

PLANNING OBJECTIONS with reference to;

Policy Response Number 1 dated 14/5/26 issued by EDC Planning Services in respect of above application for construction of new school for Lenzie Academy at Whitegates Park Kirkintilloch. (Ref TP/ED/26/0104)

Based on Impacts and Designations re LDP 2 & LPF4 including Supplementary Guidance as referred to in EDC planning statement.

POLICY 1 Development Strategy. Item A The applicant states that the building superstructure and certain services will incorporate Passivhaus Design Standards and to LEIP net zero public sector building standards in the promotion of a low carbon economy, with improved air quality which will ensure a sustainable development as required under Policy 1.

This objection suggests that this major school development located on this particular site is seriously flawed in respect of this key policy and for the following reasons/evidence.

1 The exorbitant remedial costs. ( total indicative costs currently sit at £138 million - Nov 2025 which will inevitably continue to rise as design work continues.) In particular essential site remedial works at Whitegates Park are still under review as engineers and contractors attempt to finalise a secure design prior to more detailed design work, and production information being produced for cost updates and prior to the commencement of site work. With site testing/results still being analysed this is an extremely high risk development strategy especially prior to the approval of the planning application. A development strategy identifying such crippling construction costs plus design fees at pre planning approval is a suspect approach in terms of project sustainable under Policy 1.

The applicant will be aware that the specific details for the 'unviable for development' recommendation previously issued by EDC consultant has been extensively investigated and commented on by independent local engineers, architects, geotechnical, drainage, structural consultants and contractors as well as various informed local residents groups including Whitegates Park Community Group (WGPCG). Extensive and detailed responses were recorded prior to the planning application being submitted at consultation stage, and immediately after the validation date of 24 Feb 2026. ( The main responses identified why the site was not viable for development being heavy contamination levels with a 3m/4m underlying layer of waterlogged peat and various culverts and water courses. Constructing a major 4/5 storey school building for 1400 pupils and staff, on any such site is extremely challenging engineering wise, high risk and with crippling remedial and on-going costs and with threats to project budgets and an extended construction period. These specific concerns require to be carefully addressed against the policy criteria for a successful sustainable development on this site

The continuing question requiring clarification concerns the Mason Evens geotechnical site investigations for the adjoining ASN school at Waterside. This report concluded that under a detailed site option study process, a non-viable for development verdict eliminated Whitegates Park due to unstable ground and heavy industrial contamination. The applicant is requested to address this critical issue in relationship to the subsequent decision to proceed with detailed design appointments for the location of the new Lenzie Academy on Whitegates Park, and to ensuring that a sustainable development is achieved under Policy 1 requirements.

2 The applicant also confirms that the proposals comprise LEIP and net zero public sector building standards. This is a difficult statement to accept as a key LEIP requirement has not been followed namely the importance of a critical initial site selection process essential to rule out sites attracting abnormal development costs.

LEIP funding conditions state that "Councils should be at critical site selection feasibility stage, avoid sites where costly abnormal site remedial measures are required to avoid restrictions and delays in base funding and payments over the 25 year management/maintenance schedule." Questions remain as to how design work was allowed to proceed by executive officers in the knowledge that a basic non-compliant LEIP requirement appears to have been ignored.

In terms of Policy 1 Development Strategy, this was a major restriction early on in the procurement programme, which compromised the stated requirement of providing a sustainable development on a site boarding on being impossible to develop within sensible cost parameters, over far more sensible options, for far less cost and within a faster timescale. Can this specific issue be addressed by the applicant ?

3 Under Policy 1, the applicant also refers to Policy 9 - Climate change, Sustainability and energy infrastructure.

Reference is also made to green networks, reducing flood risks, habitat connectivity, and carbon emissions from tree felling etc.

In terms of sustainability and carbon emission there is a distinct lack of detail and inconsistencies in the applicants submission.

The enormous extent of the site preparation works, incorporating contamination issues, soil management programmes, access road work, structural platforms, extensive piling, services diversions, drainage issues and specialist substructure constructions, appears to have been ignored or at best are still under investigation despite the application submission in February 2026.

Due to the complexities of these items, their obvious consequences, and the scale of the building, the environmental effect will be horrendous for the local residents over a considerable construction timeframe as well as neutralising the ability to comply with sustainability and carbon reduction as required under this policy.

The extent of this disruption has been highlighted in various objections already submitted to EDC,

( eg. approximately 175 cubic m of crushed stone will be required across the site for construction stability purposed, delivered by 30 HGV /day or 1700 delivers over this period of the ground works. HGV traffic and construction plant will be intense with noise and air quality degraded for residents.) Can the applicant please confirm how the issues raised in the roads/traffic consultee response dated 29/5/2026 are to be accommodated.

As whitegates Park is essentially land locked all construction and future vehicular access will require the construction of a new "commercial standard" access from the Initiative Road Town by-pass. How is this to be designed re consultee response dated 29/5/2026?

This will involve additional tree felling and the removal of the existing bund formed from excavated material along the line of the new road. As this material will be contaminated a soils management exercise will be required. In addition it is highly likely that the unstable

peat sub soil layering will require to be secured with a hardcore fill across the access area to facilitate specialist piling to be installed to approximately 10m deep. Services diversions ( 300mm water main) will require to be carried out as well as works associated with the various below ground watercourses and culverts.

There will therefore be considerable disruption to traffic throughout the construction period and beyond as this town by-pass is extremely busy with a speed limit of 30mph and traffic lights at the Woodhead village junction. The traffic/transport consultee has requested more information on the applicants design for this issue and especially at peak travel times

The scale of the environmental negatives are so substantial that creating a sustainable development on this site under Policy 1 development strategy, cannot be adequately addressed and to comply with Policy 9.

The proposed loss of 98 of the 139 surveyed trees ( TPO served) to facilitate the design on this site is a major issue under Policy 17 and has not been addressed in the 17 page supporting document published on 11 March (PL 70 Arboricultural Impact Assessment V2). No soil structure or profile under this policy (Natural Environment) has been detailed. Specific requirements (8no) regarding RDA infringements, ground levels, rooting areas, surface changes and alterations of soil construction re RPA 4.2.2 have not been addressed. This significant tree loss is evidence of the complete incompatibility of this site in terms of the above policies.

The applicant has confirmed that a combination of off -site and on-site planting will be required to equate to the necessary net benefit arboriculturally. This must be considered in respect of the Myrtle Ave mitigation Application ( not yet submitted)under NPF4 Policy 6 re industry standard BS 5837:2012. Trees in relationship to design and construction amendments to baseline requirements must be recorded). The applicant is requested to advise how their proposals are to be carried out to satisfy policy requirements.

Policy 1 Development Strategy. Item B

Whitegates Park is not classified as brownfield land but as a large protected green open space the only such space in Lenzie. Under LDP2 policy a major school building on this site does not comply with Council policy. A clear and straightforward policy requirement seemingly ignored by the applicant.

Policy 1 Development Strategy. Item C. ( with reference to policy 10)

The applicant has stated that Architecture and Design Scotland has provided input to the design process. There appears to be no detail as to what this input contributed to the design process, apart from a reference to further comments under Policy 10 which sets out 'design and placemaking' requirements with reference to "Green Infrastructure being a key part of any development" and a ref note from ADS on the design process (SES).

The applicants proposal appears to be severely flawed when assessed against the requirements of the policy and therefore attracts a major material objection to the four reasons set out by the applicant. A clarification on this matter would be appreciated.

1. The WATER. MANAGEMENT proposal is unworkable and is already the subject of a holding objection by SEPA. Requested additional information from the consultant has

not yet been received. EDC planning requires to clarify this consultee's response to determine how this critical material objection can be determined.

2. The solution put forward is that the proposed ACCESS NETWORKS will provide a sustainable travel regime. This is considered to be an inaccurate and unconvincing statement with no detailed information provided. The opposite is clearly the case due to such a major development and the impact of 1400 pupil and associated staff and service movements on a constant basis every day and in a quiet residential area does not suggest that a sustainable travel pattern is possible.
3. The applicant has suggested that habitat enhancement will be achieved with no loss of biodiversity and with the benefit of increased conservation aspects. This proposal is seriously misleading when considered against the total destruction of the policy protected, last large green space in Lenzie. The sheer scale of the construction required to safely mitigate the abnormal contamination and unstable ground conditions on this site contravenes a range of LDP2 policy requirements eg Policy 4/5, Policy 4CF, Policy 7,8,10 Policy 18 Policy 9, NPF4 Policy 5
4. The objection to this item is set out under item 3.

#### POLICY 13 & NPF4 POLICY 20 & Planning Advice Note 65

The applicant confirms that the main aim of this policy is to prevent the loss of community health facilities, useable open space, outdoor space facilities etc. The total destruction of Whitegates Park as a designated green open space under LDP2 is considered to be a complete reversal of this policy.

The applicant also proposes that under item A a suitable replacement with enhanced facilities can be provided in a location that is convenient and accessible to users. This proposal argues that the site of the present school at Myrtle Ave would comply with Policy 13 with a separate Planning Application being submitted in due course.

There has been sustained objections already submitted to this proposal at both public meetings, linking to this application and which will be again submitted once the Myrtle Ave application is submitted.

While the applicant states that the intention to link both applications will satisfy the policy requirements, no detail is provided on how this process will be executed to achieve the stated outcome. There is an absence of any critical legal planning obligations which would be required to achieve the stated outcome. This is an unacceptable situation which will require to be addressed by EDC.

The proposed mitigation is therefore in its current state legally flawed. The loss of the only accessible large green space in Lenzie is too great and against policy requirements.

For these reasons Elected Members would be encouraged to refuse the proposed Myrtle Ave application as it is currently presented. Currently EDC have provided no information on how these "tandem" applications will be determined. Clarification on this critical issue would be appreciated.

#### POLICY 11 Provision of Suitable Access & Transportation

This policy must be read in conjunction with the requirements associated with the following essential matters and not limited to single issues as per the applicants submission. The following matters have not been addressed in detail, Road Safety, Parking issues, effect on pedestrians and cyclists and amount of traffic generated as necessary under Traffic

Impact Assessment PL45, NPF4 policies 13&27 LDP2 policies, National Roads Development Guide.

The submitted transport assessment is therefore considered to be materially flawed, inconsistent and policy non-compliant in the following areas.

1 The proposed Direct access from the A806 main regional distributor is inappropriate and contrary to road hierarchy principles.

2 Extensive road damage can be expected and continual temporary restrictions will be required. The opposite carriageway lane will require to be widened at the new access. Extensive tree felling will be necessary to accommodate sight lines on either side and new drainage to prevent flooding into school site.

In particular there is a significant H&S issue where high numbers of pupils will inevitably want to visit Aldi at lunch times. This is a busy town by-pass so a traffic light crossing is less than satisfactory.

3 The impact of heavy construction traffic/plant over the contract period will be considerable, affecting air quality, noise and H&S issues immediately adjacent to low level residential streets and gardens.

4 Related to the new access road a major 300mm water main will require to be diverted. Due to the unstable ground conditions ( deep peat) this will necessitate the installation of a concrete structural platform including specialist piling.

All items under item 1 specifically relate to the selection of this site demonstrating again the consequences of a flawed site selection process as previously documented and now reflected in crippling pre-contract costs high construction risks and further delays in to the project.

5 Doubts exist about the timing of the baseline traffic data supplied to the applicant, which is considered to be not an accurate representation of normal movements. Data obtained was based on a holiday w/e when schools are closed and traffic light. A study leave period in April for S4/6 pupils also produced a much lower attendance and therefore distorted the outcome results.

This affected bus movements, pedestrian and cycle flows, drop off traffic and overspill parking.

The applicants consultant has made little attempt to model sensitivity movements at peak times /season variations.

The 19 items contained in the Roads/Traffic consultee's response dated 29/5/2026 requires to be clarified on a number of issues and re-submitted to the applicant.

6 It is obvious that the residential street pattern (Roads in urban areas design criteria) in the Middlemuir area are not designed for, and not capable of accommodating the number of cars noted in the applicant's submission ie table 4 indicating that 456 pupils will be dropped off in this area. This is a serious issue for local residents who have been persistent in their objections at both consultation meetings.

There appears to be a credible lack of evidence to support the numbers stated and with no methodology provided. A response from EDC planning is required in respect of consultee comments to provide clarity on how determination on these issue will be judged.

7 The proposals submitted are not in accordance with NPF policies 13 and 27 and LDP2 policy 12 which sets out the criteria for 'Designing Places and Designing Streets' This policy states that drop-off zones in quiet residential streets are inappropriate. Scottish Government 2025 school transport guidance requires councils to assess that the roads are suitable. In this residential area they are clearly not suitable for the volume of traffic generated by such a major development. Concentrated school drop off traffic will result in queuing, obstructions, pedestrian conflict and difficulties for residents in accessing private driveways. The applicants proposal will effectively destroy what is a quiet established residential environment. Clear breaches of Policy

Recommendations also state that residential Streets should not be given over to motor vehicle dominance but should be reserved to enhance the quiet nature of the local environment. Clear guidance seemingly ignored in the applicants proposal.

8 Despite what is proposed in the applicants submission ( opportunities for increased public access etc) there is a failure to demonstrate how safe routes to and through the school environment can be achieved taking into consideration the core paths within the site, right of way issues, rear garden environments, interference to residents private spaces, lighting, fencing and conflicts between buses, commercial vehicles, cars and cyclists.

The particular Health & Safety and 'Secured by Design' requirements associated with a school of this size are not set out in detail, a major concern of parents and staff and is a breach of various related policies.

Residents strongly contend that Whitegates Parkland is a policy protected large green open space, the last in Lennie, which currently serves local residents well in terms of existing accesses. Proximity, circulation routes, dog walking, jogging, ball games and as a linking green channel for wildlife.

The local Whitegates Park Community Group members are very knowledgeable in how their close knit community operates and are strongly of the opinion that the proposal submitted by the applicant is too dominant for its context.

It is therefore considered that there are no mitigation measures capable, or sensible 'opportunities' possible to improve the stated circulation/access arguments in the applicants submission.

The TA requires to be re-visited, re-surveyed and re-submitted before any determination is made and with the benefit of a further community consultation.

#### Policy 24 Developer Contribution

In terms of Policy 24 Developer Contributions, the applicant states that any contribution demanded will be established during the determination process. The numerous material objections based on sound evidence set out by the local community clearly identifies why this site is unviable for development making the need for a Policy 24 consideration unnecessary.

#### National Planning Framework 4

The applicant (EDC Planning) has confirmed that the EDC planning response no 1 has focused on LDP2 but that the relevant NPF4 policies must be considered as part of the

assessment by the EDC planning case officer before a recommendation can be decided upon before being submitted to Elected members for consideration.

In this material objection it is considered that the following items ( 27no as identified by the applicant) have not been fully addressed in the submission by the applicant.

- 1 Tackling the climate and Nature crises
- 2 Climate Mitigation and adaption
- 3 . Biodiversity
- 4 . Natural Places
- 5 . Soils
- 6 . Tree protection (TPO's)
- 7 . Historic Assets
- 9 . Brownfield Site (Not Applicable)
- 13 Sustainable Transport
- 14 Design Quality and Place
- 15 Local Living and 20 min neighbourhoods
- 18 Infrastructure First. ( including site remedial requirements)
- 20 Blue and Green infrastructure
- 21 Play recreation and sport
- 22 Flood risk and water managemen
- 23 Health and Safety

EDC Planning SUMMARY forming Response no1 dated 14/5/2026 to Submitted Material Objections.

This summary states that one of the main policy implications concerns the loss of green open space ( under various LDP2 policies) and the need for significant tree felling as conditioned under LDP2 policy 17 and NPF4 Policies 3 and 6 ( and by implication the various related items listed above)

This summary also concludes that the application as currently submitted does not support the aims and policies of LDP2

This EDC planning summary also states that 'it is understood' that the applicant intends to submit a separate planning application for 'complementary open space' (. Currently no date given for the submission of this application) and that this additional application 'will have a major bearing on the assessment process' for the Whitegates Park application. The response to EDC planning from the Policy Officer for 'Greenspace Landscaping, Biodiversity and Ecology regarding mitigation proposals at Myrtle Ave (21/5/2026) states that these will not be sufficient and will result in an overall shortfall of 2.41Ha

A response to this consultee's findings from EDC planning reply is requested to establish clarity on how determination will be judged on this issue.

## **SUMMARY**

The items contained in this response also represent the main objections to this application.

It is considered that they are the key material evidences in terms of complying with essential policy requirements in the determination by the case officer of this application.

