comments regarding the 400m distance from public transport networks in Policy TRANS 1. In particular, the Council agrees that local circumstances can vary because of natural or built environment obstacles. Part 3 of TRANS 1 states that the planning authority will not normally support development proposals "*where access to public transport networks are further than 400m **by walking***". These final two words, 'by walking', are intended to take account of such obstacles. In addition, proposals will be judged on an individual basis taking account of their distance from public transport networks. Therefore, the Council do not agree that it is necessary to modify the wording as suggested.

Jo Swinson MP (173)

Policy TRANS 1 supports sustainable travel patterns by requiring new developments to have good access to walking, cycling and public transport networks. Policies UC1 Schedule B, Schedule C, TCR 6B, TCR 6D and also include elements of improving walking and cycling networks. The Local Transport Strategy is the primary document in terms of proposed improvements to the walking and cycling network.

Scottish Natural Heritage (196)

The Council is of the opinion the succinct policy wording highlights access as an important consideration in new development proposals, augmented by forthcoming Guidance Notes on Transport Assessments and Travel Plans. It therefore does not wish to modify the wording as suggested.

Reporter's conclusions:

1. In response to Glasgow City Council, the Council suggests that it is for individual developers to justify the accessibility of their sites against Policy TRANS 1, and that an accessibility plan for the Council area is unnecessary. However, I believe that the lack of a consistent analysis of accessibility, across the district as a whole, would be a significant weakness, because of the lack of a comparative background that would allow the relative merits of the submissions of individual developers to be tested.
2. In relation to quality bus corridors/streamline routes, I note that Schedule 3(b) and the related Table 7 refer specifically to Transport Strategies. This is a matter that can be dealt with adequately through the Local Transport Strategy, with local proposals coordinated through the Regional Strategy.
3. The representations of Strathclyde Partnership for Transport (SPT) have, as a common theme, the need to ensure that all the plan policies take account of the need for accessibility by active travel and public transport. Policy TRANS 1, as strengthened by the addition recommended in Issue 12.2, would be the key policy in this respect. In general, it should not be necessary to restate these principles in other parts of the plan.
4. However, other chapters of the plan do need to be transparent and consistent in their treatment of sustainable transport. It is unclear how this policy is, or has been, applied to the sites already identified for various uses by other policies of the plan. For example, at present, the plan provides no clear answer to SPT's concern that Policies HMU 1 and HMU 2 fail to prioritise housing sites in sustainable locations. In the Urban Capacity chapter only some of the schedules address sustainable transport issues. Rather than adding a sustainable criterion to each of the main policies, it would have been better to include a brief comment on current accessibility of each of the identified sites. Where necessary, the measures proposed to counter poor accessibility could have been summarised. The preparation of a consistent accessibility plan for the district, as suggested by the City Council, would be a useful basis for such assessments.
5. Given the need for accessibility criteria to be agreed with regional partners and preparation time, I conclude that it is unlikely to be practical to include an accessibility plan within the current plan, or to use it to judge the accessibility of individual sites. However, this is a significant weakness that needs to be addressed as soon as practicable. I shall therefore recommend a new policy requiring preparation and assessment to be undertaken during the plan period, and taken into account in individual planning decisions as soon as practicable.
6. The investigation and implementation of "core" bus services, as an addition to light rail and heavy rail options, would be an appropriate addition to Schedule B of the Urban Capacity chapter, given that any rail option is likely to be a long term aspiration.
7. Policy TRANS 1 applies to developments referred to in policies CLF1, OS 2, GB1 & DQ2 so that these do not need to be expanded to repeat its requirement for sustainable transport links.
8. Although the reference in Policy TRANS 1 (2) to public transport networks being no further than 400 metres "by walking" should be reasonably clear in most circumstances, it would be helpful to add a clarification, as suggested by Railfuture Scotland, to avoid routes that, although walkable by fit adults, are unsuitable for the elderly, wheelchairs or mothers with small children.
9. The concerns of Jo Swinson MP are similar to those of Bishopbriggs Community Council raised under Issue 12.1. The current references to cycling and walking within the plan do not add up to the development of a comprehensive network. Given the importance of active travel to the government's sustainability agenda, it is important that a comprehensive policy is included within the local plan.

10. The need for accessibility by walking, cycling and public transport implies use of the Core Path network where convenient. There is no need to make a special reference to it in Policy TRANS 1.

Reporter's recommendations:

1. Include a new policy after Policy TRANS 1 as follows: -

"Policy TRANS 1A – Accessibility Analysis

In conjunction with regional partners, the Council will prepare an accessibility plan to illustrate the relative accessibility of all parts of the district by active travel networks and public transport. As soon as practicable, the accessibility of all proposed development sites will be assessed and, where necessary, consideration given to measures to counter any poor accessibility identified. Normally such measures will be a requirement for the grant of any planning permission."

2. Amend Urban Capacity Schedule B paragraph 2 by adding the words: -

"and to investigate and, if found to be justified, implement a high frequency core bus service serving these settlements."

3. Amend wording of TRANS 1 part 2 to read: -

"Where access to public transport networks are further than 400m by walking, as measured along recognised and easily accessed routes."

4. Retitle Policy TRANS 5 as "Active Travel Network", delete text and substitute: -

"The Council will develop proposals defining and enhancing a safe and comprehensive active travel network, incorporating footpaths, cycleways and bridleways throughout urban and rural areas integrated with public transport services and including, where necessary, facilities for secure cycle parking. Support will be given to proposals which protect identified active travel routes, including paths identified in the Core Path Plan, and which address gaps in the active travel network."

Issue (ref and handling):	Issue 12.4 - Parking Standards	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 66 - Policy TRANS 2 – Roads Design Guidance and Parking Standards Page 13 Schedule C – Lower Kilmardinny/Westpark	
Bodies or Person(s) submitting a representation raising the issue:		
Councillor Graeme Douglas (151) Baldernock Community Council (172)		
Provision of the development plan to which the issue relates:		
Policy TRANS 2 aims to ensure that proposals meet the Council’s design and parking standards whilst also taking on board urban design best practice. Urban Capacity UC1 Schedule C – Lower Kilmardinny/Westpark, to be released from the green belt to develop a mix of uses, including the retention and, if appropriate, reconfiguration of the West of Scotland Football Club grounds (paragraph 3).		
Council’s summary of the representation(s):		
Councillor Graeme Douglas (151) Any reference to the development of the Lower Kilmardinny/Westpark site should require the massing of car parking facilities for the Allander Sports Centre, West of Scotland Football Club, and park & ride site around the proposed rail halt. This would allow maximisation of car parking to accommodate both the rail halt and the football club parking. Baldernock Community Council (172) Concerned that there is a lack of information on intended parking standards and how the Council will achieve a modal shift from car to public transport. Feels that parking standards should be applied as a maximum whatever the location. Greater provision of public transport for elderly and disabled members of the public should be made by expanding the service of “Dial-a-bus” and “Ring-a-ride”. Any bus lanes should follow the model used in North America.		
Modifications sought by those submitting the representations:		
Councillor Graeme Douglas (151) Ensure that UC1 Schedule C includes appropriate provision for massing of car parking facilities associated with Allander Sports Centre, West of Scotland Football Club, and park & ride site around the proposed rail halt. Baldernock Community Council (172) Amend wording of paragraph under Trans 2 (page 66) to clarify that the Council will apply parking guidance as a maximum rather than a minimum, regardless of location.		
Summary of response (including reasons) by planning authority:		
Councillor Graeme Douglas (151) The Council recognises that well designed and appropriate parking is an important element of		

the proposals for Lower Kilmardinny/Westpark. This is set out in Policy UC1 Schedule C and also emphasised in Policies DQ2 and TRANS 2. In addition, forthcoming Guidance Notes will set out details of the expected parking facility layouts, based on Scottish Planning Policy and local experience. However, reconfiguration of the site to enable the ‘massing’ of car parking at Allander is considered inappropriate as this would not contribute towards Policies SPD1 and TRANS1 which aim to promote sustainable growth and travel patterns by supporting a modal shift from car use to public transport use and reducing the reliance on private car use. In addition, it is unlikely that a large scale, single car park could be justified when not use for “occasional” larger games at the West of Scotland Football Club. No change is required.

Baldernock Community Council (172)

It should be noted that there is no reference to ‘minimum’ parking standards within the draft Local Plan. Rather, Policy TRANS 2 states that “*all proposals must meet the Council’s design and parking standards*”. In relation to parking standards, the paragraph below TRANS 2 states that the Council will prepare Guidance Notes on Road Layout and Design and Parking Standards (based on Scottish Planning Policy requirements). There will be an opportunity to consult on the Guidance Note, but until approved Scottish Planning Policy should be referred to on detailed matters regarding parking standards.

In relation to the expansion of the “Dial-a-bus” and “Ring-and-Ride” services, this is not a matter for the Local Plan and should be addressed through the Local Transport Strategy.

In relation to bus lanes, the Council will work with relevant partners to improve the bus infrastructure and implement bus priority measures, as stated on the first paragraph of page 66 of the draft Plan. Further details are set out in the Local Transport Strategy. No change required.

Reporter’s conclusions:

1. I note that, in addition to the representation by Councillor Graeme Douglas suggesting the massing of car parking at the Lower Kilmardinny/Westpark site, Baldernock Community Council also sought a substantially greater parking provision for the park and ride facility at this location. On 21 June 2010 planning permission in principle was granted for a mixed use development at this site including a land reservation for a 150 car space park and ride facility that would await the future development of a new rail station. This permission, following a public inquiry, settles the form of development of this site in accordance with the submitted zoning plan. I also understand that the West of Scotland Football Club has been granted permission for a site elsewhere in the locality.
2. National planning policy is that planning authorities should apply maximum parking standards to on-site parking at new developments to encourage modal shift. The note below Policy TRANS 2 indicates that the Council intends to prepare a guidance note on parking standards based on national parking policies.
3. The development of “dial-a-bus” or “ring-and-ride” schemes and the provision and management of bus lanes are matters more suited to consideration as part of the Council’s Local Transport Strategy.

Reporter’s recommendations:

The finalised local plan need not be changed.

Issue (ref and handling):	Issue 12.5 - Developer Requirements – Transport Corridor Initiatives	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 67 - Policy TRANS 3 – Developer Contributions Proposals Map – Transport Corridor Initiatives	
Bodies or Person(s) submitting a representation raising the issue:		
Strathclyde Partnership for Transport (130) Railfuture Scotland (146) Baldernock Community Council (172)		
Provision of the development plan to which the issue relates:		
Policy TRANS 3 requires all developments which affect the Eastern, Western or Rural Area Corridors to make a contribution towards the delivery of the: <ul style="list-style-type: none">Baljaffray Road/Duntocher Road improvementsBishopbriggs Relief RoadLower Kilmardinny/Westpark development		
Council’s summary of the representation(s):		
Strathclyde Partnership for Transport (130) Suggest that developers may also be required to contribute towards public transport provision and infrastructure as well as active travel schemes. This policy should be altered to reflect the promotion of sustainable transport schemes.		
Railfuture Scotland (146) Concerned that TRANS 3 does not specifically require developer contributions towards a rail halt at Allander. This may be a covert suggestion that development contributions are not necessarily required towards a rail halt and park and ride, as part of the A81 Corridor Strategy.		
Baldernock Community Council (172) Notes the transport corridor initiatives buffer marked on the proposals map (in particular with regard to its route north of Fairways Estate), but cannot find any adequate explanation of the route within the written statement.		
Modifications sought by those submitting the representations:		
Strathclyde Partnership for Transport (130) Amend TRANS 3 to require developers to contribute to public transport provision, infrastructure and active travel schemes.		
Railfuture Scotland (146) Amend wording of TRANS 3 part 3 to make specific reference to the requirement for ‘developer contributions’ towards the Allander rail halt and park and ride facility. Suggested wording: “development to contribute to the delivery of an Allander rail halt and associated park and ride within the overall A81 Corridor strategy of mitigating the traffic impacts and improvement of public transport infrastructure”.		

Baldernock Community Council (172)

Amend Policy TRANS 3 to explain what the transport corridor initiatives buffer is.

Summary of response (including reasons) by planning authority:**Strathclyde Partnership for Transport (130)**

It should be noted that Policy TRANS 3 on Developer Requirements (iii) relates to Lower Kilmardinny/West Park which is a scheme that includes a requirement to “improve public transport infrastructure”. The paragraph below TRANS 3 also refers to Guidance Notes which will outline how these contributions are to be determined.

Railfuture Scotland (146)

The last paragraph of Schedule C on page 13 specifically requires housing and retailing developments to contribute to the creation of the rail halt and park and ride facility. The requirement for developer contributions to other public transport and infrastructure provision will be determined on an individual basis, as circumstances can vary widely. It would not be appropriate to specifically include the rail halt and park and ride within Policy TRANS 3, as there are other aspects of the wider Lower Kilmardinny scheme that may equally require such contributions, depending on the phasing agreed through the Masterplan. As such, it is not considered necessary to amend the wording.

Taken together, and in view of the forthcoming Guidance Note, it is felt that the Council’s position on developer contributions, including those for specific schemes, is made sufficiently clear and no change to the draft Plan is required.

Baldernock Community Council (172)

The Transport Corridor Initiatives Buffer illustrated on the Proposals Map relates to the requirement for developments affecting the Eastern, Western and Rural Area Corridors action plans to make a contribution towards their delivery. Specific infrastructure developments within the buffer zone which would affect these areas (and are therefore expected to make contributions to the relevant corridor action plan) include, but are not restricted to, Baljaffray Road/ Duntocher Road, the Bishopbriggs Relief Road and the Lower Kilmardinny/ Westpark development.

It is acknowledged that the significance and purpose of the buffer zone is not made sufficiently clear and that the Policy lacks reference to the Transport Corridor Initiatives Buffer as illustrated on the Proposals Map. It is recommended that the wording of Policy TRANS 3 is modified to explain the relationship between the schemes listed here and the Transport Corridor Initiatives Buffer.

SUGGESTED CHANGE TO POLICY TRANS 3 AS FOLLOWS:

- Modify the wording of the second sentence in TRANS 3 to:

*“All developments **within the Transport Corridor Initiatives Buffer zone as defined on the Proposals Map** which affect the Eastern (A803) Corridor, the Western (A81/A739) Corridor and the Rural Areas Corridor will be required to contribute to delivering these action plans.”*

The precise nature of how these contributions are determined will be set out in the accompanying Guidance Note as explained below TRANS 3.

Reporter's conclusions:

1. At present Policy TRANS 3 is limited to requiring developer contributions to the "area wide corridor initiatives" where developments "affect" them. I presume that this is intended to refer to developments that generate increased travel movements within these corridors. The Proposals Map defines wide belts of both urban and rural land as "transport corridor initiatives buffers", but the plan gives no explanation of the purpose of these buffer zones. The Council now suggests a modification to this policy so that, for transport contributions to be required, the relevant development must be both within a buffer zone and generate movements within the corridors. This implies that there could be developments outside the buffer zones that might "affect" the corridor, but would not need to contribute to improvements, which appears both illogical and unjust. I conclude that the buffer zone boundaries are arbitrary and lacking in any useful planning purpose.

2. The representation by Strathclyde Partnership for Transport is that the policy should be altered to reflect the promotion of sustainable travel schemes for active travel and public transport. As it stands, the policy does not rule out contributions to such schemes, but a greater emphasis on the support of sustainable travel is necessary to comply with national policy. Furthermore, particularly in this context, it is hard to see the logic of only requiring developer contributions to schemes within the defined transport corridors. There may be developments throughout the district with no strong relationship to the main corridors, where it would be reasonable to ask developers to contribute to associated sustainable travel, down to the level of footpath and cycleway improvements. This would assist in supporting the overall active transport network to be developed in accordance with the recommended revision of Policy TRANS 5.

3. In addition to Railfuture Scotland, I note that Baldernock Community Council also emphasised the importance of achieving the new rail station at Allander and the related park and ride facility. The planning permission in principle, granted on 21 June 2010, for a mixed use development at Lower Kilmardinny/Westpark includes a condition requiring the development to contribute to specified A81 Route Corridor Strategy Works. These works do not include the new rail station proposed at Allander or the related park and ride facility. However, a land reservation was made, which was considered sufficient on the basis that financial and franchise-related reasons make a rail halt unlikely to be provided before 2014 at the earliest. Therefore, the reference in Schedule 3 of the Urban Capacity chapter is inconsistent with this permission and with the reference in Policy TRANS 3.

Reporter's recommendations:

1. Policy TRANS 3 – Developer Requirements - delete text and substitute :-

"Where the transport assessment and travel plan, submitted and approved in conjunction with a travel generating use in accordance with Policy TRANS 1, shows that, resulting from the development, action is required to improve provision for active travel, and/or public transport and/or related alterations or additions to the road network, the developer will be required to make a proportionate contribution to relevant public expenditure or, where appropriate, directly undertake necessary works. In the case of developments that would generate additional use of the A803 and A81/A739 corridors, contributions will be required to corridor initiative action plans set out in the Local Transport Strategy.

In particular, with assistance from developer contributions, the following infrastructure developments are expected to be delivered within the lifetime of the local plan: -

- i) Baljaffray Road/Duntocher Road – Roundabout to improve circulation of public transport.
- ii) Bishopbriggs Relief Road – Development in this area to proceed only by building the road to reduce traffic flows and pollution in Bishopbriggs Town Centre.
- iii) Lower Kilmardinny/ Westpark – Development to contribute to the A81 Corridor Strategy to

mitigate the traffic impacts and improve public transport infrastructure.”

2. The “Transport Corridor Initiative Buffer” zones should be deleted from the Proposals Map.

3. Policy UC 1 - Urban Capacity - Schedule C – Lower Kilmardinny/Westpark

delete the words “to the creation of the rail halt and park and ride facility – possibly through a Section 75 agreement.” and substitute the words “to contribute to A81 Route Corridor Strategy Works.”

Issue (ref and handling):	Issue 12.6 - Rail Network and Park and Ride Facilities	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 67 - Policy TRANS 4 – Rail Network and Park and Ride Facilities	
Bodies or Person(s) submitting a representation raising the issue:		
Regent Square Resident's Association (12) J and L Edwards (119) Strathclyde Partnership for Transport (130) Transport Scotland (216)		
Provision of the development plan to which the issue relates:		
Policy Trans 4 supports an extension of rail infrastructure, and the creation of a new rail halt at Woodilee, Westerhill and Allander including park and ride.		
Council's summary of the representation(s):		
<p>Regent Square Resident's Association (12) Seeks clarification on what the Council means by the word "<i>promote</i>" with regard to park and ride facilities at Woodilee and Cadder.</p> <p>J and L Edwards (119) The wording of Trans 4 should be stronger, to the effect that the Council will provide 'leadership' in the creation of new rail halts with park and ride, rather than merely 'support'.</p> <p>Strathclyde Partnership for Transport (130) SPT would though suggest that this policy is altered slightly from the 'Creation of new rail halts' to the 'Investigation into the feasibility of additional rail stations within East Dunbartonshire'.</p> <p>Transport Scotland (216) Is of the opinion that the wording of Schedules B and C within Policy UC1 and TRANS 4 could be misleading as they do not contain any reference to the deliverability of the rail halt schemes or their current status in terms of requiring approval or commitment from Transport Scotland.</p> <p>Request that all references in UC1 and TRANS 4 to rail proposals including new halts and supporting infrastructure are accompanied by text indicating the status of proposals with regard to their deliverability, commitment and requirement for appropriate appraisal.</p>		
Modifications sought by those submitting the representations:		
<p>Regent Square Resident's Association (12) Amend wording to provide a firmer commitment to park and ride at Woodilee and Cadder in TRANS 4.</p> <p>J and L Edwards (119) Amend wording of Trans 4 to state that the Council will provide "leadership" rather than "support".</p>		

Strathclyde Partnership for Transport (130)

Alter wording of TRANS 4 from *the 'Creation of new rail halts'* to the *'Investigation into the feasibility of additional rail stations within East Dunbartonshire'*.

Transport Scotland (216)

Modify the text of UC1 Schedules B and C, and TRANS 4 to indicate the status of proposals with regard to their deliverability, commitment and requirement for appropriate appraisal.

Summary of response (including reasons) by planning authority:**Regent Square Resident's Association (12)**

The Plan supports the creation of a new rail halt at Woodilee, together with an expanded park and ride capacity under Policy TRANS 4. Cadder is not specifically referred to anywhere in the draft Plan. The Kirkintilloch Link Road, which is currently under construction, is not specifically intended to alleviate parking problems at Lenzie Station, but is one aspect of wider improvements to Kirkintilloch and Lenzie under Policy UC1 Schedule B ('Kirkintilloch's Initiative'). No change is required.

J and L Edwards (119)

The Council notes the support for the rail halt and associated park and ride at Allander. Schedule C currently includes a rail halt with an associated park and ride facility as part of any future masterplan. Whilst the Council is strongly supportive of a rail halt at this location, it is important to note that other bodies – namely Transport Scotland and the railway operator – are ultimately responsible for its implementation. The Council will safeguard land with a view to taking it forward through a partnership approach as established by Policies TRANS 3 and TRANS 4 and illustrated on the Proposals Map. However, it should be recognised that the provision of a rail halt is not a short term proposition and is unlikely to be delivered within the lifespan of the Local Plan (i.e. prior to 2016).

The specific number of parking spaces that would be appropriate for any park and ride site should be established through the development management procedure rather than the Local Plan. However, it is noted that the Reporters Notice of Intention indicates that the conditions should reserve land for a park and ride facility for at least 150 spaces. The Council are of the opinion that the 500 space figure suggested by many of the respondents is unrealistic and would conflict with Policy TRANS 1 by encouraging an increase in car use. Taking this into account, no change to the Local Plan is considered necessary.

Strathclyde Partnership for Transport (130)

The Council does not agree with the suggested amendment to the wording of Policy TRANS 4 from *"creation of new rail halts"* to *"investigation into the feasibility of additional rail stations"*. Whilst it is acknowledged that it is the responsibility of Transport Scotland to determine the suitability of these sites, it is essential that appropriate areas of land are reserved to accommodate new rail halts, especially in the context of wider development proposals at Woodilee, Westerhill and Allander. As such, the three sites identified in TRANS 4 have been clearly identified and safeguarded, which is the purpose of a Local Plan. The suggested wording could potentially lead to ambiguity regarding the suitability of this area to accommodate a rail halt, and so no changes are considered necessary.

Transport Scotland (216)

The Council recognises the role of Transport Scotland in approving, funding and helping to deliver new rail infrastructure. However, it is not agreed that the lack of reference to Transport Scotland's role may be misleading in terms of their deliverability. As a land use planning document, the Local Plan is intended to clearly state the Council's preferences with regard to an improved rail infrastructure and to identify and safeguard appropriate areas of land. It is

not the role of the Local Plan to set out the deliverability of individual designations/schemes or to clarify their current status. Matters relating to the deliverability of the various Transport schemes are more appropriately addressed within the Local Transport Strategy.

Reporter's conclusions:

1. The comments by the Regent Square Residents' Association refer to their support for park and ride at Woodilee and Cadder, although the latter is not mentioned in the local plan. The word used in Policy TRANS 4 is "support" rather than "promote". I agree with both residents and Council that the Kirkintilloch link road would have no direct bearing on the parking congestion around Lenzie station.

2. I note that the comments of J & L Edwards specifically refer to the Allander halt and the size of the park and ride parking. These representations have been overtaken by the decision of the public inquiry into the Kilmardinny/Westpark development, which set aside a land reservation for a 150 park and ride site, after considering representations for a larger facility. For the reasons given below, stronger wording on the Council's support for implementation would not be appropriate in advance of a feasibility study.

3. Proposals for improvements to rail services in Scotland are contained within Transport Scotland's Strategic Transport Projects Review 2012-2022 (STPR). I note that this concluded that a rail halt at Allander referred to in Urban Capacity chapter Policy UC1 Schedule C and Policy TRANS 4 would not contribute to the objectives for the urban network. The recent decision following a public inquiry considering the development of Lower Kilmardinny/Westpark concluded that a land reservation was sufficient, on the basis that financial and franchise-related reasons make a rail halt unlikely to be provided before 2014 at the earliest. The council now confirms that it is unlikely to be delivered within the lifespan of the Local Plan (prior to 2016).

4. The proposed halts at Woodilee and Westerhill would be on the Edinburgh to Glasgow main line. I note that Transport Scotland states that planning is ongoing for the improvement programme for this line and that these new stations were not considered in the STPR. Their current view is that the proposed rail infrastructure within Urban Capacity chapter Policy UC1 Schedule B Kirkintilloch Initiative/Woodilee, Lenzie would compromise the objectives of the Edinburgh Glasgow Rail Improvement Proposals. I agree that the wording of Policy TRANS 4 could be misleading as it does not contain any reference to the deliverability of the rail halts or their current status in terms of approval or commitment from Transport Scotland.

5. Strathclyde Partnership for Transport's suggestion, that Policy TRANS 4 should be changed to the investigation of the feasibility of additional rail stations within East Dunbartonshire, is realistic. Such an investigation would need to include deliverability and status in terms of approval and commitment from Transport Scotland. However, the Council's view that appropriate areas of land should be identified and safeguarded (although the Proposals Map identifies locations rather than areas of land) has merit. The local plan needs to take a realistic view of deliverability, it is not appropriate to leave this to the Local Transport Strategy.

6. As it stands, the use of the word "creation" in Policy TRANS 4 and the unqualified reference in Schedule C (1) give the misleading impression that these new halts would be delivered within the plan period to 2015. This is clearly unrealistic and could distract attention from the need for other shorter term measures to improve facilities for active travel and public transport. The reference in Schedule B (3) is appropriate in that it refers to an "Investigation of the feasibility of constructing a rail halt . . .". However, the route investigation in Schedule B (2) should also look at the feasibility of the suggested light or heavy rail link.

Reporter's Recommendations

1. Urban Capacity chapter Policy UC1 Schedule B Kirkintilloch Initiative/Woodilee paragraph (2) after "suitable route for" insert the words "and feasibility of".
2. Urban Capacity chapter Policy UC1 Schedule C paragraph (1) add the words "if this is supported by the results of a feasibility study."
3. Policy TRANS 4 – Rail Network and Park and Ride Facilities
delete second sentence and insert:-
"The Council will define and reserve sites at locations shown on the Proposals Map for new rail halts at Woodilee, Westerhill and Allander, pending an investigation to be undertaken during the plan period into the merits, costs and feasibility of these facilities."

Issue (ref and handling):	Issue 12.7 - Lenzie Parking Provision	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 12 - Schedule B – Kirkintilloch Initiative, Lenzie Page 67 - Policy Trans 4 – Rail Network and Park and Ride	
Bodies or Person(s) submitting a representation raising the issue:		
Regent Square Resident's Association (12)		
Provision of the development plan to which the issue relates:		
Schedule B sets out a number of proposals that make up the Kirkintilloch Initiative. Policy TRANS 4: Rail Network and Park and Ride Facilities supports the principle of expanded park and ride capacity.		
Council's summary of the representation(s):		
Seeks to improve the provision of car parking at Lenzie Station.		
Modifications sought by those submitting the representations:		
Insert support for improved parking provision at Lenzie Station to Policy UC 1 Schedule B and/or Policy TRANS 4.		
Summary of response (including reasons) by planning authority:		
The Council is aware of the parking difficulties around Lenzie Station and this is addressed in the Local Transport Strategy (LTS) 2009-2013. It should be noted that the Council is supportive of Networks Rail's plans for the expansion of Lenzie car park as stated in the LTS, for which Policy TRANS 2 will be applicable, together with relevant Guidance Notes. However, the issue is considered to be outwith the scope of this Local Plan and so no changes are required.		
Reporter's conclusions:		
1. During a site visit, I noted that there is clearly excess parking demand at Lenzie station, resulting in parking within the area set aside for turning movements and parking in nearby streets. The Local Transport Strategy supports Network Rail's expansion of the station car park, and also proposes detailed planning of active travel routes to the station. In addition to being more sustainable, the latter should also help to reduce the pressure on available car parking. The completion of the Kirkintilloch Link Road should reduce congestion on local roads and give better, and safer, opportunities for active travel and improved feeder bus services to access the station. If cycling is to be encouraged better secure cycle parking at the station would also be necessary. 2. The Council's support for the principle of expanded park and ride capacity would benefit from a specific reference to the improvements for active travel and public transport, which should also assist by reducing excess car parking demand. There is no need for the policy to mention Lenzie station by name as it clearly applies.		

Reporter's recommendations:

Delete the final sentence of Policy TRANS 4 and insert: -

"The Council will support the principle of expanded park and ride capacity, and related provision for active travel (including secure cycle storage) and convenient feeder bus services, in conjunction with other policies contained within this Plan."

Issue (ref and handling):	Issue 12.8 - Milngavie Station and Parking	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 67 – Policy TRANS 4 – Rail Network and Park and Ride Facilities	
Bodies or Person(s) submitting a representation raising the issue:		
Strathclyde Partnership for Transport (130) Mr J Hooper (199) Mrs R Hooper (200)		
Provision of the development plan to which the issue relates:		
Policy Trans 4 supports an extension of rail infrastructure, and the creation of a new rail halt at Woodilee, Westerhill and Allander including park and ride.		
Council’s summary of the representation(s):		
Strathclyde Partnership for Transport (130) SPT welcome consideration of an expansion to Milngavie station for park and ride facilities being included within local plan 2.		
J and R Hooper (199, 200) Expresses concern regarding the amount of traffic in the Milngavie area, and the amount of parking on side streets close to the train station by commuters.		
Modifications sought by those submitting the representations:		
Strathclyde Partnership for Transport (130) Include the expansion of Milngavie station for park and ride facilities being included within Policy TRANS 4.		
J and R Hooper (199, 200) Amend transport policy to include a proposal for a by pass at Milngavie to alleviate traffic problems within Milngavie town centre.		
Summary of response (including reasons) by planning authority:		
Strathclyde Partnership for Transport (130) The Council notes the concerns regarding the expansion of Milngavie station. The principle of expanding park and ride facilities is already supported through Policy TRANS4, and the existing wording is considered appropriate. This would include Milngavie station and as such it is not necessary to amend TRANS 4. Woodilee, Westerhill and Allander are supported as new rail halts rather than expanded rail halts, which is why they have been specifically identified. The Local Transport Strategy states that “ <i>the Council will consider plans submitted by SPT for improvements to transport interchange in Milngavie and will work with partners to increase parking capacity at Milngavie Station.</i> ” The position on Milngavie Station and surrounding streets is therefore set out in LTS and so no amendments to the draft Local Plan are considered necessary.		

J and R Hooper (199, 200)

It should be noted that Policy TRANS 3 requires developers of the Lower Kilmardinny/Westpark site to contribute towards the A81 Corridor Strategy to mitigate the traffic impacts on the local Milngavie area. However, the construction of a by-pass around Milngavie would not accord with the Council's commitment to reducing the dependence on private car use and so no proposals for a by-pass is currently under consideration. No modification to the Plan would be required.

Reporter's conclusions:

1. It was clear from my site visit that Milngavie station car park is subject to excess demand with cars parked on every available patch of ground. The station has a bus stop adjacent and limited secure provision for cycle parking. The Council's Local Transport Strategy states that it will work with partners to increase parking capacity, promote public transport and plan active travel routes to the station in detail. The position of the station at the northern end of a line that provides a direct rail link to central Glasgow is attractive as a park and ride venue, particularly for residents living in the area to the north. It is a close parallel to the situation at Lenzie that was discussed in the conclusions to Issue 12.7. The change to Policy TRANS 4 suggested in that case is equally applicable.
2. I agree with the Council that there is no strong case for by-passing Milngavie and that this might encourage car use in preference to the use of public transport, contrary to sustainable transport objectives.

Reporter's recommendations:

Delete the final sentence of Policy TRANS 4 and insert: -

"The Council will support the principle of expanded park and ride capacity, and related provision for active travel (including secure cycle storage) and convenient feeder bus services, in conjunction with other policies contained within this Plan."

Issue (ref and handling):	Issue 12.9 - Core Paths and Cycle Routes	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Page 66 - Policy TRANS 2 – Road Design Guidance and Parking Standards Page 67 - Policy TRANS 5 – Core Path Plan	
Bodies or Person(s) submitting a representation raising the issue:		
Bearsden West Community Council (16) Ernest Watt (71) Keppie Design on behalf of AS Homes and Bearsden Golf Club (109) J and L Edwards (119) Strathclyde Partnership for Transport (130) Scottish Natural Heritage (196) Bearsden East Community Council (198)		
Provision of the development plan to which the issue relates:		
Policy Trans 2 seeks to ensure the safety of all users and the efficient use of the network by all modes. Policy Trans 5 supports proposals which protect paths identified in the Core Path Plan or address gaps in the paths network.		
Council's summary of the representation(s):		
Bearsden West Community Council (16) Canal Path is shown on wrong side of Canal Ernest Watt (71) Suggests the relocation of cycle lanes on the Hillfoot to Milngavie road to a safer area, to minimise the chance of road accidents involving cyclists. Keppie Design on behalf of AS Homes and Bearsden Golf Club (109) Object to the line of a Core Path bisecting the golf course, as it affects Castlehill Farm and Bearsden Golf Club, particularly if it affords the route a legal status, similar to a right of way. There would not be an objection to providing a pedestrian link but its precise line would rely on a finalised golf course layout. J and L Edwards (119) The Proposals Map should show a new core path, linking north and north west Milngavie. Strathclyde Partnership for Transport (130) Disappointed to note the loss of a specific policy on walking and cycling networks, especially when Kirkintilloch/Lenzie is a part of the Scottish Government's 'Smarter Choices Smarter Places' programme. There should be a specific policy which protects, maintains or enhances rights of way in and around the East Dunbartonshire area. Suggests that Policy TRANS 5 - Core Path Plan be altered to include the protection and enhancement of active travel networks. Scottish Natural Heritage (196) Recommend Council's Access Strategy is detailed in Chapter 12 - Transport; it is not only a		

framework for the CPP, but also influences other aspects of Transport policy.

Policy TRANS 5 – Core Path Plan should be strengthened. Recommend:- i) amending to express encouragement and support for any Core Path enhancement, ii) commitment in adopted Policy TRANS2 that the Council take the lead in developing the path network, is reinstated here, in line with the Access Strategy.

Bearsden East Community Council (198)

Suggest that the paths across Cluny Park should be designated as Core Paths as they link the existing Canniesburn and Garscube Estate areas.

Modifications sought by those submitting the representations:

Bearsden West Community Council (16)

Amend proposals map to accurately show path.

Ernest Watt (71)

Include a requirement for the relocation of said cycleway in Policy TRANS 2 or relevant section of Transport chapter.

Keppie Design on behalf of AS Homes and Bearsden Golf Club (109)

Modify Core Path route shown on plan, following finalisation of golf course layout

J and L Edwards (119)

Amend Proposals Map to include a new core path from north to north west Milngavie.

Strathclyde Partnership for Transport (130)

Include a specific policy which protects, maintains or enhances rights of way in and around the East Dunbartonshire area. Policy TRANS 5 - Core Path Plan could be altered to include the protection and enhancement of active travel networks as well as core paths.

Scottish Natural Heritage (196)

Modify policy wording to accord with representation.

Bearsden East Community Council (198)

Designate paths across Cluny Park as Core Paths.

Summary of response (including reasons) by planning authority:

Bearsden West Community Council (16)

The Council is agreeable to modifying the proposals map to accurately show the route of the Canalside path.

SUGGESTED CHANGE TO PROPOSALS MAP:

- modify the proposals map to accurately show the route of the Canalside path.

Ernest Watt (71)

The Council is committed to ensuring the safety of cyclists on all cycle lanes, including the Hillfoot to Milngavie road. This is a matter that will be reviewed by the Transport team, and is not an issue that would be addressed through the Local Plan and so no amendment is necessary. It should be noted however that Policy TRANS 2 requires that all new development proposals must ensure that road layout and design ensures the safety of all users and the efficient use of the network by all modes.

Keppie Design on behalf of AS Homes and Bearsden Golf Club (109)

This is an established Core Path route between Garscadden Woods and Castlehill that is shown on the Council's Core Path Plan and, consequently, highlighted in the Proposals Map. The Council can see no need, at this point in time, to modify the route.

J and L Edwards

The designation of Core Paths is not a matter for the Local Plan, and is instead addressed through the East Dunbartonshire Core Paths Plan consultation. It should be noted that Rights of Way are afforded similar protection to Core Paths. The concerns regarding the Baldernock Road to Craigmaddie Reservoir core path are noted. The Council will review this Core Path and ensure that it has been implemented in accordance with the Core Path Plan, however no modification to the Local Plan is required.

SPT

Improvements to active travel networks are referred to on page 66 and also addressed through the Local Transport Strategy in more detail. It should also be noted that Rights of Way are also protected within the Core Paths Plan and so no amendment to Policy TRANS 5 is required.

Scottish Natural Heritage

The Council's Access Strategy has, for the most part been superseded by the Local Transport Strategy, which is clearly referenced in Chapter 12 – Transport. Supporting text in this chapter also makes specific mention of the CPP, which commits the Council to developing and enhancing path networks. It is therefore not considered necessary to modify the LP2.

Bearsden East Community Council

The proposed designation of new Core Paths is addressed through the Council's Core Path Plan and so no modifications to the draft Local Plan are required.

Reporter's conclusions:

1. I note that the Council accept the need to amend the canal path as shown on the Proposals Map.
2. The Proposals Map shows Core Paths, but suggestions for alterations to these are best considered through the separate Core Paths legislation. This will include an opportunity for objections to be considered independently of the local plan procedures.
3. I note that Mr Watt supports the Lower Kilmardinny/Westpark development because he believes that it provides the opportunity for a safe cycleway alongside the railway line. The Hillfoot to Milngavie Road is part of the A81 corridor, where the Council's Local Transport Strategy intends to concentrate on management and modal shift to active travel and public transport to increase capacity. This work, and consideration of detailed proposals for the new development between the road and railway line, are the appropriate places to address the detail of his concerns.
4. However, the imperative of national policy to encourage sustainable forms of transport, with the highest priority for active travel, requires a much stronger policy commitment by the Council within the local plan to review and improve an active travel network, leaving the detail of action programmes to the Local Transport Strategy. This matter has already been considered under Issues 12.1 and 12.3 and the suggested revision of Policy TRANS 5 is appropriate to meet the concerns of Strathclyde Partnership for Transport and Scottish Natural Heritage.

Reporter's recommendations:

1. Correct the location of the canal side path on the Proposals Map.
2. Retitle Policy TRANS 5 as "Active Travel Network", delete text and substitute:-
"The Council will develop proposals defining and enhancing a safe and comprehensive active travel network, incorporating footpaths, cycleways and bridleways throughout urban and rural areas integrated with public transport services and including, where necessary, facilities for secure cycle parking. Support will be given to proposals which protect identified active travel routes, including paths identified in the Core Path Plan and which address gaps in the active travel network."

Issue (ref and handling):	Issue 13.1 - Proposals Map	Reporter: EDWARD HITCHINGS
Development Plan Reference:	Proposals Map	
Bodies or Person(s) submitting a representation raising the issue:		
Bearsden West Community Council (16) Scottish Wildlife Trust (64) J and L Edwards (119) Railfuture Scotland (146) Bearsden East Community Council (198)		
Provision of the development plan to which the issue relates:		
<ul style="list-style-type: none">Proposals Map – Rail Halts (Trans 4)Proposals map base layer		
Council’s summary of the representation(s):		
<p>Bearsden West Community Council (16) Points out proposals map is inaccurate at Canniesburn and the Garscube Estate.</p> <p>Scottish Wildlife Trust (63) <i>Proposals Map:</i> Rather congested and difficult to read, e.g. overlapping shading for LNCS overlaps with an IWC. It would be extremely useful if LNCS’s and SSSI’s were named or referenced on the map itself.</p> <p>J and L Edwards (119) Tannoch Loch/Barloch Moor and Mains Estate have been omitted as Designed Landscapes from the Proposals Map.</p> <p>Railfuture Scotland (146) Notes omission of proposed Woodilee and Westerhill rail halts from area wide Proposals Map. Allander is omitted from the relevant inset map.</p> <p>Bearsden East Community Council (198) Points out that the proposals map is out of date by not including the new ASDA store, the house at Waterboard House, or the new Beatson Building on Garscube Estate. Also shows 2 post offices which no longer exist.</p>		
Modifications sought by those submitting the representations:		
<p>Bearsden West Community Council (16) Amend proposals map to remove inaccuracies.</p> <p>Scottish Wildlife Trust (63) Annotate the proposals map with the names of individual LNCS’s and SSSI’s. Better differentiation on the proposals map.</p>		

J and L Edwards (119)

Include Tannoch Loch/Barloch Moor and Mains Estate as Designed Landscapes on the Proposals Map.

Railfuture Scotland (146)

Correct proposals map to show Allander, Woodilee and Westerhill rail halts on all parts of the map (general and inset).

Bearsden East Community Council (198)

Amend proposals map to incorporate the buildings referred to, and to delete those that no longer exist.

Summary of response (including reasons) by planning authority:**Bearsden West Community Council (16)**

The Council notes these issues but would point out that the Proposals Map is created using the relevant Ordnance Survey base layer. Therefore the individual buildings illustrated on the Plan are not drawn up by the Council. The most up to date base layer available will be used for the Proposals Map.

Scottish Wildlife Trust (63)

The Council considered annotating the proposals map with various place names, including LNCS's, Conservation Areas, Antonine Wall, etc. However it was concluded too much lettering would reduce clarity, and annotation was therefore confined to shading, hatching, stippling, point/line symbols and limited annotation with policy numbers. The two LNR's were highlighted to distinguish these statutorily designated sites from other areas of open space and green space. The Council remains of the view the hatching used for the LNCS's, including IWC's is reasonably clear.

J and L Edwards (119)

It is acknowledged that there is inconsistency between the designation of Tannoch Loch/Barloch Moor and Mains Estate as Historic Gardens and Designed Landscapes in Appendix 2 and the Proposals Map. The Proposals Map can be reviewed to ensure consistency prior to adoption.

Railfuture Scotland (146)

For graphical illustration and practical reasons, it is usual practice to represent development proposals on **either** the general area wide map or on the relevant inset map, but not both. This is the case for all designations, including the proposed rail halts as referred to. The preferred site for a rail halt at Woodilee is located within the boundaries of the Kirkintilloch inset map and so is shown here. The preferred locations for halts at Westerhill and Allander are located outwith the inset map boundaries for Bishopbriggs and Bearsden respectively and as such are shown on the area wide map. Therefore, no modification to the Proposals Map is necessary.

Bearsden East Community Council (198)

The Council notes these issues but would point out that the Proposals Map is created using the relevant Ordnance Survey base layer. Therefore the individual buildings illustrated on the Plan are not drawn up by the Council. The most up to date base layer available will be used for the Proposals Map.

SUGGESTED CHANGE TO THE PROPOSALS MAP:

- Include Tannoch Loch/Barloch Moor and Mains Estate as Historic Gardens and Designed Landscapes.

Reporter's conclusions:

1. Regarding the comments of Bearsden East and West Community Councils, the Ordnance Survey published plan, forming the background to the Proposals Map, is distinct from the proposals that are superimposed on it. The Council's assurance that in the final publication it will use the most up-to-date base plan is welcome. This may assist in clarifying locations, but has no implications for the policies and proposals of the plan.
2. I can see the merit in cross-referencing the names of the SSSIs and Local Nature Conservation Sites (LNCS) between the Proposals Map and Appendix 3. However, I believe that this would be outweighed by the Proposals Map becoming unduly cluttered, particularly where there are a number of different designations in close proximity. I consider the diagonal hatching of LNCS and Important Wildlife Corridors is reasonably clear, with, in effect, cross hatching where there is overlap between them.
3. I agree that Tannoch Loch/Barloch Moor and Mains Estate, included in the Appendix 2 list of Historic Gardens and Designated Landscapes, should be shown as such on the Proposals Map.
4. The proposed rail halts at Woodilee, Allander and Westerhill are all shown on either the main Proposals Map or one of its insets. It is normal practice not to duplicate information between the main map and insets.

Reporter's recommendations:

Amend the Proposals Map to show Tannoch Loch/Barloch Moor and Mains Estate as designated landscapes.

Issue (ref and handling):	Issue 14.1 - Guidance Notes	Reporter: MALCOLM MAHONY
Development Plan Reference:	Page 7 - Context and Strategic Direction chapter Page 18 - Policy HMU 1 – Development Opportunities for Housing and Mixed Uses Page 33 - Policy OS 2 – Provision of Open Space in New Developments	
Bodies or Person(s) submitting a representation raising the issue:		
Homes for Scotland (137)		
Provision of the development plan to which the issue relates:		
<p>The Context and Strategic Direction text (Page 7) states that more detailed planning guidance will be set out in subsequent Guidance Notes and, noting that these will include Guidance Notes on seven specified topics.</p> <p>Policy HMU 1 – Development Opportunities for Housing and Mixed Uses states that Guidance Notes will be developed by the Council on the principles to be taken into account in determining how the requirement for a percentage of affordable housing on market development will be delivered.</p> <p>Supporting text on Page 33 states that the East Dunbartonshire Greenspace Strategy 2005-2010 is currently being updated and will be used to inform Guidance Notes relating to open space standards and developer contributions. Policy OS 2 – Provision of Open Space in New Developments states that Guidance Notes will be prepared, setting out community specific requirements for the appropriate level of open space in, or associated with, new developments and the level of developer contributions to meeting any shortfall in the quantity or quality of greenspace. This will be based on the Council's Open Space Audit and Strategy and detailed site assessments.</p>		
Council's summary of the representation(s):		
<p>The Plan should not list topics for later Supplementary Planning Guidance which will have impacts on design, layout, costs and viability.</p> <p>Developers require certainty at an early stage to establish the value of development sites, and the basis of contracts and missives with landowners. Continuing uncertainty over planning requirements beyond Plan adoption impacts on the ability of landowners and developers to conclude negotiations. Little new land is allocated through the LP2 – this means that many allocated sites are already under option or missive, and introducing a range of new planning requirements jeopardises deals already done and assumptions already made on costs, layouts and viability.</p> <p>Local Plan Inquiries have established that Reporters consider that developers are entitled to as much certainty as possible within the Plan on the requirements that will be expected to be met on allocated development sites.</p> <p>Under the Planning etc (Scotland) Act 2006 and associated Regulations, Supplementary Planning Guidance becomes a part of the development plan, but it is then expected that SPG is prepared alongside the development plan. While this is a new procedure related to Plans under the new Act, this simply formalises best practice.</p> <p>Draft Supplementary Guidance on the operation of the Policy HMU 1 requirement for a percentage of affordable housing on market housing developments should be available to inform the Public Local Inquiry.</p>		

The advice in SPP11, published in November 2007, on conducting open space audits, preparing a greenspace strategy and incorporating the results into the development plan, has been available to the Council for a considerable period of time. It is not sufficient, therefore, to state that the Council's 2005 Audit remains the basis of the Plan while an updated audit and strategy is in preparation. The whole thrust of SPP11 is that the audit and strategy informs the development plan. In this way clarity and certainty is again offered to developers, in respect of open space and greenspace assets which are to be protected, assets which are available for redevelopment, and standards of provision which may be applied to new development. This lack of substance in the text, Policies OS1 and OS2 and the Proposals Map is a constraint on developers and landowners being able to appraise sites and formulate viable proposals.

The Local Plan should not proceed to Public Local Inquiry until draft supplementary planning guidance is available, in order that its impacts on sites and policies can be assessed.

Modifications sought by those submitting the representations:

Include draft Guidance Notes within the Plan.

Summary of response (including reasons) by planning authority:

It is not a statutory requirement that Supplementary Guidance be prepared and adopted alongside the development plan. This position is explicitly confirmed by Circular 01/2009 Development Planning which states that *"supplementary guidance may be prepared and adopted alongside the SDP or LDP, or subsequently."* (Paragraph 98)

Notwithstanding this, it is currently the Council's intention to prepare, and undertake wide consultation on, the full suite of draft Guidance Notes in order that they may be adopted at the same time as the Local Plan 2.

The adopted Local Plan and accompanying suite of adopted Guidance Notes together provide the certainty required by developers ahead of adoption of the Local Plan 2 and new Guidance Notes.

While work to prepare a new greenspace strategy has commenced, the East Dunbartonshire Greenspace Strategy 2005-2010 remains current and therefore it is appropriate that this document has informed preparation of the Local Plan 2.

National planning policy explicitly supports the approach of identifying open space requirements in supplementary guidance. In this regard, SPP states that *"Local development plans or supplementary guidance should set out specific requirements for the provision of open space as part of any new development and make clear how much, of what type and quality and what the accessibility requirements are."* (Paragraph 154)

No change is necessary in respect of this issue.

Reporter's conclusions:

1. This local plan is proceeding under transitional arrangements. It does not constitute a local development plan under the new procedures (brought in by the 2006 Act) and, as such, section 22 of the Town and Country Planning (Scotland) Act 1997, as amended, regarding Supplementary Guidance, does not apply. There is therefore no requirement for the Guidance Notes proposed by East Dunbartonshire Council to follow the statutory procedures for Supplementary Guidance set out in the Act and in the associated regulations.

2. The proposed Guidance Notes will therefore be non-statutory, and the weight afforded

to them will relate to how closely they derive from the plan and the extent to which they have been the subject of consultation.

3. There is no requirement for the council to issue the Guidance Notes in draft with or alongside the local plan and before examination of the plan as Homes for Scotland wishes. However, PAN74: Affordable Housing states that *"It is important that developers have an early indication of the requirement for affordable housing, and other requirements for which a financial contribution is expected, so that the cost implications can be fully estimated at the time of site purchase."*

4. In that respect, policy HMU 1 of the plan gives only basic details of the council's approach to an affordable housing requirement on new housing developments. Consequently, in the interests of clarity and certainty, it becomes more important that the proposed Guidance Notes are issued soon, and that they are subject to consultation with stakeholders before adoption by the local authority, as advised in PAN74. I note that the council's stated intention is to prepare, and undertake wide consultation on, the full suite of draft Guidance Notes in order that they may be adopted at the same time as the Local Plan 2. That would provide the clarity and certainty which Homes for Scotland seek.

5. Homes for Scotland point out that problems may arise with the viability of sites where land deals have been undertaken prior to the new policy and proposed guidance. However, PAN74 advises that there may be instances where an affordable housing requirement should be reduced to avoid a site becoming unviable. There would therefore seem to be scope, in appropriate cases, for a developer to demonstrate such circumstances during negotiations over developer contributions.

6. In addition to affordable housing, the plan states that the Guidance Notes will be issued on topics including design, construction, archaeology, transport and parking, sustainable development, natural environment and open space.

7. With regard to open space standards, Local Plan 2 has been informed by the East Dunbartonshire Greenspace Strategy 2005-2010, whose stated currency expires in the first year of the intended life of Local Plan 2 (2010-2015). The supporting text explains that the Guidance Note on open space standards and developer contributions in new developments is to be informed by an updated version of that strategy together with the council's latest Local Biodiversity Action Plan. Therefore, in drafting this Guidance Note, the council needs to avoid potential discrepancies with plan policy and proposals based on the earlier strategy.

8. The reference to basing the Guidance Notes on "current" Open Space Audit and Strategy appears to be in error.

9. As with affordable housing, prospective developers require clarity and certainty. It is therefore important that the council carries out its intentions for preparation, consultation and adoption of its Guidance Notes timeously.

Reporter's recommendations:

1. The council should prepare and undertake wide consultation on the full suite of its proposed draft Guidance Notes in order that they may be adopted as non-statutory guidance at the same time as Local Plan 2 or as soon as possible thereafter, giving priority to the issues of affordable housing and open space.

2. The reference to "current Open Space Audit and Strategy" should be checked and corrected, as necessary.

Issue (ref and handling):	Issue 14.2 - Layout of Document	Reporter: MALCOLM MAHONY
Development Plan Reference:	Whole Document	
Bodies or Person(s) submitting a representation raising the issue:		
J and L Edwards (119)		
Provision of the development plan to which the issue relates:		
Layout of Document		
Council's summary of the representation(s):		
The font is too difficult to read.		
Modifications sought by those submitting the representations:		
Amend font size and colour to that of adopted Plan.		
Summary of response (including reasons) by planning authority:		
The Council notes these concerns and will review the font and print colours prior to final formatting and publication of the adopted plan.		
Reporter's conclusions:		
Public documents should be easy for everyone to read, including those with poorer vision. The council's willingness to review the font and print colours is therefore to be welcomed.		
Reporter's recommendations:		
The council should seek to improve the legibility of the plan written statement.		

Issue (ref and handling):	Issue 14.3 - Mis-spellings	Reporter: MALCOLM MAHONY
Development Plan Reference:	Page 69 - Appendix 1 - Townscape Protection Areas	
Bodies or Person(s) submitting a representation raising the issue:		
Milngavie Community Council (131)		
Provision of the development plan to which the issue relates:		
List of Townscape Protection Areas		
Council's summary of the representation(s):		
Page 69 Milngavie — misspelling of Iddesleigh (e not i).		
Modifications sought by those submitting the representations:		
Correct the spelling of Iddesleigh P.69.		
Summary of response (including reasons) by planning authority:		
SUGGESTED CHANGE TO APPENDIX 1, PAGE 69 <ul style="list-style-type: none">The Council acknowledges that Iddesleigh has been spelt incorrectly on Page 69 and should be amended accordingly.		
Reporter's conclusions:		
The mis-spelling of Iddesleigh on page 69 of the plan should be corrected.		
Reporter's recommendations:		
The spelling of Iddesleigh should be amended.		

Issue (ref and handling):	Issue 14.4 - Strategic Environmental Assessment (SEA)	Reporter: MALCOLM MAHONY
Development Plan Reference:	Page 31 - Community and Leisure Facilities – Local Plan Proposals Page 51 - Policy HE4 – Scheduled Monuments, and other Archaeological Sites and Monuments Site selection process & SEA	
Bodies or Person(s) submitting a representation raising the issue:		
<p>Historic Scotland (Historic Scotland’s was part of Historic Scotland’s statutory response as a Strategic Environmental Assessment (SEA) Consultation Authority, regarding the Environmental Report Stage 2, and therefore was not given a representation number.)</p> <p>Keppie Planning on behalf of Gleniffer Developments Ltd. (89)</p> <p>Keppie Planning on behalf of Taylor Wimpey (UK) Ltd. (98)</p> <p>Keppie Planning on behalf of AS Homes & Bearsden Golf Club. (109)</p> <p>Keppie Planning on behalf of Industrial & Commercial Holdings Ltd. (210)</p> <p>Keppie Planning on behalf of Bellway Homes Scotland Ltd. (211)</p>		
Provision of the development plan to which the issue relates:		
<p>East Dunbartonshire Local Plan 2 has been subject to Strategic Environmental Assessment (SEA). This is a legislative requirement enforced through the Environmental Assessment (Scotland) Act 2005.</p>		
Council’s summary of the representation(s):		
<p>Historic Scotland</p> <p>The Forth & Clyde Canal local plan proposal in the Community and Leisure Facilities chapter encourages development along the canal which is a scheduled monument. Given that the statement requires proposals to be compliant with policy DQ 1 above other Local Plan policies it is Historic Scotland’s belief that the proposal requires environmental assessment. Should the proposal state that the assessment of applications would be made against all Local Plan policies it would not require assessment.</p> <p>The HE 4 policy within the Finalised Draft Local Plan 2 does not correspond with the policy in the Environmental Report Stage 2. Historic Scotland agree with the Council that the assessed policy is likely to have a positive effect on the historic environment however the policy as worded in the draft plan could potentially result in negative effects. This is because the policy seeks to preserve in situ only undesignated archaeological resources that are shown on the Proposals Map. This will mean that undesignated archaeological resources not identified on the map or those discovered during the life of the plan will not be included in the scope of the policy.</p> <p>Keppie Planning on behalf of Gleniffer Developments Ltd. (89)</p> <p>The representation objects to the SEA process carried out on the Local Plan 2 and believe that only pre-selected sites were assessed and contained within the Local Plan 2 and as a result of this it has not tested any alternatives put forward at both the Main Issues and Draft Plan stages.</p> <p>In addition, the representation states that no note of the Council’s assessment of the representation site against policy options detailed in the Key Policy Directions Report of the Draft Plan has ever been given, and as such they seek clarification on how the Council</p>		

specifically reached the conclusion that the site should not be released for housing.

Keppie Planning on behalf of Taylor Wimpey (UK) Ltd. (98)

The representation objects to the SEA process carried out on the Local Plan 2 and believe that only pre-selected sites were assessed and contained within the Local Plan 2 and as a result of this it has not tested any alternative options.

In addition, the representation states that it is clear that no green belt sites were reviewed as part of the assessment process.

Keppie Planning on behalf of AS Homes & Bearsden Golf Club (109)

The representation objects to the SEA process carried out on the Local Plan 2 and believes that only pre-selected sites were assessed and contained within the Local Plan 2 and as a result of this it has not tested any alternatives put forward at both the Main Issues and Draft Plan stages.

Keppie Planning on behalf of Industrial & Commercial Holdings Ltd. (210)

The representation objects to the SEA process carried out on the Local Plan 2 and believe that only pre-selected sites were assessed and contained within the Local Plan 2 and as a result of this it has not tested any alternatives put forward at both the Main Issues and Draft Plan stages.

In addition, the representation states that no note of the Council's assessment of the representation site against policy options detailed in the Key Policy Directions Report of the Draft Plan has ever been given, and as such they seek clarification on how the Council specifically reached the conclusion that the site should not be released for housing.

Keppie Planning on behalf of Bellway Homes Scotland Ltd. (211)

The representation states that:

"It is clear from the suite of Local Plan documents that the Environmental Report and associated SEA process has only assessed the pre-selected sites contained within the Local Plan, and has not tested any alternative strategies or alternative sites promoted through the KPDR stage of the Local Plan review. As such, it is unclear as to how the Council reached the conclusion that the affordable housing sites promoted at Redmoss Farm should not be released. Indeed, it is clear that the Council have misunderstood the representations that were made to the previous KPDR stage of the review. "

Modifications sought by those submitting the representations:

Historic Scotland

The Consultation Authority believes that the Forth & Clyde Canal Local Plan proposal has not been subject to the appropriate level of environmental assessment. If the proposal is reworded to incorporate a wider range of Local Plan policies in which to assess all applications involving the Forth & Clyde Canal then the Consultation Authority will be satisfied that the Local Plan proposal will not require further environmental assessment.

The Consultation Authority believe that the proposal should state that:

"This Plan replaces the Forth & Clyde Canal Local Plan. The Canal is recognised as a key leisure, heritage, tourist and economic development asset. Developments which realise the value of this asset will be encouraged and although no sites are specifically identified for canal related developments, any proposal will be assessed against all Local Plan policies."

The policies within the draft plan should correspond with those assessed within the Environmental Report Stage 2. If the Council is to remain with the policy as it is in the

Finalised Draft Local Plan 2 then the policy will need to be re-assessed for its potential significant environmental effects. Alternatively, if the Policy within the Finalised Draft Local Plan 2 was altered to match that of the Environmental Report Stage 2, which has already been assessed, then no further action with regards to the Strategic Environmental Assessment (SEA) process will be required.

Keppie Planning on behalf of Gleniffer Developments Ltd. (89)

Realign the greenbelt boundary to include land at Hunter Road in the settlement, and allocate for residential development.

Keppie Planning on behalf of Taylor Wimpey (UK) Ltd. (98)

Realign the greenbelt boundary to include land at Westerhill Farm within the settlement boundary, allocate for residential development to facilitate the delivery of the Bishopbriggs Relief Road.

Keppie Planning on behalf of AS Homes & Bearsden Golf Club (109)

Realign the greenbelt boundary to include land at Bearden Golf Club in the settlement, and allocate land for residential development to facilitate the extension and improvements to the Golf Course.

Keppie Planning on behalf of Industrial & Commercial Holdings Ltd. (210)

Realign the greenbelt boundary to include land at the Dougalston Estate, south-east of Milngavie, in the settlement, and allocate for residential development.

Keppie Planning on behalf of Bellway Homes Scotland Ltd. (211)

Realign the greenbelt boundary to include land at Redmoss Farm in the settlement, and allocate exclusively for affordable housing. Retain balance of the site in the green belt and promote as a Local Nature Reserve.

Summary of response (including reasons) by planning authority:

Historic Scotland

In order to protect the Forth & Clyde Canal (Scheduled Monument) the Council is in agreement with the Consultation Authority that any and all applications involving the Canal will be subject to assessment against the policies set out in the Local Plan 2. In order to satisfy the Consultation Authority and reduce the need for further environment assessment, an amendment to the wording of the proposal is suggested.

SUGGESTED CHANGE TO TEXT ON PAGE 31:

- amend the Forth and Clyde Canal text to read:
-

*"This Plan replaces the Forth & Clyde Canal Local Plan. The Canal, **which is a Scheduled Monument**, is recognised as a key leisure, heritage, tourist and economic development asset. Developments which realise the value of this asset will be encouraged and although no sites are specifically identified for canal related developments, any proposals will be assessed against **all relevant Local Plan 2 policies including the criteria set out in Policy DQ 1 – Assessing Proposed Uses.**"*

The Council is in agreement with the Consultation Authority that the policies within the draft plan should match the policies assessed within the Environmental Report Stage 2. As a result of this, the wording of policy HE 4 within the draft plan should be altered.

SUGGESTED CHANGES TO POLICY HE 4:

- amend the HE 4 Policy by removing the line: *“There will be a presumption in favour of preserving in situ all other significant archaeological resources as shown on the Proposals Map.”* and replace it with: *“All other significant archaeological resources shall be preserved in situ wherever feasible.”*

89, 98, 109, 210, 211 Regarding the SEA process, only reasonable alternatives were brought forward and assessed from the options and proposals received during the consultation periods for both the Main Issues Report and Key Policy Directions Report, in order to establish their significant environmental effects. These reasonable alternatives were then assessed through the SEA process as site-specific options and integrated into the Finalised Draft Local Plan 2 and Proposals Map.

All options and proposals from the Main Issues and Key Policy Directions stages were reviewed by the Council in order to identify the reasonable alternatives. The results of the review were approved by the EDC Development & Environment Committee (Detailed tables and minutes available on request). Each alternative was reviewed on individual merits and considered against specific criteria. If any of the proposals were found to be contrary to these set criteria, then those sites were essentially scoped out and not considered as a reasonable alternative for the Finalised Draft Local Plan 2 and as a result were not subject to the SEA process. The criteria used by the Council are expanded below.

Green Belt

The East Dunbartonshire Green Belt is an integral part of the Glasgow and the Clyde Valley (GCV) Green Belt. The GCV Joint Structure Plan 2006 requires the continued designation and safeguarding of the GCV green belt as a key policy in support of the Metropolitan Development Strategy (MDS). Local Plans shall define detailed boundaries and policies (p20).

The Structure Plan does not identify any strategic development locations in East Dunbartonshire (p.20) and also notes re-use of urban brownfield land as pivotal to urban regeneration and a sustainable development strategy (p. 9). It further states re-use of previously developed land and the development of low density, low impact housing within the green belt would undermine the objectives of promoting urban regeneration and controlling sporadic development (p30). Further inter-related Joint Structure Plan objectives for the green belt are listed in Local Plan 2.

Green belt boundaries thus accord in full with the MDS, both in terms of housing land supply but also with regard to the wider aims and objectives of the Structure Plan, for example promoting urban regeneration and controlling sporadic development, and the other inter-related objectives for the GCV green belt.

In order to adhere to the Scottish Planning Policy (SPP) on Green Belts, the Council carried out the Green Belt Boundary Review in 2007/2008 (Technical Note No. 1). The review consisted of a detailed settlement by settlement survey of the inner edge of the green belt, in order to properly verify the continuing integrity of the inner boundary shown on the adopted Local Plan (2005). This Review is referred to in LP2 (p32). The Review also assessed the integrity of village envelope boundaries. The Review found the inner edge of the green belt was strongly defined by appropriate man made and natural features. Physical and topographical features also constrained the urban area. Woodlands, well managed agricultural land and recreational land, e.g. sports pitches and golf courses, augmented by natural heritage designations such as Local Nature Conservation Sites and Tree Preservation Orders, enhance the landscape setting of each settlement.

During the survey work carried out as part of the Green Belt Boundary Review (Technical Note No. 2) there was no justifiable reasoning for alterations to the green belt identified in and around the areas of the proposal sites in question:

- Hunter Road, Milngavie (3)
- Wester Lumloch, East Bishopbriggs (4)
- Dougalston Estate, Milngavie (5)
- Castlehill Wedge, Bearsden (6)
- Redmoss Farm, Milton of Campsie (7)

Housing Land Supply

Technical Note No. 1 – Housing Land Supply provides a consolidated overview of the policy background and data analysis relating to the allocation of land in the Local Plan 2 for market and affordable housing.

In regard to market housing, Policy HMU 1 identifies 39 sites within East Dunbartonshire for housing and mixed uses. The identified sites, when considered together with the 5-year effective land supply, meet the requirement of SPP for *“a supply of effective land for at least 5 years...[to]...be maintained at all times to ensure a continuing generous supply of land for house building”* (Paragraph 75). In this regard:

- Schedule 6(b)(ii) of the approved Glasgow and Clyde Valley Joint Structure Plan 2006 identifies that within East Dunbartonshire there is no requirement for additional effective housing land supply for private housing in the period 2004-2018;
- the 2009 HLA identifies an effective land supply of 1,229 private housing units for the 5 year period from the anticipated adoption of the Local Plan 2 in April 2011;
- the five most recent HLAs have shown that the 5-year mean of private housing completions has been 166 units per annum – thus the identified sites and 5-year effective land supply together provide a generous supply at current completion rates.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 1,698 private housing units from 2011/12 onwards, a proportion of which could come forward earlier to contribute to the effective land supply should the economic situation improve and demand for new housing increase.

The 5-year effective land supply, together with the additional sites identified by Policy HMU 1 which are not yet counted in the effective land supply, provide a range and choice of sites in each of the housing sub-market areas of which East Dunbartonshire is a part, while the wider SMAs provide further range and choice of sites.

In regard to affordable housing, Policy HMU 1 identifies 21 sites specifically for affordable housing opportunities and states that the Council will seek to achieve a target percentage of affordable housing on market housing developments – the benchmark figure is that each site should contribute 25% affordable housing units for developments of 10 units or more.

A range and choice of affordable housing sites in each of the SMAs of which East Dunbartonshire is a part will be provided by:

- the 5-year effective land supply for Housing Association / public housing units – which the 2009 HLA identifies as 127 Housing Association / public housing units for the 5-year period from the anticipated adoption of the Local Plan 2 in April 2011; together with,
- the additional sites identified by Policy HMU 1 which are not currently counted in the effective land supply; and,
- the percentage of affordable housing required on market housing developments.

Furthermore, the 2009 HLA identifies an established, but not currently effective, land supply of 88 Housing Association / public housing units from 2011/12 onwards. In addition, the wider SMAs provide an element of further range and choice of sites – consistent with SPP (Paragraph 86) which states that the need for affordable housing should be met, where possible, within the housing market area where it has arisen.

It is acknowledged that this range and choice of sites will not meet the identified need in full.

However, SPP (Paragraph 87) states that *“policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”*. In this regard, the SHIP (November 2009) states that indicative Housing Association Grant resource assumption provided by the Scottish Government is significantly lower than the investment needed to develop out all known housing sites and will fund the development of 551 affordable housing units over a 5 year period (Section 6.1, Page 13 and Annex 8a). The future land supply is therefore reasonably matched to the number of affordable housing units that can be realistically funded as identified in the SHIP.

Furthermore, in increasing the supply of affordable housing, the LP2 attempts to strike a balance between the needs of the community for affordable houses and other community requirements. These other requirements include requirements from market housing developments (such as transport improvements) and a strongly expressed demand to sustain a high quality environment by protecting the green belt and retaining open areas within urban settings. The scale of the identified need is almost certainly such that a substantial amount of land for new build housing would be needed to resolve it entirely, and there is not enough space inside the existing urban boundary. In this regard, it is clear that the implications for the release of greenfield (largely green belt) would be very considerable if either:

- the balance of need were to be met by the percentage of affordable housing on market housing developments, then for every one affordable house to be constructed, at least three additional market houses would be required to be built; or,
- the balance of need were to be met by the identification of more sites for affordable housing opportunities

No change to the LP2 is necessary in this respect.

Conclusion

On the above grounds, the Council remains of the view that the proposal sites listed above are not reasonable alternatives and will remain excluded from the SEA.

Reporter’s conclusions:

1. The remit of this examination is confined to issues raised in unresolved representations to the proposed local plan. I am not therefore able to consider representations made in respect of the Environmental Report. Of the 2 representations by Historic Scotland listed under this issue, one, relating to the Forth and Clyde Canal is repeated in relation to the Local Plan 2 and is considered under issue 9.1: Historic Environment. The other, relating to archaeological resources, has only been made in respect of the Environmental Report and therefore cannot be considered.

2. The representations from Keppie Planning on behalf of 5 developers relate to sites which are considered in this examination under issues 7.1 (representation 109), 7.2 (representation 98), 7.5 (representations 89 and 210), and 7.6 (representation 211). In essence, it is argued that these were sites which EDC ruled out at an early stage in preparation of the local plan without adequate explanation or justification, and that they were therefore not the subject of Strategic Environmental Assessment.

3. This examination is concerned with the planning merits of the sites in question rather than the process of site selection per se. Those planning merits are assessed under each of the chapter 7 issues listed above. It should be noted that the reporters' assessments led them to require Strategic Environmental Assessments of several of the sites put forward by developers or landowners on the basis that those sites were potentially reasonable alternatives. One of the sites promoted by Keppie Planning (representation 211: Redmoss Farm, Milton of Campsie) was among those sites.

Reporter's recommendations:

There should be no amendment to the local plan.