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Mr A McGuinness
West Dunbartonshire Council
Sent By E-mail

Our ref: LDP-160-2

22 April 2020

Dear Mr McGuinness

PROPOSED WEST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND) REGULATIONS 2008

SUBMISSION OF THE REPORT OF THE EXAMINATION

We refer to our appointment by the Scottish Ministers to conduct the examination of the above proposed plan. Having satisfied ourselves that the planning authority's consultation and engagement exercises conformed with their participation statement our examination of the proposed plan commenced on 22 August 2019. We have completed the examination and now submit our report.

In our examination we considered all 36 issues arising from unresolved representations identified by yourselves to the Proposed Local Development Plan. In each case, we have taken account of the original representations, as well as your summaries of the representations and your responses to such, and we have set out our conclusions and recommendations in relation to each issue in our report.

The examination process included site inspections and requests for additional information from the yourselves and other parties.

We did not require to hold any hearing or inquiry sessions.

At Issue 15 of the report, we identify a significant shortfall in the Clydebank area private housing land supply for the 2019-2024 period. We would direct you in particular to paragraph 54 of that Issue, where we conclude that the plan is somewhat deficient in this regard, and suggest that the council should take what action it can to resolve the programming difficulties that have produced the shortfall, and to encourage sites in the longer term supply to come forward earlier. Ongoing monitoring will be required, and this will inform the interpretation of Policy H1 of the plan, and the potential use of the mechanism described in that policy to release additional land.

Subject to the limited exceptions as set out in Section 19 of the Town and Country Planning (Scotland) Act 1997 (as amended) and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, you are now required to make the modifications to the plan as set out in our recommendations.

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

We will advise all those who submitted representations that the examination has been completed, the report has been submitted to yourselves and when the report is available to view at the DPEA website, and that it will also be posted on your website.

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

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

Yours sincerely

Stephen Hall
Reporter

Steve Field
Reporter

Planning and Environmental Appeals Division

The Scottish Government

REPORT TO WEST DUNBARTONSHIRE COUNCIL ON THE PROPOSED WEST DUNBARTONSHIRE LOCAL DEVELOPMENT PLAN EXAMINATION

Reporters: Stephen Hall BA(Hons) BPI MRTPI
Steve Field BA(Hons) MRTPI

Date of Report: 22 April 2020

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Examination of Conformity with the Participation Statement

1. Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended) states that a person appointed to examine a proposed local development plan "is firstly to examine … the extent to which the planning authority's actings with regard to consultation and the involvement with the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 18(1)(a)." Paragraph 110 of Planning Circular 6:2013: Development Planning indicates that in this assessment the appointed person is only expected to refer to existing published documents such as the participation statement, the report on conformity and any representations relating to the authority's consultation and public involvement activities.

2. The proposed West Dunbartonshire Local Development Plan was published in September 2018. The development plan scheme current at that time was also published in September 2018. It contains, at pages 6 to 8, a series of publicity and publication methods, which I take to be the authority's participation statement. The methods listed on page 8 relate to actions at the proposed plan stage, which are relevant to this examination of conformity.

3. The participation statement includes the various measures the authority proposed to take to inform stakeholders about the development plan process. These include actions relating to:

a) Publish proposed plan online and place copies in all libraries and main council office;
b) Place publication notice in local papers;
c) Owners, lessees, occupiers of sites (or neighbouring land) which the proposed plan specifically proposes to be developed (and which would have a significant effect on the use and amenity of the site) will be [notified];
d) Notification of proposed plan publication will be sent to all those who participated at main issues report stage, other stakeholders and those on the participant database;
e) Social media will be used to publicise proposed plan publication;
f) Meetings will be offered and sought to discuss proposed plan and resolve any issues where possible;
g) Information sessions will be held across the council area to discuss proposed plan and encourage engagement; and
h) A newsletter will be published to inform of main issues report publication. This will be sent to all participants, made available online and in council offices and libraries.

4. A statement of conformity with the participation statement was submitted to Ministers along with the proposed plan. It sets out the manner in which the council considers its actions in regard to the participation conformed with, or went beyond the requirements of, the proposals (listed above) contained in the participation statement. It also lists a number of further actions relating to consultation and publicity activities the council carried out beyond those listed in the participation statement.

5. The statement of conformity does not mention any representations criticizing the public consultation carried out. In reading the representations on the proposed plan, I became aware of some adverse comments about the engagement the council had done, but these

comments did not point to ant failure to carry out the specific commitments contained in the participation statement.

6. Having considered the report on conformity, I found that the authority had consulted on the plan and involved the public in the way it said it would in its participation statement, in accordance with section 19(4) of the Act. Indeed, because of the additional activities listed in the report on conformity it could be said to have gone beyond those commitments. Being satisfied, I therefore proceeded to examine the issues raised in representations on the proposed local development plan.

Stephen Hall
22 August 2019

Issue 1	**General**	
Development plan reference:	General	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
The Scottish Government (PLDP/659/1)		
Provision of the development plan to which the issue relates:	This issues relates to general comments made in relation to a reference to National and Regional Marine Plans not being made within the Plan.	
Planning authority's summary of the representation(s):		
The Scottish Government (PLDP/659/1) state that reference should be made within the plan to the integration with the National Marine Plan (CD 34) and the subsequent Clyde Regional Marine Plan. Clydeplan (2017) states that 'land use development plans will require to be aligned with the National Marine Plan and subsequent regional marine plan'. The importance of alignment between marine and terrestrial plans is reflected in legislation both through the Marine Acts and the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (CD 35), which require that marine plans and development plans have regard to each other. The Scottish Government (PLDP/659/1) state that, in order to comply with Section 15 of the Marine (Scotland) Act 2010 (CD 33), the Plan should be amended to acknowledge that planning decisions which affect the Scottish Marine Area must be taken in accordance with the National Marine Plan (CD 34) and any subsequent regional marine plan once adopted, unless relevant considerations indicate otherwise.		
Modifications sought by those submitting representations:		
The Scottish Government (PLDP/659/1) require the Plan to be modified to ensure that the LDP2 is aligned with the National Marine Plan (CD 34) and the subsequent Clyde Regional Marine Plan. The Scottish Government (PLDP/659/1) require the Plan to be modified to acknowledge that planning decisions which affect the Scottish Marine Area must be taken in accordance with the National Marine Plan (CD 34) and any subsequent regional marine plan once adopted, unless relevant considerations indicate otherwise.		
Summary of responses (including reasons) by planning authority:		
In relation to the representations from the Scottish Government, the Council would have no objection to the plan being modified to state Local Development Plan 2 is aligned with the National Marine Plan (CD 34) and the subsequent Clyde Regional Marine Plan and that text is inserted into the Plan alongside this reference to acknowledge that planning decisions which affect the Scottish Marine Area must be taken in accordance with the National Marine Plan (CD 34) and any subsequent regional marine plan once adopted,		

unless relevant considerations indicate otherwise.

Should the Reporter wish to amend the Plan in this regard, the Council would have no objection to a new paragraph being inserted into the text of the Our Waterfronts section of the Plan on Page 54, after Paragraph 2, as follows:

"Local Development Plan 2 also fully aligns with Scotland's National Marine Plan (2015) and the emerging Regional Marine Plan for Clyde Marine Region. Any proposals for planning within the Marine Plan area must be in accordance with Scotland's National Marine Plan (2015) and the emerging Regional Plan once adopted, unless material considerations indicate otherwise.

The Council would also suggest that an additional criterion is added to Policy WD1 Waterfront Development to ensure that developments within a coastal location are consistent with the Plans mentioned above. Should the Reporter wish to amend the policy, the Council would have no objection to the policy being changed and would suggest the following wording for the new criteria:

e) Development proposals with a marine component or implication (such as marinas, ports, harbours, shipbuilding, marine tourism and recreation, fish farming etc) will, in principle, be supported where they are consistent with Scotland's National Marine Plan and the emerging Regional Marine Plan for Clyde Marine Region (once adopted). All proposals will require to be in accordance with the criteria detailed above and with all other relevant Policies of the Plan.

Reporter's conclusions:

1. The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 requires authorities preparing local development plans to have regard to any adopted national marine plan or regional marine plan relating to parts of the Scottish marine area adjoining the local development plan area. Paragraph 8.31 of the Clydeplan Strategic Development Plan states that development plans will require to be aligned with the National Marine Plan and subsequent regional marine plan.

2. These requirements may be met in the preparation process for a local development plan without there being a specific reference in the document to say that this is the case. However, I consider that an acknowledgement of the role of the marine plans would be useful so that plan users are aware of the parallel marine planning system. The council is content for such a reference to be included, and I therefore recommend such a change below.

3. Separately, Section 15(1) of the Marine (Scotland) Act 2010 requires public authorities to take authorisation decisions in accordance with the appropriate marine plans, unless relevant considerations indicate otherwise. This provision applies to the terrestrial planning system. I therefore agree that it would be useful to include this policy requirement in the proposed plan so that plan users properly understand the considerations that will be applied to development proposals.

4. The council is content for such a provision to be included, and suggests above a form of words for insertion into Policy WD1: Waterfront Development. I find the proposed wording slightly misleading in that it offers in-principle support for a range of uses that may not, in fact, ultimately be found to be acceptable, and it does not refer to other

relevant considerations. I prefer to utilise a form of words closer to that set out in the Marine (Scotland) Act, and recommend such a modification below.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Inserting a new paragraph after paragraph 2 on page 54 to read:

"Local Development Plan 2 also fully aligns with Scotland's National Marine Plan (2015) and the emerging Regional Marine Plan for Clyde Marine Region. Any proposals for planning within the Marine Plan area must be in accordance with Scotland's National Marine Plan (2015) and the emerging Regional Plan once adopted, unless material considerations indicate otherwise."

2. Inserting an additional criterion at the end of Policy WD1 to read:

"e) Development proposals with a marine component or implication (such as marinas, ports, harbours, shipbuilding, marine tourism and recreation, fish farming etc) will be determined in accordance with Scotland's National Marine Plan and the emerging Regional Marine Plan for Clyde Marine Region (once adopted) unless relevant considerations, including the criteria detailed above and all other relevant policies of this local development plan, indicate otherwise."

Issue 2	**Introduction and Spatial Strategy**	
Development plan reference:	Introduction (Pages 6 – 7) and Spatial Strategy (Pages 11 - 13)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Silverton and Overtoun Community Council (PLDP/182/2) (Support)
SNH (PLDP/640/2)
Avant Homes (Scotland) Limited (PLDP/642/2) (Support)
Woodland Trust Scotland (PLDP/646/2)
East Dunbartonshire Council (PLDP/648/2) (Support)
RSPB (PLDP/649/2)
Network Rail (PLDP/662/2)
Homes for Scotland (PLDP/669/2)
SPT (PLDP/675/2) (Support)
SEPA (PLDP/676/2) (Support)

Provision of the development plan to which the issue relates:	This issue relates to the Introduction, the Spatial Strategy and Spatial Strategy Map.

Planning authority's summary of the representation(s):

Silverton and Overtoun Community Council (PLDP/182/2) state their support for the Building with Nature Candidate award and all policies within Local Development Plan 2 relating to Green Infrastructure that may help achieve this award.

SNH (PLDP/640/2) is of the view that in order to highlight and consolidate the valuable natural assets that contribute to the attractiveness of West Dunbartonshire and to provide clarity and context for the subsequent content, supporting text and policies in the Plan, particularly 'Delivering Our Places', Natura 2000 sites and HRA requirements; explicit reference should be made to the value of the 'natural' environment in the introductory paragraph.

The respondent therefore seeks a specific reference to the international (European) designation of the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest.

Avant Homes (Scotland) Limited (PLDP/642/2) supports the Spatial Strategy of the Plan and the focus on regenerating other brownfield sites; and where possible, practical and economically viable the protection of historic assets.

Woodland Trust Scotland (PLDP/646/2) states that Ancient Woodland is a key natural asset and this needs to be highlighted and specifically mentioned in the LDP.

East Dunbartonshire Council (PLDP/648/2) welcomes that the Clydeplan strategy of prioritising the development and regeneration of brownfield land over greenfield has been at the centre of preparing the plan. This will help to ensure that the strategy of maintaining a compact and sustainable city region is achieved.

RSPB (PLDP/649/2) states that the need to reduce greenhouse gas emissions and adapt to a changing climate should be a key component of the LDP and should be mentioned in the introduction.

The respondent welcomes the commitment to Green Infrastructure in the Local Development Plan, commends the award of the Building With Nature Candidacy and hopes that the adopted Local Development Plan will continue this approach and achieve the Building With Nature Excellent Award. Habitat corridors and biodiversity enhancements of infrastructure are vital to sustain wildlife populations and to facilitate climate change adaptation. Green infrastructure is a key component of Scotland's National Ecological Network.

RSPB (PLDP/649/2) welcomes the recognition given to Key Green Assets.

Network Rail (PLDP/662/2) broadly supports the Local Development Plan 2's objectives set out in the Spatial Strategy. However, the overall policy framework from which the Spatial Strategy flows needs to ensure that it can accommodate reasonable foreseeable future demands on railway infrastructure. For example, the Scotland Route Study (CD 36) proposes that passenger growth in the West Dunbartonshire area should be managed by train lengthening which may require platform lengthening at some stations.

Continued support is sought for safeguarding and improving the safety and capacity of the existing and future railway network in tandem with new development, and that where improvements are required, that they are considered at the right time as part of the planning for new development with appropriate strategic assessment and to feed in to and mitigate the infrastructure and capacity issues required. Directing growth towards public transport corridors, without the provision of additional capacity or where required, improved facilities, will result in the network becoming constrained and not being able to provide increased service. The Plan must therefore ensure that any impacts on railway infrastructure and facilities from new development are considered and mitigated. This should be explicit in the Spatial Strategy.

Homes for Scotland (PLDP669/2) broadly agrees with the principle of focusing development in and around the existing urban areas and supports the desire to reduce the amount of vacant land. However, the respondent is of the view that brownfield land does not always represent the most sustainable, appropriate or viable option for development; therefore, a balanced approach will be necessary if the increase in housing delivery which is required is to be realised. This could involve allocation of greenfield land in appropriate locations to augment the development prospects of brownfield sites.

The respondent also welcomes the emphasis on economic development and the provision of new infrastructure; but is of the view that these opportunities need to be complemented by a robust spatial strategy which provides new opportunities for delivering an increase in housing delivery within West Dunbartonshire. The respondent considers that the Introduction and Spatial Strategy sections could place more focus on the delivery of new homes to support the ambitions for economic regeneration; and states that it is regrettable that the willingness to make greenfield land available for business uses is not matched by a similarly pragmatic approach to housing delivery.

SPT (PLDP/675/2) welcomes the Spatial Strategy as it directs development to the existing built up area, and by doing so generally reduces the need to travel, supports sustainable travel behaviour and makes best use of existing transport infrastructure and services.

SEPA (PLDP/676/2) support the strategies being proposed and are broadly in agreement with the policy framework relating to the issues that lie within the respondents remit. Support is also given in relation to the drive within Local Development Plan 2 for development to adhere to the concept of 'Building with Nature' and that Green Infrastructure will be an integral aspect of the development process from concept to delivery and beyond.

The respondent also acknowledges that regeneration of derelict land can be challenging and it is imperative that the environmental risks associated with the development of these sites is understood and managed, particularly when the future use of the sites may involve the creation of new communities. The respondent recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies.

To support these strategic policies the respondent acknowledges that the plan will also include development policies which will ensure the Council delivers on the planning outcomes set out in SPP by contributing to a place that is Successful, Sustainable, Natural, Resilient and Connected and Low Carbon.

Modifications sought by those submitting representations:

SNH (PLDP/640/2) seeks that the following sentence is added to the first paragraph of the Introduction:

Insert *'It also contains the internationally important Inner Clyde Special Protection Area (SPA) designated for redshank which are a qualifying interest'* after 'West Dunbartonshire is a very attractive part of Scotland with the Kilpatrick Hill providing a captivating backdrop over Clydebank and Dumbarton.

Woodland Trust Scotland (PLDP/646/2) seeks to add a specific reference to Ancient Woodland as a key natural asset within the Spatial Strategy.

RSPB (PLDP/649/2) requests that the need to reduce greenhouse gas emissions and adapt to a changing climate as a key component of the LDP is mentioned in the introduction.

Network Rail (PLDP/662/2) requests that the following text should be inserted as a new paragraph after the end of the first paragraph, column one of "Implementation on p13:

"The Spatial Strategy directs growth towards the main public transport corridors and it is proposed, through appropriate policies in the Plan, to maximise the use of and seek opportunities to enhance infrastructure to ensure sustainable travel opportunities including road and rail travel."

Homes for Scotland (PLDP669/2) does not suggest a specific change of form of words to either the introduction or spatial strategy, but it is implicit in their response that they wish to see the Introduction and Spatial Strategy modified to ensure that the plan places more focus on the delivery of new homes to support the ambitions for economic development and that a balanced spatial strategy is provided, which allows for the release of greenfield land for housing development.

Summary of responses (including reasons) by planning authority:

The support of Silverton and Overtoun Community Council (PLDP182/2), East Dunbartonshire Council (PLDP/648/2), RSPB (PLDP/649/2), SPT (PLDP/675/2), and SEPA(PLDP/676/2) is welcomed.

The Council would have no objection to the proposed modification to the first paragraph of the introductory text on Page 6 of the Plan being made, as requested by SNH (PLDP/640/2), should the Reporter wish to amend the paragraph.

With regard to the representation from Woodland Trust Scotland (PLDP/646/2), the Council would point out the third sentence in paragraph 2 within the Forestry, Woodlands and Trees section of the Plan (Page 99) states that *'Ancient Woodland is an irreplaceable resource…These resources can have a high nature conservation and landscape value and should be protected from adverse impacts resulting from development.'* The Council is of the view that this sentence recognises the importance of Ancient Woodland as a key natural asset. No modification to the Plan is therefore necessary in this regard.

In relation to the representation made by RSPB (PLDP/649/2), the Council considers that it may be appropriate to modify the introduction to include a specific reference to climate change and adaption. Should the Reporter wish to amend the introduction, the Council would have no objection to new paragraph being inserted after Paragraph 7 on Page 6 and would suggest the following wording:

'Climate Change

The effects of climate change are well documented and it is clear that Local Development Plan 2 has a key role to play in addressing its causes (Mitigation) and dealing with its effects (Adaptation). Whilst there is no chapter within the Plan specifically covering this subject, Climate Change issues are embedded in all aspects of the plan.

Mitigation

The Plan seeks to ensure that everyone has access to new quality homes and employment opportunities but, as a consequence, new development required to achieve these goals will result in increased carbon emissions. Local Development Plan 2 mitigates against this by ensuring that:

- *New developments are within sustainable locations and easily accessible to public transport to reduce the use of the private car;*
- *The layout, design and construction of new buildings are of a high quality, sustainable and suited to the climate and location and provides sustainable design which reduces carbon emissions in the developments construction and end use;*
- *Buildings are energy efficient and that low and zero carbon technologies are installed wherever appropriate;*
- *A green infrastructure first approach to development is undertaken;*
- *Carbon rich soils and peatland are protected from inappropriate development due to their importance as carbon sinks;*
- *Renewable energy, including heat and electricity from renewable sources is achieved in in line with national climate change targets whilst giving due consideration to environmental, community and cumulative impacts.*

Adaptation

In tandem with reducing our greenhouse gas emissions, it also must be ensured that the effects of climate change are also dealt with. Particular attention must be given to the threats of flooding and in this regard Local Development Plan 2 ensures, as far as possible, that development in areas of flood risk is avoided or where this is not possible that potential flooding issues are flagged up at an early stage so that they can be addressed by the development industry. All development is required to demonstrate sustainable drainage solutions.

The Plan also embeds a green infrastructure first approach for the design of new developments and has strong green network and green infrastructure policies. These policies are seen as being an important part of the Plan's mitigation against and adapting to the threats faced by climate change.'

The Council, in response to the representation raised by Network Rail (PLDP/662/2), is of the view that an amendment to the Implementation section of the Plan on Page 13 may be appropriate. Should the Reporter wish to amend the Implementation section of the Spatial Strategy, the Council would have no objection to new paragraph being inserted after Paragraph 1 on Page 13 and would suggest the following wording:

"The Spatial Strategy directs new development towards the main public transport corridors, where possible, and seeks to maximise the use of existing public transport stops and connections to provide sustainable modes of transport. Where appropriate and directly relevant, new development should seek to enhance public transport infrastructure, including connections to these facilities and services, to ensure that people can easily access sustainable transport and that the infrastructure can cope with the level of new demand."

In relation to the view of Homes for Scotland (PLDP669/2) that brownfield land does not always represent the most sustainable, appropriate or viable option for development, the Council considers that the prioritisation of brownfield land accords fully with the aims of SPP, and that the sites allocated in the Local Development Plan are all effective and capable of being delivered within the Plan period. However, the Council is keen to facilitate an increase in the delivery of brownfield sites and would be keen to investigate, with Homes for Scotland and their members, what potential measures could be taken to make brownfield sites more attractive or viable to house builders. This issue is considered further within Issue 15: Housing Land. The Council has also allocated two greenfield sites for the development of new housing, which are in sustainable locations within settlement boundaries; are considered to be effective; and will not undermine the strategic focus on the development and regeneration of brownfield and key regeneration sites.

It should be further noted that the respondent does not specify any areas of greenfield land that should be released for housing development, which brings into question the demand for such greenfield releases within West Dunbartonshire. Only one member of Homes for Scotland – Taylor Wimpey West Scotland - has suggested a release of land within the Greenbelt and this proposed allocation is considered within Issues 15 and 30. The Council is strongly of the view that releasing additional land within the Greenbelt to increase the housing land supply, as the respondent is seeking, may not necessarily result in an increase in house building within West Dunbartonshire, nor will it represent a balanced Spatial Strategy. It would also be contrary to Clydeplan's (CD 06) vision of a compact city region. Additional releases of greenfield land are not required as there is a

sufficient mix of brownfield and greenfield sites within the Plan to comply with SPP (CD 03) and to meet the Housing Land Requirement of the Plan. Issue 15 of the Plan looks in more detail at the Housing Land Requirement.

Furthermore, the Council is of the view that the Spatial Strategy does not need to be modified as Homes for Scotland seek, as it reflects the Council's and Community Planning West Dunbartonshire's strategic priorities, as set out in the Local Outcome Improvement Plan: the Plan for Place 2017 - 2027 (CD 07) and the Council's Strategic Plan 2017/2022 (CD 08). The Spatial Strategy is focused on providing a strong economy through sustainable economic growth and seeks to direct all new development to the urban area, which is considered to be the most sustainable option. The Council, in line with SPP and the strategy set out in Clydeplan (CD 06), is firmly of the view that priority should be given to redeveloping brownfield land, delivering our regeneration sites, protecting the Greenbelt from inappropriate development and reducing the amount of vacant and derelict land within settlement boundaries to lessen the need for greenfield sites to be built upon.

The Council is therefore of the view that the Spatial Strategy is balanced and provides opportunities for the development of new homes without jeopardising the redevelopment of the key regeneration sites and brownfield land within settlements. As a result, no modifications to the Plan are required in this regard.

Reporter's conclusions:

1. The Inner Clyde Special Protection Area is an important natural heritage designation and an asset for the plan area. A mention for this designation in the introductory paragraph, alongside the similar existing references to the Dumbarton Castle and Rock, the Antonine Wall and the Forth and Clyde Canal, would not be out of place. The council has no objection to such a change. I therefore recommend below that such a reference be included. I have slightly amended the wording suggested by Scottish Natural Heritage to omit technical language that is unnecessary in this scene-setting part of the plan.

2. Ancient woodland is undoubtedly an important asset for any area, and this is acknowledged at page 99 of the proposed plan, which recognises that ancient semi-natural woodland is an irreplaceable resource that can have high nature conservation and landscape value. The plan is to be read as a whole, and so it is unnecessary to repeat this sentiment elsewhere.

3. The spatial strategy lists six key assets for West Dunbartonshire, including the greenbelt and countryside, the Kilpatrick Hills and the strategic green network. A section of the plan is devoted to the protection and enhancement of each of these key assets. Ancient woodland could be said to contribute to the value of these assets, and indeed is mapped in the Kilpatrick Hills section on page 57.

4. In the interests of maintaining the focus of the proposed plan, I am not convinced that it would be helpful to separate out ancient woodland as an additional key asset in its own right. Also, because ancient woodland is distributed around the plan area, sometimes in relatively small patches, it may not lend itself to the same broad spatial approach adopted for the other key assets. For these reasons I do not recommend including ancient woodland as a separate key asset in the spatial strategy. Rather, I consider that the policy-based approach, captured by Policy ENV4 of the proposed plan, is the best way to address the protection of this resource.

5. The Scottish Government has declared a climate emergency. Reducing carbon emissions and adapting to climate change is identified in Scottish Planning Policy as one of the four outcomes that the planning system should set out to achieve. In this context I agree that the omission of any mention of these topics from the introductory sections of the proposed plan fails to reflect the priority that greenhouse gas emissions and climate change adaptation should be given by development plans.

6. Above, the planning authority suggests a form of words that could rectify this omission, and I agree that this would serve to properly express the way in which the plan will address climate change mitigation and adaptation. I therefore recommend the inclusion of these words below.

7. As regards the capacity of the rail network to accommodate new development, I note that the proposed plan states that West Dunbartonshire has been experiencing a decline in population in recent decades. I am therefore sceptical as to whether the new developments proposed in the plan would in themselves give rise to capacity problems on the rail network. However, issues may doubtless arise at individual locations.

8. The Transport Network section of the proposed plan at page 106 refers to the potential for new development to increase the use of the transport network and the need to mitigate potential impacts. Policy CON1 provides for potential legal agreements to provide transport infrastructure or financial contributions where appropriate and necessary. I consider that these references adequately address the concerns raised by Network Rail, and that no further modification to the plan is therefore required.

9. Turning to the spatial strategy for housing, and the balance between greenfield and brownfield development, paragraph 40 of Scottish Planning Policy identifies as a policy principle that the planning system should direct the right development to the right place, and within this consider the re-use or re-development of brownfield land before new development takes place on greenfield sites. The Vision for Clydeplan contained in the strategic development plan (with which the local development plan is required to be consistent) is for a compact city region. As part of this concept, Clydeplan states that development should be directed to sustainable brownfield locations, with a minimal extension of the built-up area.

10. Given the large volumes of brownfield land available in West Dunbartonshire, the approach of prioritising the use of this land to meet housing need and demand is therefore broadly in line with national and strategic policy. Extensive areas of vacant or brownfield land can have a potentially blighting effect on local communities, and therefore I consider the council's rationale for prioritising its re-use to be a reasonable one, so long as other national policy provisions are also met. While the development of brownfield sites can sometimes be more challenging than greenfield sites, I confirm at Issue 15 that an adequate supply of effective sites (or sites that are expected to become effective in the plan period) exists across West Dunbartonshire (though a short-term shortfall exists in the Clydebank area).

11. I therefore conclude that, while the release of some greenfield land may be required and justified, the overall spatial strategy of the proposed plan to focus most development on regeneration areas and other land within the existing urban envelope is appropriate. Consequently, no modification to the plan is necessary.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Adding the following sentence at the end of the first paragraph on page 6:

"It also contains part of the internationally important Inner Clyde Special Protection Area, designated for redshank."

2. Inserting new paragraphs after paragraph 7 on page 6 to read:

"Climate Change

The effects of climate change are well documented and it is clear that Local Development Plan 2 has a key role to play in addressing its causes (mitigation) and dealing with its effects (adaptation). Whilst there is no chapter within the plan specifically covering this subject, climate change issues are embedded in all aspects of the plan.

Mitigation

The Plan seeks to ensure that everyone has access to new quality homes and employment opportunities but, as a consequence, new development required to achieve these goals will result in increased carbon emissions. Local Development Plan 2 mitigates against this by ensuring that:

- new developments are within sustainable locations and easily accessible to public transport to reduce the use of the private car;
- the layout, design and construction of new buildings are of a high quality, sustainable and suited to the climate and location and provide sustainable design which reduces carbon emissions in the developments' construction and end use;
- buildings are energy efficient and that low and zero carbon technologies are installed wherever appropriate;
- a green infrastructure first approach to development is undertaken;
- carbon rich soils and peatland are protected from inappropriate development due to their importance as carbon sinks; and
- renewable energy, including heat and electricity from renewable sources is achieved in line with national climate change targets whilst giving due consideration to environmental, community and cumulative impacts.

Adaptation

In tandem with reducing our greenhouse gas emissions, it also must be ensured that the effects of climate change are dealt with. Particular attention must be given to the threats of flooding, and in this regard Local Development Plan 2 ensures, as far as possible, that development in areas of flood risk is avoided or, where this is not possible, that potential flooding issues are flagged up at an early stage so that they can be addressed by the development industry. All development is required to demonstrate sustainable drainage solutions.

The plan also embeds a green infrastructure first approach for the design of new developments and has strong green network and green infrastructure policies. These policies are seen as being an important part of the plan's mitigation against, and adapting to the threats faced by, climate change."

Issue 3	**Queens Quay, Clydebank**	
Development plan reference:	Delivering our Places: Queens Quay, Clydebank (Pages 16 – 19)	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
Clydebank Engineering & Fabrication Ltd (PLDP/009) Linda Walker (PLDP/013) Marc Walker (PLDP/015) SNH (PLDP/640/3)	Woodland Trust Scotland (PLDP/646/3) RSPB (PLDP/649/3) SPT (PLDP/675/3) SEPA (PLDP/676/3) (Support)	
Provision of the development plan to which the issue relates:	This issue relates to the Queens Quay section of the Plan which sets out a Development Strategy and a series of place based policies for development of the area.	

Planning authority's summary of the representation(s):

The representations to this section of the Plan have been grouped under the following sub-headings: Queens Quay Supporting Text; Development Strategy; Queens Quay Policy 2 - Cable Depot Road; Site H2(9) - Cable Deport Road; and Site H2(11) - Queens Quay.

Please note that the representations relating to Housing Sites within Queen's Quay, namely Site H2(9) - Cable Deport Road and Site H2(11) - Queens Quay, are also considered within Issue 24 Private Housing Sites - Clydebank.

Queens Quay Supporting Text

SNH (PLDP/640/3) are of the view that an additional sentence requires to be added to Paragraph 6 on Page 81 to indicate that the site adjoins the Inner Clyde Special Protection Area (SPA) and Site of Scientific Interest (SSSI). SNH also request amendments to paragraph 6 to be consistent with text used elsewhere in the Plan and to provide clarity regarding consideration of all potential threats to the SPA.

RSPB (PLDP/649/3) welcome the recognition of the need to avoid adverse impacts on the integrity of the Inner Clyde SPA, we would suggest that the wording could be simplified. Also request that the Policy is cross-referenced to Policy ENV1.

SEPA (PLDP676/3) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these sites is Queen's Quay.

To support these strategic policies SEPA acknowledges that the plan will also include development policies which will ensure the Council delivers on the planning outcomes set out in SPP (CD 03) by contributing to a place that is Successful, Sustainable, Natural,

Resilient and Connected and Low Carbon.

Development Strategy

Woodland Trust Scotland (PLDP/646/3) state that green network improvements should include native trees, and the integration of urban trees into the redesign of this area. Urban forestry, of which street trees are part of, provides a series of benefits such as improved air quality, surface runoff mitigation, habitat for wildlife. The Trust would like to see the appropriate species of native trees which are best suited for urban environments integrated within this urban landscape.

Queens Quay Policy 2 - Cable Depot Road

SNH (PLDP/640/3) note the opportunities for Green Network enhancement for proposals adjacent to the railway bridge and embankment and would welcome the opportunity to advise further through pre- application discussions.

SPT (PLDP/675/3) acknowledge that the provision of a bus service is dependent on commercial bus operators, but are of the view that this policy should recognise the requirement to ensure that the road infrastructure on Cable Depot Road is sufficient to allow bus service to operate on it in the future, should the opportunity arise.

Site H2(9) - Cable Deport Road

Clydebank Engineering & Fabrication Ltd (PLDP/009) objects to housing on Site H2(9) due to the nature of their laser cutting and steel fabrication business. The respondent states that as the business generates noise, having housing in close proximity could be problematic.

Site H2(11) - Queens Quay

L Walker (PLDP/013) object to housing on this site as it will restrict the light coming into the respondents property; it will increase traffic; and put a strain on traffic. Housing should not be allowed adjacent to Glasgow Road and if buildings were to be erected, they should be no taller than the existing buildings on Glasgow Road.

M Walker (PLDP/015) objects to the proposed change from commercial to residential development due to the detrimental effect on the light entering the respondents property; will heavily impact upon the road infrastructure; and would have environmental issues. Also seeks clarification on the height of the housing on the site and states that it cannot be any higher than the original building.

Modifications sought by those submitting representations:

Queens Quay Supporting Text

SNH (PLDP/640/3) requests that an additional sentence requires to be added to Paragraph 6 on Page 81 as follows:

“The Queens Quay site adjoins the Inner Clyde Special Protection Area (SPA) and Site of Scientific Interest (SSSI)”.

SNH also recommend that the Paragraph 6 on Page 81 is amended to:

"Development at Queens Quay must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development."

RSPB (PLDP/649/3), in reference to Paragraph 6 on Page 81, state that the wording should be simplified to the following:

'There must be no adverse impact on the integrity of the Inner Clyde SPA'.

They also request that there is a cross-reference to Policy ENV1 within the text.

Development Strategy

Woodland Trust Scotland (PLDP/646/3) seek a specific mention of native trees within the bullet point 4 with regard to green network improvements.

Queens Quay Policy 2 - Cable Depot Road

SPT (PLDP/675/3) request that the Policy is amended to include a final paragraph as follows:

"Development proposals are required to maintain the potential for bus services to operate on Cable Depot Road, in the future."

Site H2(9) - Cable Deport Road

Clydebank Engineering & Fabrication Ltd (PLDP/009) seek removal of the residential designation on the site.

Site H2(11) - Queens Quay

L Walker (PLDP/013) and M Walker (PLDP/015) seek removal of the residential designation on the site.

Summary of responses (including reasons) by planning authority:

The Councils responses to the representations to this section of the Plan have been grouped under the following sub-headings: Queens Quay Supporting Text; Development Strategy; Queens Quay Policy 2 - Cable Depot Road; Site H2(9) - Cable Deport Road; and Site H2(11) - Queens Quay.

Queens Quay Supporting Text

The Council would have no objection to the proposed modifications to Paragraph 6 on Page 16 being made, as requested by SNH (PLDP/640/3), should the Reporter wish to

amend the paragraph.

In response to the representation from RSPB (PLDP/649/3), the Council is of the view that the text contained within paragraphs 6 and 7 reflect the mitigation required for Queen's Quay, as detailed in the Habitats Regulations Appraisal, does not require to be shortened with regard to the SPA and SSSi. This wording has been agreed with SNH (and they have suggested revisions to this wording within their representation above). The Council is therefore of the view that the text (modified or not) should remain as it is, apart from the proposed modification by SNH. No modification to the text is therefore required.

However, the Council is of the view that an amendment to last sentence in Paragraph 7 may be appropriate to relate to requirements of Policy ENV1: Nature Conservation and to ensure that developers fully accord with the requirements of the Plan in that regard. Should the Reporter wish to amend the last sentence of the paragraph, the Council would have no objection to paragraph 7 on Page 16 being changed and would suggest the following wording (the proposed amendment is in bold):

"Development which could harm an internationally important site will only be approved in certain circumstances as detailed within Policy ENV1: Nature Conservation."

Although, not specially requested by the RSPB in their representation, the same proposed modification will be required to be made to the relevant paragraphs, containing the same text, within the following sections of the Plan for consistency:

- Carless, Old Kilpatrick: Paragraph 5, Page 24;
- Dumbarton Town Centre and Waterfront: Paragraph 7, Page 28
- Bowling Basin: Paragraph 5, Page 40; and
- Our Waterfronts: Paragraph 5, Page 54.

The comments of SEPA (PLDP676/3) on the purpose of the development strategy and policies within the section are acknowledged.

<u>Development Strategy</u>

The Council do not see the need to specifically refer to native species of trees within bullet point 4 of the Development Strategy, as requested by the Woodland Trust Scotland (PLDP/646/3), as the term green network improvements includes trees. Moreover, the type of trees to be included within Queens Quay is a detailed matter which is best left to the development management stage to address. No modifications to the Plan are therefore required.

<u>Queens Quay Policy 2 - Cable Depot Road</u>

The comments and the assistance at pre-application stage in terms of green network enhancements offered by SNH (PLDP/640/3) are welcomed.

The representation from SPT (PLDP/675/3), the Council supports an amendment to the Policy to ensure that the road infrastructure on Cable Depot road is sufficient to allow bus services to operate on it to ensure sustainable modes of transport and direct links to public transport infrastructure is provided.

Should the Reporter wish to amend the policy, the Council would have no objection to the

Policy being changed and would suggest that a new sentence is added to the end of the Policy as follows:

"Development proposals are also required to ensure that the necessary infrastructure is in place to allow public transport to be accessed from the site and to ensure that buses can be operated on Cable Depot Road in the future when required.

Site H2(9) - Cable Deport Road

In relation to the representation from Clydebank Engineering & Fabrication Ltd (PLDP/009), the Council consider that the site is an effective housing site and is required as part of the wider housing land requirement for the plan; will assist with the removal of a vacant and potentially contaminated land; and will contribute to the wider regeneration of Queens Quay as a whole. Policies CP1 and CP2 of the Plan will help to ensure that the amenity of the new housing site is not unduly affected by its location close to existing businesses. Issues with noise and amenity are detailed design considerations which will be addressed at the Development Management stage. The site should not be deleted from the Plan for the reasons set out above.

Site H2(11) - Queens Quay

In relation to L Walker (PLDP/013) and M Walker (PLDP/015), the Council points out that this site already has full planning permission for residential development. No modification to the Plan is therefore required.

Reporter's conclusions:

Queens Quay Supporting Text

1. The proposed plan text at paragraph 6 is consistent with the approach recommended throughout the plan by Scottish Natural Heritage (SNH). Given that a key purpose of this paragraph is to explain the desirability of pre-application discussion with SNH, I find that it would not be appropriate to simplify the wording. I do consider it necessary to recommend a modification to the proposed plan on this point.

2. Paragraph 4 of the Implementation section on page 13 of the proposed plan explains that, as well as complying with the place-based policies for the key regeneration sites, development proposals in these areas are required to accord with other applicable policies within the plan. However, the council supports the proposed change suggested by RSPB Scotland and has already included policy cross-references in Queens Quay Policies 1 and 2. Therefore, I have endorsed below the modification recommended by the council.

Development Strategy

3. In order to ensure the protection of the Inner Clyde Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI), to accord with paragraphs 207 and 212 of Scottish Planning Policy 2014 and for consistency with the text relating to other regeneration sites in the proposed plan, SNH recommends the addition of a fifth bullet point to the development strategy. This proposal is supported by the council. I consider that the change suggested would make it explicit that development must be consistent with protection of the SPA. I have endorsed SNH's recommended change below.

4. The fourth bullet point of the development strategy provides support for green network improvements throughout Queens Quay. I consider that this is an appropriate level of detail for a strategic framework and that specification of native tree species suited to an urban environment and integration of existing urban trees are detailed approaches that would be addressed more appropriately through the development management process. I do not consider it necessary to modify the plan to address the representation on this point.

Queens Quay Policy 2 – Cable Depot Road

5. Strathclyde Partnership for Transport recommends a change to proposed Queens Quay Policy 2 to ensure that appropriate infrastructure is put in place to facilitate access to public transport and the future operation of bus services to the site. The council supports this change. I consider that the revision proposed would help to secure public transport accessibility and ensure the success and sustainability of the development. I have endorsed the council's suggested wording below.

Site H2(9) – Cable Depot Road

6. Proposed Policy H4 Residential Amenity states that new housing developments will not be permitted in locations where existing, established adjacent uses are likely to have an unacceptable impact on the amenity of future residents. Consideration of detailed design and layout matters through the development management process and use of a noise impact assessment, if appropriate, would enable the council to determine the acceptable form of housing development on the site. I find that, if necessary, Policy H4 would enable the council to refuse planning permission for a proposed residential development that could result in noise nuisance to future residents and the consequent risk of complaints about existing business uses. On this basis, I do not consider it is necessary to modify the proposed plan to delete the reference to housing being the preferred use for site H2(9). However, I have recommended below a modification which introduces a cross-reference to Policy H4 into proposed Queens Quay Policy 2 in order to alert prospective developers that it may be necessary to take account of potential noise nuisance in designing houses to be built on site H2(9).

Site H2(11) – Queens Quay

7. Matters of residential and visual amenity and traffic generation are issues which are assessed most appropriately through the development management process. The council advises that Site H2(11) has detailed planning permission. Therefore, it is appropriate for the development strategy map to show the site as a housing opportunity. I do not consider that it would be appropriate to modify the plan in order to delete this allocation.

Reporter's recommendations:

I recommend that the plan be modified by:

1. Deleting the third sentence from the seventh paragraph of the Queens Quay supporting text and substituting the following sentence:

'Development which could harm an internationally important site will only be approved in the circumstances detailed in Policy ENV1 Nature Conservation.'

2. Adding a fifth bullet point to the Development Strategy, as follows:

'To ensure no adverse effect on the integrity of the Inner Clyde Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Inner Clyde Site of Special Scientific Interest (SSSI).'

Deleting the full stop at the end of the fourth bullet point and replacing it with '; and'.

3. Adding a new third paragraph to proposed Queens Quay Policy 2, as follows:

'In order to ensure compliance with Policy H4, proposed housing development will not be supported if the council considers that existing, authorised uses are likely to have an unacceptable impact on the amenity of future residents.'

4. Adding a new fourth paragraph to proposed Queens Quay Policy 2, as follows:

'Development proposals are required to ensure that the necessary infrastructure is in place to allow public transport to be accessed from the site and to ensure that bus services can be operated on Cable Depot Road in the future.'

Issue 4	**City Deal Site - Esso Bowling and Scott's Yard**	
Development plan reference:	Delivering Our Places: City Deal Site - Esso Bowling and Scott's Yard (Pages 20 - 23)	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

Donna McGuire (PLDP/027)	Oisin King (PLDP/152)
Philip Wayln (PLDP/028)	Olivia Paly (PLDP/153)
James Officer (PLDP/029)	Sarah Tait (PLDP/154)
Derek Montgomery (PLDP/030)	Amy Wood (PLDP/155)
Caitlin Flynn (PLDP/031)	Steven Findlay (PLDP/156)
Diane Murray (PLDP/032)	Roderick D Massey (PLDP/157)
Lara Mneimneh (PLDP/033)	Gordon Morrison (PLDP/164)
Shaunni Meiklejohn (PLDP/034)	Lorraine Kane (PLDP/174)
Tracey O'Keefe (PLDP/035)	Susan Dick (PLDP/175/4)
Lindsey Gow (PLDP/036)	Silverton and Overtoun Community Council (PLDP/182/4)
Lorraine Connolly (PLDP/037)	
Aimee Ward (PLDP/038)	Joseph Higgins (PLDP/185)
Linzi Scott (PLDP/039)	E Meikle (PLDP/187)
Linda Barrs (PLDP/040)	Leigh McAulay (PLDP/188)
Mavis Campbell (PLDP/041)	Joseph McAulay (PLDP/189)
Kirsty Murdoch (PLDP/042)	A Yannelta (PLDP/190)
Alison Harper (PLDP/043)	Agnes Scott (PLDP/191)
Lindsay Hotchkiss (PLDP/044)	S Wade (PLDP/192)
Anne McWilliam (PLDP/045)	Anne Polk (PLDP/193)
Nicole Brammer (PLDP/046)	G Allan (PLDP/194)
Jade Campbell (PLDP/047)	I Bell (PLDP/195)
Sean Grant (PLDP/048)	Julie Richardson (PLDP/196)
Cheryl Houston (PLDP/049)	Anonymous (Address Provided) (PLDP/197)
Rhona MacGregor (PLDP/050)	
S Killen (PLDP/051)	Joanne Hollem (PLDP/198)
Kaufman (PLDP/053)	Iain Dalrymple (PLDP/199)
Emma Kelly (PLDP/054)	Sarah Smith (PLDP/200)
Vicky Corrieri (PLDP/055)	Brian Yates (PLDP/201)
Peter MacDonald (PLDP/056)	Anonymous (Address Provided) (PLDP/202)
Eddie Mackay (PLDP/057)	
Maureen Connolly (PLDP/059)	Tabathe Fishe (PLDP/203)
Lynne Paterson (PLDP/060)	Scott Howie (PLDP/204)
Chris Forbes (PLDP/061)	Anonymous (Address Provided) (PLDP/205)
Cardine McAuley (PLDP/062)	
Cameron Gauld (PLDP/063)	Marie Husband (PLDP/206)
Caroline Kernaghan (PLDP/064)	Kathryn Provan (PLDP/207)
Anne Connelly (PLDP/065)	Mark Dougal (PLDP/208)
Lauren Hamilton (PLDP/066)	Scottish Natural Heritage (SNH) (PLDP/640/4)
Pamela Daily (PLDP/067)	
R J- (PLDP/069)	Woodland Trust (PLDP/646/4)
Jennifer Yates (PLDP/070)	RSPB (PLDP/649/4)
Karen Anne Duffy (PLDP/071)	Peel Land & Property (Ports) Ltd (PLDP/650)
Michelle Macleod (PLDP/072)	
Eilidh Forbes (PLDP/073)	Karen Douglas (PLDP/651)

Hazel Campbell (PLDP/074)	Neil Brown (PLDP/656)
Dominic D- (PLDP/076)	Network Rail (PLDP/662/4)
Elizabeth O'Neery (PLDP/077)	Jacqueline Robertson (PLDP/672)
D Reilly (PLDP/078)	Scottish Water (PLDP/674/4)
C Harkins (PLDP/079)	SPT (PLDP/675/4)
Anonymous (Address Provided) (PLDP/080)	SEPA (PLDP/676/2 (Support) and /676/4)
Paul Cunningham (PLDP/081)	Janine Brown (PLDP/722)
Tracey K- (PLDP/082)	C Smilie (PLDP/723)
Eleanor Sedden (PLDP/083)	C Fletcher (PLDP/724)
John Johnston (PLDP/084)	A Johnstone (PLDP/725)
Ruth Muir (PLDP/085)	Anonymous (Address Provided) (PLDP/726)
Keri Convery (PLDP/086)	Amy Clark (PLDP/727)
Karen Reily (PLDP/087)	Joe McGinley (PLDP/728)
Alex Johnston (PLDP/088)	Porter (PLDP/729)
Erin Donaldson (PLDP/089)	J Davidson (PLDP/730)
Karen Nicholson (PLDP/090)	Laura Sutherland (PLDP/731)
Laura Daviy (PLDP/091)	Anonymous (Address Provided) (PLDP/732)
David Butler (PLDP/092)	A Harvey (PLDP/733)
Nicole Francis (PLDP/093)	J Smillie (PLDP/734)
Lee Thomas (PLDP/094)	S L Campbell (PLDP/735)
Karen Thomas (PLDP/095)	John Russell (PLDP/736)
Ginny Allwood (PLDP/096)	Anonymous (Address Provided) (PLDP/737)
Alanna Jackson (PLDP/097)	Linda McGregor (PLDP/738)
Chris Flynn (PLDP/098)	N Friel (PLDP/739)
Chris Ferguson (PLDP/099)	C Mclearie (PLDP/740)
Stuart Bissland (PLDP/100)	L Leslie (PLDP/741)
K Blackwood (PLDP/101)	Anonymous (Address Provided) (PLDP/742)
Lisa McLaughlin (PLDP/102)	K Trainer (PLDP/743)
Susan Milne (PLDP/103)	S Wiliams (PLDP/744)
Craig Reynolds (PLDP/104)	B Glen (PLDP/745)
Iain Muir (PLDP/105)	A Glen (PLDP/746)
Tony Whitmore (PLDP/106)	Helen Fraser (PLDP/747)
J Gardner (PLDP/107)	Caroline Williams (PLDP/748)
Amanda Smith (PLDP/116)	M Carslaw (PLDP/749)
Helen Cusker (PLDP/117)	Allan Henderson (PLDP/750)
Nicola Cahill (PLDP/121)	Anonymous (Address Provided) (PLDP/751)
Dave Laszlo (PLDP/122)	Anonymous (Address Provided) (PLDP/752)
K Williamson (PLDP/123)	Y Innes (PLDP/753)
Liam Slater (PLDP/124)	Kasia Zalewska (PLDP/754)
Karen Holmes (PLDP/125)	Anonymous (Address Provided) (PLDP/755)
Jason Bean-Sweeney (PLDP/126)	Laura Brown (PLDP/756)
Lorna Booth (PLDP/127)	M Love (PLDP/766)
Christie Burbidge (PLDP/128)	Anonymous (Address Provided) (PLDP/767)
Lynn Stewart (PLDP/129)	Carol McNaught (PLDP/768)
Yvonne Pearson (PLDP/130)	
Clare Daly (PLDP/131)	
Caroline Beeten (PLDP/132)	
G Blair (PLDP/133)	
M Buchanan (PLDP/134)	
Amanda Crooks (PLDP/135)	
Margaret Seppings (PLDP/136)	

A Findlay (PLDP/137) Laura Gebbie (PLDP/138) Huam Zhao (PLDP/139) Boateng (PLDP/140) Nicola Mac (PLDP/141) C Cook (PLDP/142) Isabel Gardiner (PLDP/143) Kate Cousins (PLDP/144) Susan Gebbie (PLDP/145) Anonymous (Address Provided) (PLDP/146) Alison Byres (PLDP/147) Kirsty Revel (PLDP/148) Skye Burt (PLDP/149) Victoria Jones (PLDP/150) Gillian Gillespie (PLDP/151)	Jacqueline Cowan (PLDP/769) C McIntosh (PLDP/770) William Chlosta (PLDP/771) Anonymous (Address Provided) (PLDP/772) Anonymous (Address Provided) (PLDP/773) Brian Gibson (PLDP/774) Anonymous (Address Provided) (PLDP/775) Anonymous (Address Provided) (PLDP/776) T Brown (PLDP/777) Ian Brown (PLDP/778) Scottish Canals (PLDP/786)
Provision of the development plan to which the issue relates:	This issue relates to the City Deal Site – Esso, Bowling and Scott's Yard section of the Plan which sets out a Development Strategy and a series of place based policies for development of the area.

Planning authority's summary of the representation(s):

The representations made to this section of the Plan have been grouped under the following sub-headings: General; Development Strategy, Development Strategy Map and Dumbarton Proposals Map; Development Policies; Ownership of Land, Proposed Road and Infrastructure; Biodiversity and Inner Clyde Special Protection Area; Road Safety; and Flooding, Drainage and Water.

<u>General</u>

Susan Dick (PLDP/175/4) states that the engagement through this process has been poor and not in line with the requirements of Scottish Planning Policy (CD 03).

<u>Development Strategy</u>

Silverton and Overtoun Community Council (PLDP/182/4) supports the Esso Bowling and Scott's Yard policies, but would like to see less emphasis on industrial and business with more focus on tourism and leisure; improved pedestrian and cycling access; and the protection of the green network and infrastructure. The Community Council are particularly supportive of the restoration of Bowling Harbour and the harbour walls.

SNH (PLDP/640/4) recommend changes to the third and fifth bullet points within the development strategy in relation to landscape and also to accord with the wording of paragraph 207 & 212 of SPP. SNH also recommend that a development brief, including a number of developer requirements, and a Landscape and Visual Impact Assessment (LVIA) is required for the Esso and Scott's Yard site.

RSPB (PLDP/649/4) support the commitment to enhancing the green network through this development and believe that the area to the west of the site should be retained as greenbelt as it was in the Proposed Plan (2016) (CD 13).

Peel Land & Property (Ports) Ltd (PLDP/650) supports the inclusion of the wider

Esso/Scott's Yard site as a Business and Industrial Opportunity Site as part of the City Deal Project for Esso and Scott's Yard, Bowling. However, they suggest that the wider site could accommodate a range of business and industry opportunities, such as biomass; waste from energy facility and a stop for cruise liners.

They also are of the view that the scale of development proposed is not sufficient to be able to finance the formation of a new access road at Bowling or the road running parallel to the A814. Therefore it is suggested that the Local Development Plan should indicate the sources of funding which will secure the provision of this road.

Peel Land & Property (Ports) Ltd (PLDP/650) also support the identification of the site at Scott's Yard as a Housing Opportunity Site H2(7) and are of the view that a residential development on H2(7) would increase the viability of an enhanced and expanded park and ride facility at Bowling Station. They state that they are committed to bringing the site forward and it is already subject to decontamination works at Scott's Yard.

Development Strategy Map and Dumbarton Proposals Map

SNH (PLDP/640/4) state that there are inconsistency between the Development Strategy Map and the Dumbarton proposals Map which shows the part of the site within the SPA to the south of the 'indicative access route' (as shown on Strategy Map) and the part to the north of the 'indicative access route' as having an underlying allocation to Policy GB1: Green Belt. The Development Strategy Map, shows the underlying allocation as 'Green Network Enhancement' (hatched green). To ensure protection of the SPA and consistency between the Proposals Map and the Strategy Map, SNH recommend that the area south of the indicative road line which is within the SPA, should not be subject to any enhancement measures.

SNH also state that it is unclear why only the part of the area north of the disused railway is allocated as Open Space (GI1) on the Proposals Map whilst the other part to the south of it is not. They also ask why all the area to the south is identified as Green Network Enhancement on the Strategy Map. However, SNH state that despite this lack of clarity, they welcome the proposal for Open Space (GI1)/Green Belt (GB1) and Green Network Enhancement within the west of the site. Although it is disappointing that this Open Space does not extend through the site to the east (including linking to Scott's Yard), following the SPA and to enable recreational access and landscape enhancement along the river shore.

In relation to the comments above, SNH go onto recommend that consideration is given to allocating part of this area for Business and Industry (E1(16)) if this would enable some of the area currently allocated for Business and Industry along the river shore to be allocated as Open Space (GI1).

SNH also highlight that the current proposals for the Dunglass Castle and Henry Bell Obelisk Memorial are surrounded by Business and Industry land designation (E1(16)). This is likely to result in significant landscape and visual effects, compromising the prominence and value of these structures as distinct landscape focal features, and reduce future opportunities for recreation around these and via links to the wider path network, Scott's Yard and the settlement of Bowling. SNH therefore recommend that the Council reallocates the land surrounding the Castle and obelisk as Open Space (GI1) and identifies important green access links to these.

Development Policies

In relation to Esso Bowling Policy 3, SNH (PLDP/640/4) suggest the addition of a new bullet point to ensure comprehensive integration with the landscape and other natural heritage interests and also suggest an amendment of the first bullet point to strengthen and ensure protection of natural heritage interests.

Woodland Trust Scotland (PLDP/646/4) state that they are pleased that this development will contribute to the enhancement of the green infrastructure already available on site. The Trust would like to see urban native trees included as part of the development, with appropriate native trees selected to provide benefits and be best adapted in the urban environment, as part of the enhancement of the existing green infrastructure. Urban trees offer essential ecosystem services such as pollution absorption, habitat for wildlife and surface water runoff management. Therefore, the Trust would like to see this request incorporated within Esso Bowling Policy 3.

Network Rail (PLDP/662/4) acknowledge that the proposed new link road is indicative but state that the final position of the route connection at the western edge will cross either over or under the railway line. Network Rail state that early engagement with them is essential to ensure that their rail assets are protected and train service delivery is not compromised. Network Rail therefore require that the second paragraph of the supporting text is amended to include this fundamental requirement.

Network Rail, in relation to Esso Bowling Policy 2, state that a level crossing exists to the north of Scott's Yard which is not currently used by the public. In considering any links between Scott's Yard and Bowling village using the level crossing, Network Rail's concern over the adverse impacts on safety, service provision and traffic queues as a result of any proposed usage should be noted. Network Rail also broadly welcome the commitment of an accessible rail overbridge to the east of the Esso Bowling site in Esso Bowling Policy 2, subject to design details and existing asset protection. However, they state that it is not clear whether this is being promoted in acknowledgement of the difficulties of using the level crossing and this should be clarified within the text of Policy 2.

SEPA (PLDP676/4) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these sites is Esso Bowling and Scott’s Yard.

SPT (PLDP/675/4), in relation to Esso Bowling Policy 2, are supportive of the new link road and the requirement to provide bus stops and associated infrastructure. However, SPT recommend that this is qualified due to this not always being sufficient to ensure bus service provision.

Scottish Canals (PLDP/786/4), in relation to the Development Strategy Map, support the indicative waterfront walkway identified on the map and suggest that City Deal funding could be used to help fund delivery of this connection, as well as, inclusion of it within the redevelopment of Scott’s Yard.

They also support Scott’s Yard Policy 1, but suggest that this should be reinforced to ensure the developer delivers or contributes to the clearance of the harbour, restoration of

the harbour walls and the path link, as well as, making reference to the need for dredging within the harbour.

Ownership of Land, Proposed Road and Infrastructure

PLDP/027; PLDP/028; PLDP/029; PLDP/030; PLDP/031; PLDP/032; PLDP/033; PLDP/034; PLDP/035; PLDP/036; PLDP/037; PLDP/038; PLDP/039; PLDP/040; PLDP/041; PLDP/042; PLDP/043; PLDP/044; PLDP/045; PLDP/046; PLDP/047; PLDP/048; PLDP/049; PLDP/050; PLDP/051; PLDP/053; PLDP/054; PLDP/055; PLDP/056; PLDP/057; PLDP/059; PLDP/060; PLDP/061; PLDP/062; PLDP/063; PLDP/064; PLDP/065; PLDP/066; PLDP/067; PLDP/069; PLDP/070; PLDP/071; PLDP/072; PLDP/073; PLDP/074; PLDP/076; PLDP/077; PLDP/078; PLDP/079; PLDP/080; PLDP/081; PLDP/082; PLDP/083; PLDP/084; PLDP/085; PLDP/086; PLDP/087; PLDP/088; PLDP/089; PLDP/090; PLDP/091; PLDP/092; PLDP/093; PLDP/094; PLDP/095; PLDP/096; PLDP/097; PLDP/098; PLDP/099; PLDP/100; PLDP/101; PLDP/102; PLDP/103; PLDP/104; PLDP/105; PLDP/106; PLDP/107; PLDP/121; PLDP/122; PLDP/123; PLDP/124; PLDP/125; PLDP/126; PLDP/127; PLDP/128; PLDP/129; PLDP/130; PLDP/131; PLDP/132; PLDP/133; PLDP/134; PLDP/135; PLDP/136; PLDP/137; PLDP/138; PLDP/139; PLDP/140; PLDP/141; PLDP/142; PLDP/143; PLDP/144; PLDP/145; PLDP/146; PLDP/147; PLDP/148; PLDP/149; PLDP/150; PLDP/151; PLDP/152; PLDP/153; PLDP/154; PLDP/155; PLDP/156; PLDP/175/4; PLDP/200; PLDP/201; PLDP/202; PLDP/203; PLDP/204; PLDP/205; PLDP/206; PLDP/207; PLDP/208; PLDP/656 all object to the proposed road and associated infrastructure being built on land owned by Susan Dick on the basis of the designation of the land as greenbelt; that the owner of the land does not wish the development on her land; and that the land owner should not be forced to sell the property through compulsory purchase order.

Susan Dick (PLDP/175/4) states that she owns an area of land within the site (SI-175) provides a map of the area in question) and raises various issues which are grouped under the sub-headings of this Schedule 4. In relation to the issue of land ownership and the proposed route, Mrs Dick states that her land has been zoned as Greenbelt and has also been identified as an employment opportunity E1(16).

Ms Dick states she is opposed to the development of the land on a fundamental point of principle and that there is considerable local opposition to this proposal. She is of the view that the continued greenbelt designation is intended to suppress the value of compensation offered for any compulsory purchase. She states that half of the proceeds from any sale must go to the original owner and believes that fair compensation would require the Council to identify a suitable alternative site for grazing and for this to be offered by way of excambion as well as the remaining land not required to be retained. Ms Dick states that the horses which graze this field are in poor health and it is suggested that the disturbance of relocation would exacerbate these health issues or may result in them having to be euthanised.

In relation to the proposed road, Ms Dick states that specific reference to the road realignment and new road proposals should be made in the text and proposals map. She believes that Councillors have been misled about whether all landowners are satisfied with the proposed road layout and states that the relief road is incidental to the plan for the site, is overly complex and will have an impact on the SPA and asks if the proposed route is the most feasible. Ms Dick questions if the route could be changed and supplies alternative options within her supporting information (SI/175). She suggests that these

routes have previously been supplied to the Council and questions whether these have been considered.

Biodiversity and Inner Clyde Special Protection Area

PLDP/116; PLDP/117; PLDP/157; PLDP/164; PLDP/175/4; PLDP/185; PLDP/187; PLDP/188; PLDP/189; PLDP/190; PLDP/191; PLDP/192; PLDP/193; PLDP/194; PLDP/195; PLDP/196; PLDP/197; PLDP/198; PLDP/199; PLDP/651; PLDP/656; PLDP/672; PLDP/722; PLDP/723; PLDP/724; PLDP/725; PLDP/726; PLDP/727; PLDP/728; PLDP/729; PLDP/730; PLDP/731; PLDP/732; PLDP/733; PLDP/734; PLDP/735; PLDP/736; PLDP/737; PLDP/738; PLDP/739; PLDP/740; PLDP/741; PLDP/742; PLDP/743; PLDP/744; PLDP/745; PLDP/746; PLDP/747; PLDP/748; PLDP/749; PLDP/750; PLDP/751; PLDP/752; PLDP/753; PLDP/754; PLDP/755; PLDP/756; PLDP/766; PLDP/767; PLDP/768; PLDP/769; PLDP/770; PLDP/771; PLDP/772; PLDP/773; PLDP/774; PLDP/775; PLDP/776; PLDP/777; PLDP/778 all object to the proposal due to the land belonging to Susan Dick being in the greenbelt and development would be contrary to the council's greenbelt policy GB1.

The respondents also raise issues relating to the impact on wildlife and the existing use of the site for grazing and community activity; the impact on the right of way and ability to comply with policy of CON3 Core Paths and Natural Routes; the impact on the Inner Clyde Special Protection Area. Concerns about contamination on site and potential impact on public health whether the planned roads can be rerouted away from this greenbelt site are also raised.

Caitlin Flynn (PLDP/031); Cardine McAuley (PLDP/062); Anonymous (Address Provided) (PLDP/080); Laura Gebbie (PLDP/138); Leigh McAulay (PLDP/188); Joseph McAulay (PLDP/189); A Yannelta (PLDP/190); Agnes Scott (PLDP/191); S Wade (PLDP/192); G Allan (PLDP/194); I Bell (PLDP/195); Julie Richardson (PLDP/196); Anonymous (Address Provided) (PLDP/197); Joanne Hollem (PLDP/198); Iain Dalrymple (PLDP/199); Scott Howie (PLDP/204); Anonymous (Address Provided) (PLDP/205); Marie Husband (PLDP/206); Kathryn Provan (PLDP/207); and Mark Dougal (PLDP/208) all state that the site supports a wide range of biodiversity, including a wildlife pond, over 200 trees, meadow grasses and wildlife and that the removal of the greenbelt designation would result in the destruction of this natural resource.

Leigh McAulay (PLDP/188); Joseph McAulay (PLDP/189); A Yannelta (PLDP/190); Agnes Scott (PLDP/191); S Wade (PLDP/192); G Allan (PLDP/194); I Bell (PLDP/195); Julie Richardson (PLDP/196); Anonymous (Address Provided) (PLDP/197); Joanne Hollem (PLDP/198); and Iain Dalrymple (PLDP/199) all state that they do not believe the appropriate studies have been undertaken of the potential impact on the Special Protection Area. They also state that there are Bats on site and question whether Bat surveys have been undertaken.

Susan Dick (PLDP/175/4) believes the relief road will have an impact on the SPA and that the proposed use is not sufficient to be identified as an exceptional circumstance which would justify a negative impact on the internationally significant site. Ms Dick also believes that required ecological surveys have not been undertaken.

SNH (PLDP/640/4) recommend a change in wording the paragraph relating to the Special Protection Area (SPA) to ensure consistency throughout the plan. SNH note that the indicative route of the new road is now wholly outwith the SPA and suggest that should

further alterations to this route bring it within the SPA then this would have implications for the adoption of Local Development Plan 2.

RSPB (PLDP/649/4) state that they are concerned about the potential impact on the Inner Clyde SSSI/SPA but welcome the commitment to protect the qualifying interest and qualities of the SPA and SSSI. The RSPB suggest that the wording in the introductory text could be simplified and should be cross referenced to Policy ENV1.

Road Safety

Leigh McAulay (PLDP/188); Joseph McAulay (PLDP/189); A Yannelta (PLDP/190); Agnes Scott (PLDP/191); S Wade (PLDP/192); G Allan (PLDP/194); I Bell (PLDP/195); Julie Richardson (PLDP/196); Anonymous (Address Provided) (PLDP/197); Joanne Hollem (PLDP/198); and Iain Dalrymple (PLDP/199) all question the safety of having a pavement or cycle lane next to a road as an alternative to the right of way.

Susan Dick (PLDP/175/4) questions if the proposed road would have a positive impact on safety or congestion.

Flooding, Water and Drainage

Susan Dick (PLDP/175/4) states that the site has been subject to flooding and further investigation into this is required.

Scottish Water (PLDP/674/4) state that a Water and Drainage Impact Assessment will be required at Esso Bowling to assess impact on Scottish Water's network. Early engagement with Scottish Water is recommended.

SEPA (PLDP/676/4) state that are generally supportive of the proposed development uses of all of the key sites, but strongly emphasise that in circumstances, such as Scott's Yard/Esso Bowling, where a more vulnerable residential use is being proposed, the recommendations of the Flood Risk Assessment will be critical to the viability of the site. This will be particularly relevant, as new data emerges on flood risk and climate change which could further restrict sustainability of residential development at this location.

Modifications sought by those submitting representations:

PLDP/027; PLDP/028; PLDP/029; PLDP/030; PLDP/031; PLDP/032; PLDP/033; PLDP/034; PLDP/035; PLDP/036; PLDP/037; PLDP/038; PLDP/039; PLDP/040; PLDP/041; PLDP/042; PLDP/043; PLDP/044; PLDP/045; PLDP/046; PLDP/047; PLDP/048; PLDP/049; PLDP/050; PLDP/051; PLDP/053; PLDP/054; PLDP/055; PLDP/056; PLDP/057; PLDP/059; PLDP/060; PLDP/061; PLDP/062; PLDP/063; PLDP/064; PLDP/065; PLDP/066; PLDP/067; PLDP/069; PLDP/070; PLDP/071; PLDP/072; PLDP/073; PLDP/074; PLDP/076; PLDP/077; PLDP/078; PLDP/079; PLDP/080; PLDP/081; PLDP/082; PLDP/083; PLDP/084; PLDP/085; PLDP/086; PLDP/087; PLDP/088; PLDP/089; PLDP/090; PLDP/091; PLDP/092; PLDP/093; PLDP/094; PLDP/095; PLDP/096; PLDP/097; PLDP/098; PLDP/099; PLDP/100; PLDP/101; PLDP/102; PLDP/103; PLDP/104; PLDP/105; PLDP/106; PLDP/107; PLDP/121; PLDP/122; PLDP/123; PLDP/124; PLDP/125; PLDP/126; PLDP/127; PLDP/128; PLDP/129; PLDP/130; PLDP/131; PLDP/132; PLDP/133; PLDP/134; PLDP/135; PLDP/136; PLDP/137; PLDP/138; PLDP/139; PLDP/140; PLDP/141; PLDP/142; PLDP/143; PLDP/144; PLDP/145; PLDP/146; PLDP/147; PLDP/148;

PLDP/149; PLDP/150; PLDP/151; PLDP/152; PLDP/153; PLDP/154; PLDP/155; PLDP/156; PLDP/200; PLDP/201; PLDP/202; PLDP/203; PLDP/204; PLDP/205; PLDP/206; PLDP/207; PLDP/208 all state that the road and associated infrastructure should not be built on land belonging to Susan Dick.

PLDP/116; PLDP/117; PLDP/157; PLDP/164; PLDP/175/4; PLDP/185; PLDP/187; PLDP/188; PLDP/189; PLDP/190; PLDP/191; PLDP/192; PLDP/193; PLDP/194; PLDP/195; PLDP/196; PLDP/197; PLDP/198; PLDP/199; PLDP/651; PLDP/656; PLDP/672; PLDP/722; PLDP/723; PLDP/724; PLDP/725; PLDP/726; PLDP/727; PLDP/728; PLDP/729; PLDP/730; PLDP/731; PLDP/732; PLDP/733; PLDP/734; PLDP/735; PLDP/736; PLDP/737; PLDP/738; PLDP/739; PLDP/740; PLDP/741; PLDP/742; PLDP/743; PLDP/744; PLDP/745; PLDP/746; PLDP/747; PLDP/748; PLDP/749; PLDP/750; PLDP/751; PLDP/752; PLDP/753; PLDP/754; PLDP/755; PLDP/756; PLDP/766; PLDP/767; PLDP/768; PLDP/769; PLDP/770; PLDP/771; PLDP/772; PLDP/773; PLDP/774; PLDP/775; PLDP/776; PLDP/777; and PLDP/778 all request that the road is rerouted to avoid the greenbelt land and the amount of roads required reduced.

Susan Dick (PLDP175/4) requests that if the development is deemed to be suitable for development as a road, it should be removed from the greenbelt. Also requests that specific reference to the road realignment and new road proposals connecting the site to the A82 and A814 should be made in the text and on the Proposals Map. Further requests that a definition of an exceptional circumstance, which would justify potential harm to an internationally significant site, and who decides whether such a circumstance exists should be set out within the plan.

SNH (PLDP/640/4) recommend that the Paragraph 4 on Page 20 is amended to:

“Development must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development.”

SNH further recommend the third bullet point of the Development Strategy is amended to (proposed amendment in bold):

‘To use the development of the sites to enhance the Green Network ***and access links and for the proposals to reflect the distinctive landscape and visual characteristics and qualities of the site, including the features of Dunglass Castle and the Henry Bell Obelisk Memorial’.***

SNH also request that the fifth bullet point of the Development Strategy is amended to the following text:

“To ensure no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Scientific Interest (SSSI)”.

SNH further recommend that the Development Strategy Map is amended as follows:

The area south of the indicative road line which is within the SPA, should not be subject to any enhancement measures. This should be shown as Greenbelt (GB1) and that the hatching showing 'Green Network Enhancement' is removed from the Strategy Map at this location.

SNH recommend consideration is given to allocating part of this area for Business and Industry (E1(16)) if this would enable some of the area currently allocated for Business and Industry along the river shore to be allocated as Open Space (GI1). They also recommend that the Council reallocates the land surrounding the castle and obelisk as Open Space (GI1) and identifies important green access links to these.

SNH also request that the Council require a development brief and Landscape and Visual Impact Assessment (LVIA) for the Esso and Scott's Yard site and sets out developer requirements. These should include consideration of the following:

- In the north-east of the site, retention of the eastern-most woodland area adjacent to Littlemill Place to protect the landscape character and amenity value of residents.
- Plant trees along the A814 adjacent to the west and east of the site to reinforce the landscape pattern, enhance the green network and mitigate landscape and visual effects on adjacent residents.
- Design the waterfront spaces to relate to the distinct landscape characteristics of the site, provide a high-quality built environment, provide green network enhancements and access for recreation, and integrate and protect the natural environment.
- Retention of existing mature trees within and around the edge of the site, especially where these collectively create landscape features.
- Spatial linkage and access between Scott's Yard and Bowling across the railway to assist integration of the two areas. Enhancement of existing elevated views from Bowling over the site.
- Spatial linkage and access between the Esso and Scott's Yard sites (taking into account the different timescales for development of these), including between the latter and Dunglass Castle, whilst ensuring retention of the existing line of mature trees along the western edge of the Scott's Yard site.
- Mitigation of vehicle noise within residential and open green spaces where this strongly affects residential amenity and the landscape experience.
- How the site would be viewed from the southern side of the River Clyde, particularly the siting and scale of structures in relation to the foreground river expanse, the hill backdrop and foci such as Dunglass Castle.
- If flood defence structures are required, ensure these are designed to relate to the landscape character and visual amenity.

SNH, in relation Esso Bowling Policy 3, recommend a new bullet point is added to the start of the Policy as follows:

"To deliver a designed waterfront edge, that demonstrates successful integration of proposals within wider views, delivers appropriate waterfront recreational access and frames key views".

SNH also request the first bullet of the Policy is amended as follows (proposed

amendment in bold):

*"To ensure that **proposals** reflect and help to strengthen the biodiversity and landscape character of the site **and respond to the surrounding landscape context and wider assets**: and…"*

Woodland Trust Scotland (PLDP/646/4) requests the following text to be added to Esso Bowling Policy 3:

'To include native trees planting with appropriate species for urban residential environments in order to make a significant contribution to the increase in tree canopy cover of the area.'

RSPB Scotland (PLDP/649/4) in reference to Paragraph 5 on Page 20, state that the wording should be simplified to the following:

'There must be no adverse impact on the integrity of the Inner Clyde SPA'.

They also request that there is a cross-referenced to Policy ENV1 within the text.

The RSPB would like to see the position taken in Proposed Plan (2016) with regards to the west of the site to be reiterated. Namely:

'that the west of the site may have potential in the long-term to enable coastal realignment, mitigating the impact of climate change and allowing the migration of Inner Clyde habitats in response to sea level rise and that it should therefore be retained as greenbelt.'

Peel Land & Property (Ports) Ltd (PLDP/650) state that sources of funding for the provision of the road accesses should be indicated within Local Development Plan 2.

Network Rail (PLDP/662/4) request that the following text is added to the end of the fourth paragraph (proposed amendment in bold):

*"….the Development Strategy Map as indicative only. **As shown, the new access road at the western edge of Esso Bowling site will require a crossing of the existing railway line. Early engagement with Network Rail is essential to ensure the regeneration of this site and to ensure that rail assets are protected and train service delivery is not compromised."***

Network Rail also request that the following amendment to the second bullet point within Esso Bowling Policy 2 is made (proposed amendment in bold):

*"A new accessible rail overbridge, to the east of the site **and as an alternative to utilising the existing level crossing**, to enable access from Bowling Railway Station, and to link into the wider active travel network."*

SPT (PLDP/675/4) request that the third bullet point of Esso Bowling Policy 2 is amended as follows (proposed amendment in bold):

*"Provision of bus stops and associated infrastructure to encourage public transport provisions within the site **subject to discussion with SPT and bus operators."***

Scottish Canals (PLDP/786/4) request that Scott's Yard Policy 1 is reinforced to ensure the developer of Scott's Yard delivers or financially contributes to the costs of clearance of the Harbour, restoration of harbour walls and the path link. The policy should also refer to the need for the western half of the harbour to be dredged.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations made to this section of the Plan have been grouped under the following sub-headings: General; Development Strategy; Development Strategy Map and Dumbarton Proposals Map; Development Policies; Ownership of Land, Proposed Road and Infrastructure; Biodiversity and Inner Clyde Special Protection Area; Road Safety; and Flooding, Drainage and Water

<u>General</u>

The comments from Susan Dick (PLDP/175/4) in relation to engagement are disputed. The Council is of the view that it has fully complied with its participation statement which was set out in the Development Plan Scheme and Participation Statement (September 2018) (CD 14).

<u>Introductory Text</u>

The Council has no objection to the proposed modification to Paragraph 4 on Page 20 in relation to the SPA, as requested by SNH (PLDP/640/4), should the Reporter be agreeable to this amendment and considers that a change to Paragraph 4 is required. Should this be the case then the Council suggests that Paragraph 4 is amended as suggested by SNH.

The support from Silverton and Overton Community Council (PLDP/182/4) is welcomed. The reduced emphasis that is placed by the Community Council on industrial business is duly noted. However, the Council would point out that the history of the site is one of industry and the continued use of the site for business and industry is entirely appropriate due to its historic and former uses and is part of the wider City Deal Project for the Glasgow City Region, which is about investment in infrastructure to stimulate economic growth. The Business and Industrial Report (April 2018) (CD 22) scored the site highly and did not propose any de-allocations of allocated business and industrial land. This site is one of the allocated sites for those uses within the Plan and, as a result, no modifications to the Plan are considered necessary in this regard.

<u>Development Strategy</u>

In response to Susan Dick (PLDP/175/4) who is of the view that her land is both included within the greenbelt and within the Employment Opportunity E1(16). The Council would point out that her land is only located with the Greenbelt and, for the avoidance of doubt, is not located within the safeguarded business and industrial area.

The Council has no objections to the proposed modifications to the Development Strategy, as requested by SNH (PLDP/640/4), should the Reporter be agreeable to these amendments and considers that these changes to the Development Strategy are required. Should this be the case then the Council suggests that the Development Strategy, in relation to the Green Network, is amended as suggested by SNH.

In response to comments from SNH in relation to Dunglass Castle and Henry Bell Obelisk, the Council agrees that sensitive treatment of these assets is required. The Council is therefore of the view that a modification to the Development Strategy Map may be necessary to provide a landscaped setting around these important assets. Should the Reporter be agreeable to this amendment and considers that this change to the Development Strategy Map is required. Should this be the case then the Council suggests that the Development Strategy Map should show an indicative area of safeguarded open space around these assets.

The comments from SNH on landscape and open space matters, raised within their representation, will be addressed by the masterplan and the modification suggested above.

The Council would point out, in relation to SNH's request for a developer brief, that Esso Bowling Policy 1 and Scott's Yard Policy 1 requires a masterplan for both sites to be provided. Therefore, there is no need for a development brief to be produced as well. In relation to the request for a Landscape and Visual Impact Assessment (LVIA), the Council would point out that Outline Business Case (SI-WDC-06), Appendix D, states that Landscape and Visual Impact Assessment has been undertaken for the Esso site as part of the Environmental Baseline with the aim of preserving the setting of these heritage assets. Therefore, the Council is of the view that there is no requirement to explicitly state that an LVIA requires to be undertaken as this assessment has already been done and will guide the future masterplan for the site and, as a result, no modification to the Plan is necessary.

However, should the Reporter not be of the same view of the Council on this matter, the Council would suggest that Esso Bowling Policy 1 and Scott's Yard Policy 1 is amended as follows (the proposed amendments are made in bold):

Esso Bowling Policy 1

".....A comprehensive masterplan for development of the site is required to be submitted as part of any planning application for the site and development proposals should be in accordance with the masterplan for the site. ***The masterplan should be informed by Landscape and Visual Impact Assessment (LVIA) and this assessment should also be provided alongside any planning application for the site."***

Scotts Yard Policy 1

".....A comprehensive masterplan for development of the site is required to be submitted as part of any planning application for the site. ***The masterplan should be informed by Landscape and Visual Impact Assessment (LVIA) and this assessment should also be provided alongside any planning application for the site.....*** *"*

The Council, however, does not agree with SNH's request that developer requirements for the sites should be set out within the Plan, as these are matters that would normally be considered through the Development Management process for a planning application. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an application is considered. No modification to the Plan is therefore required in this regard.

With regard to the representation from RSPB (PLDP/649/4), the text in the Plan in relation

to the SPA has been agreed with SNH. Simplifying this text would also be at odds with the mitigation specified in the Habitats Regulations Appraisal (CD 21), which again SNH are happy with. No modification to the text is therefore required in this regard.

However, the Council is of the view that an amendment to make a cross reference to Policy ENV1 may be appropriate to relate to requirements of Policy ENV1: Nature Conservation and to ensure that developers fully accord with the requirements of the Plan in that regard. The Council would therefore have no objection if the Reporter is agreeable to this amendment and considers that a change to the final paragraph on page 20 of the text is required and the Council suggests that the last sentence is amended as follows (amendment in bold):

"Development which could harm an internationally important site will only be approved in certain circumstances ***as detailed within Policy ENV1: Nature Conservation****."*

With regard to the RSPB's request to reintroduce a section of the 2016 Proposed Plan strategy for the west of the site in relation to coastal realignment, climate change and migration of habitats, the Council would point out that the project has been adjusted due to further technical work taken between the Proposed Plan (2016) (CD 13) and Local Development Plan 2 and these adjustments have resulted in the area of land previously allocated within the Proposed Plan (2016) (CD 13) being removed within this Plan. The Council would point out that wider area of green network enhancement has been provided to the immediate west of the land the RSPB are commenting upon. As SNH have not raised any issues with the change in strategy, no modifications to the Plan are required in this regard.

The support from Peel Land and Property (Ports) Ltd (PLDP/650) for the overall regeneration of both sites and the allocation of Site H2(7) within Scott's Yard is noted.

In response to comments from Peel Land and Property (Ports) Ltd regarding identifying the source of funding for the access road within Local Development Plan 2, the Council would point out that delivery of the road is one of the key parts of this Council's City Deal project which will enable this site to be developed for the proposed uses.

The Outline Business Case (SI WDC06) details what is funded by City Deal for delivery on the site and the Council is of the view that Local Development Plan 2 does not need to replicate the exact sources of funding as this is a detailed matter which is outwith the scope of the Plan to influence. That being said, Esso Bowling Policy 1 requires a masterplan for this site and Policy CP4 Masterplanning and Development Briefs requires a phasing delivery and strategy to be included within the masterplan. The Council therefore considers that the appropriate place for this level of detail is within the phasing and delivery strategy of the Plan. No modification to the Plan is therefore required in this regard.

In response to the representation from Network Rail (PLDP/662/4) regarding the need to emphasise the requirement for early engagement with them in relation to the indicative access route, which is proposed to cross the railway line, is not considered necessary. The Council would point out that Network Rail are a statutory consultee within the development management process and early engagement with Network Rail is underway in relation to development of the site. Furthermore, the Council's City Deal project team have already been in discussions with Network Rail on this issue. No modification to the Plan is therefore necessary in this regard.

The comments of SEPA (PLDP676/4) on the purpose of the development strategy and policies within the section are acknowledged.

Development Strategy Map and Dumbarton Proposals Map

In response to comments from SNH (PLDP/640/4) which identify an inconsistency between the Strategy Map for this site and the Proposals Map, the Council considered that it is appropriate to include areas identified for Green Network Enhancement on this strategy map, as the Development Strategy Map will inform any future masterplan for the site. In this case, the area which SNH (PLDP/640/4) have queried was identified on the strategy map as both greenbelt and Green Network Enhancement; however, it is accepted that this is not clear enough and a non-notifiable change to the plan will be undertaken to clarify where these designations are overlapping, by amending the colours used to identify these parts of the Map to be more readily identifiable to the reader.

It is accepted that this area, which is part of the SPA, should not be subject to any enhancement measures; therefore, the Council would have no objection to the removal of the Green Network Enhancement allocation from this area, should the Reporter be agreeable to this amendment and considers that this change to the Development Strategy Map is required.

In response to the comments from SNH (PLDP/640/4) with regard to open space and greenbelt designations, the Council is of the view that area of land, between the railway line and the A82 is amenity greenspace and has been allocated as safeguarded open space within the Adopted Local Plan (March 2010) (CD 10), the Local Development Plan: Proposed Plan (2016) (CD 13). The Council is of the view that this area of land is not Greenbelt and should remain as safeguarded open space within Local Development Plan 2.

The other area of land, between the railway line and the proposed new access road, which SNH question is, in the Council's view, Greenbelt land, which is also in need of enhancement; hence why the land has a dual designation. It is designated as Green Network Enhancement as the area of land could contribute better to the Green Network if it is enhanced as part of the development. The land in question is also required to assist with flood risk management within the site. No modification to the Plan is therefore required.

To provide the clarity that SNH seek, the Council would have no objection to a further modification to the Development Strategy Map and the Dumbarton Proposals Map, should the Reporter be agreeable to this amendment and considers that this change to both maps are required. Should this be the case, the Council would suggest that this area of land is shown as Greenbelt on both maps, as well as, Green Network Enhancement on the Development Strategy Map.

With regard to the request from SNH to allocate a part of the business and industrial land designation (E1(16)) as open space along the river shore and to be allocated as Open Space (GI1), the Council would point out that both the Development Strategy Map and the Dumbarton Proposals Map show a space between the allocated industrial site and the river shore which is intended to be a buffer. The Council would have no objection to the area of land being changed to safeguarded open space, should the Reporter be agreeable to this amendment and consider that this change to the Development Strategy Map and Dumbarton Proposals Map is required.

Should this be the case, the Council would suggest that this area of land is shown on the Development Strategy Map should be altered to show this land as safeguarded open space and as a Green Network enhancement. The Dumbarton Proposals Map could then be amended to show the area of land as safeguarded open space.

Development Policies

With regard to the representation from Network Rail (PLDP/662/4) in relation to Esso Bowling Policy 2, the Council does not agree with the proposed modification as the access to Scott's Yard will be via the new link road and by means of a path link to Bowling Station. It is not proposed that there will be a further access to the Scott's Yard site across the railway line and no further access is shown within the Development Strategy Map. No modification to the Plan is therefore required.

The Council has no objection to the proposed modification to the third bullet point of Esso Bowling Policy 2, as requested by SPT (PLDP/675/4), should the Reporter be agreeable to this amendment and considers that a change to the bullet point is required. Should this be the case then the Council suggests that the bullet is amended as suggested by SPT.

In relation to Esso Bowling Policy 3, the Council also has no objection to the proposed modifications requested by SNH (PLDP/640/4), should the Reporter be agreeable to this amendment and considers that a change to the Policy is required. Should this be the case then the Council suggests that the modifications, as suggested by SNH, are made.

The Council does not agree with the representation from the Woodland Trust Scotland (PLDP/646/4) that Esso Bowling Policy 3 requires to be amended in relation to native trees. The Council considers that species of trees which require to be planted as part of the green infrastructure approach to the site is a detailed matter which is best addressed at the Development Management stage. No modification to the Plan is therefore required.

The support from Scottish Canals (PLDP/786/4) in relation to the indicative waterfront walkway, as required by Esso Bowling Policy 2, is welcomed. The Council believes recreational access to and within the site is an important part of the sites redevelopment as is public access to and along the foreshore for recreational access, which is a requirement of Policy WD 1. The masterplan will have to address this requirement.

The scope of the City Deal project is set out within the Outline Business Case (SI WDC06); therefore, it is not appropriate for Local Development Plan 2 to direct City Deal funding to delivering an access route into Scott's Yard. The Policy does, however, require road infrastructure which enables access to the Scott's Yard site as part of the infrastructure requirements for the Esso Bowling site. No modification to the Plan is considered necessary in this regard.

The support from Scottish Canals for Scott's Yard Policy 1 is also acknowledged. In response to the comments about reinforcing this policy to ensure that the developer of the site delivers or financially contributes to the specific requirements set out in the three bullet points with the Policy, the Council considers that the Policy is strong enough to ensure that that the delivery of these requirements is undertaken prior to development of the site. The Council would however point out that Local Development Plan 2 can only relate to developments on land and, as such, cannot require any developer to dredge the harbour prior to development and is outwith the scope of the Plan. No modifications to the Plan are therefore required in this regard.

Ownership of Land, Impact on the Greenbelt, Proposed Road and Infrastructure

The respondents all object to Susan Dick's land being used for the development of the site. The Council would point out that in regard to the ownership of land, this is not a consideration that Local Development Plan 2 requires to address and issues relating to the ownership of land or the negotiations for the sale land are outwith the scope of the Plan and the Examination. The Council respectfully asks the Reporter to disregard the objections received in relation to this particular issue on those grounds. The Council would also ask the Reporter to dismiss any of the substantive claims made by Ms Dick about compensation, value of the land and Councillors being misled as these are irrelevant considerations about the potential of the whole site for development. The Council's position on this issue is supported by the Reporter considering the Local Development Plan: Proposed Plan (2016) (CD 13) as the Reporter stated that land ownership considerations are not relevant matters for the Examination (CD 15).

As nothing has materially changed from the previous Examination Report (CD 15) and abiding by the Reporters decision on the grounds of ownership, the main issues that the Council will respond to in relation to the representations are in relation to the impact on the Greenbelt and the proposed road and infrastructure.

From the outset, the Council considers this site to be of strategic importance to the Regeneration aims of the Council and for future Business and Industrial Use within West Dunbartonshire. Re-development of the site will also contribute to the wider Glasgow City Region Economic Strategy (CD 37) and the delivery of the aspirations of City Deal, not only within West Dunbartonshire, but for the wider city region as a whole.

An Outline Business Case for the Exxon Site Development was approved by the City Region Cabinet in March 2017 (SI WDC05). This has been adapted to reflect adjustments to the scope of the project resulting from further technical work to form an updated Outline Business Case, which was approved by the City Region Cabinet in January 2019 (SI WDC06). The Outline Business Case sets out the need for supporting infrastructure in order to realise the development potential of the Exxon site, as well as, defining the scope of the required works.

The January 2019 Outline Business Case (SI WDC06) also sets out the significant difference in the potential benefits that could be realised if the whole package of development is not delivered, in particular highlighting the opportunity that would be lost if the A814 link road is not completed or if only a single access is delivered for the Esso and Scott's Yard site. The A814 link road is thereby identified as being one of the fundamental infrastructure requirements for unlocking the Esso and Scott's Yard, Bowling site.

The majority of the points raised in the representations were also raised at the Examination into the Local Development Plan: Proposed Plan (2016) (CD 13). The Reporter concluded that that the principle of the development and the link road are appropriate. In specific relation to the greenbelt designation, the Reporter found that the use of this land to enable a link from the Dunglass roundabout to the Dumbuck junction took precedence over its use as agricultural pastureland for grazing horses and associated activity. It was also found that its continued inclusion within the greenbelt strengthens its importance in relation to the development of the site.

The Council therefore disagrees with the respondents that the proposed road is contrary to Policy GB1 of the Plan, which allows infrastructure with a site specific locational need to

be developed within the Greenbelt, which the development of this site clearly has. The Council also consider that the proposed use would be acceptable within the greenbelt, and even with the development of this infrastructure, retaining the undeveloped land within the greenbelt would help to continue to define the edge of Milton and Dumbarton.

As a result of the above, the Council does not agree with Susan Dick (PLDP/175/4) and the respondents stating that this land should not be removed from the greenbelt. The Council, in further response to Susan Dick (PLDP/175/4), is also of the view that the Business and Industrial units and the road are critical to the future regeneration of this site and economic growth within West Dunbartonshire and the wider City Region. No modifications to the Plan are therefore required in this regard

In relation to the representations in relation to the alignment of the road and the request to consider alternative proposals for the road, that the route of the A814 link road, as shown within Local Development Plan 2, is still considered to be indicative, pending detailed design. It now reflects the preferred accesses identified within the January 2019 Outline Business Case (SI WDC06), which have been developed through Concept Design, Feasibility and Options Appraisal. This work has been undertaken to demonstrate that any engineering issues are identified, as well as, ensuring that Transport Scotland and Network Rail requirements can be met. The optimal solutions, which are set out in the Outline Business Case and represented indicatively within Local Development Plan 2, are the solutions which best meet these requirements. The Council is therefore of the view that no modifications to the Plan are necessary in this regard.

Biodiversity and Inner Clyde Special Protection Area

The respondents are of the view that development of the road and the site will have a significant impact on the SPA. The Council would however advise that SNH are satisfied that the proposed route of the road will have no impact on the SPA and SSSI as it lies outwith the boundary of both of these natural resources. The Council has worked with SNH to ensure that the approach to the development of this site protect the qualifying interests and qualities of the SPA and SSSI.

The comments of SNH (PLDP/640/4) stating that any revisions to the road alignment, which would result in the road being located within the SPA and SSSI, and the issues it would raise for the adoption of the Plan are duly noted.

The Council does not accept that a definition of “exceptional circumstances” should be set out within the Local Development Plan, as suggested by Susan Dick (PLDP/175/4). The Council’s strategy for the site is intended to protect and not have a detrimental impact on the redshank. SNH have been clear through their representations that they are satisfied with the approach taken, subject to some proposed changes noted above, to this site. SNH also have not objected to the Habitats Regulation Appraisal of the Plan (CD 21).

Contrary to the view of the majority of the respondents, the Plan requires a study of the redshank to be carried out and a project level Habitats Regulation Appraisal. These studies will be carried out by independent consultants and the project level Habitats Regulation Appraisal. The Council considers that the required surveys will be undertaken at the appropriate time. No modification to the Plan is therefore required in this regard.

It is also noted that a number of respondents questioned whether the required habitat, biodiversity and bat surveys have been undertaken. It will be requirement for any planning

application for the site to undertake an Environmental Impact Assessment. These studies will be undertaken as part of that process and the findings and any required mitigation will be included within the Environmental Statement for that planning application. No modifications are therefore required in this instance.

Furthermore, the Council disagrees that that proposal is contrary to Policy CON3: Core Paths and Natural Routes. Although there may be disruption to the right of way through the site, Policy CON3 details the requirements to mitigate and overcome this adverse impact. Site specific requirements in relation to Esso Bowling Policy 2 requirements for improving active travel across the site are detailed matters for the Development Management stage to address. It should be pointed out that there is little access to the site at this moment and these issues will be considered at the development management stage.

With regards to comments relating to public safety and contamination, remediation work on the centerfield part of the site has been completed, with further remediation on the remaining part of the site is due to commence shortly. There is no development currently on the site; therefore, public safety is not considered to be at risk at this point and this issue is outwith the scope of the Plan to address. No modifications are considered necessary.

Road Safety

In relation to the representation from Susan Dick (PLDP/175/4), that the proposed link road will provide an alternative relief road should the A82 become blocked/closed and that the road should help to ease congestion and traffic safety.

In response to the representations from Leigh McAulay (PLDP/188); Joseph McAulay (PLDP/189); A Yannelta (PLDP/190); Agnes Scott (PLDP/191); S Wade (PLDP/192); G Allan (PLDP/194); I Bell (PLDP/195); Julie Richardson (PLDP/196); T- (PLDP/197); Joanne Hollem (PLDP/198); and Iain Dalrymple (PLDP/199), that the detailed design of the roads and paths is still to be undertaken; however, any proposal, which created an issue for public safety as suggested by some respondents, would not be considered acceptable by the Council or given permission.

Flooding, Drainage and Water

With regards to comments from Susan Dick (PLDP/175/4) in relation to Flood Risk, a number of studies in relation to water, hydrology and flood risk, have been undertaken following EIA Scoping, as detailed in Appendix D of the Outline Business Case (SI WDC06) (D.1.14 - D.1.18). As detailed below, SEPA (PLDP/676/4) are supportive of the proposed development of this key site, and acknowledge that an updated Flood Risk Assessment will be required to accompany any forthcoming planning application.

The Council has no objection to the amendment to the supporting text of this section of the plan, in relation to the points raised by Scottish Water (PLDP/674/4), to note that Water and Drainage Impact Assessment will be required and that early contact with Scottish Water should be made. Should the Reporter wish to amend this section of the Plan, the Council would have no objection to a change being made and would suggest that a new paragraph is inserted after Paragraph 5 (which starts with 'The Council as…') as follows:

'Furthermore, a Water and Drainage Impact Assessment is required for the site. Early

contact with Scottish Water is required in relation to this assessment and any potential impacts on Scottish Water's network.'

In relation to the representation from SEPA (PLDP/676/4), the council notes the comments in relation to Flood Risk Assessment for Housing Opportunity Site H2(7) Scott's Yard. As set out in Schedule 2 of the Proposed Plan, this site will require a Flood Risk Assessment to be provided as part of any forthcoming planning application.

Reporter's conclusions:

General

1. The other reporter responsible for preparing this report has concluded in his examination of conformity with the Development Plan Scheme and Participation Statement, 2018 that the council has carried out the actions it undertook to carry out in that document. Provided this requirement and the statutory minimum requirements are met, whether the council could have carried out additional engagement is a matter for the council and outwith the scope of this examination.

Development Strategy

2. In the Industrial and Business Land Review, conducted by Ryden for the council in 2018, the Esso, Bowling site scored 16 points from a maximum of 30 points. The highest-ranking site scored 24 points. The lowest ranking site scored 14 points. This puts the Esso, Bowling site at the lower end of the site hierarchy. This is a result of existing constraints relating to access and contamination. However, the review notes that infrastructure investment in line with the plan will be provided through City Deal funding. Ryden concluded that this will make the site more attractive than at present, given its proximity to the A82 and M8. The consultants did not recommend the site be removed from the approved plan.

3. I consider that this assessment, along with the fact that the site was used previously for industrial purposes over a long period and that remediation of the contaminated land on site can only be achieved realistically by creating a high development value through the planning process, justifies the emphasis on business and industrial opportunities in the first bullet point of the development strategy. In any case, these are identified as the primary uses. Proposed Esso Bowling Policy 1 also allows for leisure and tourism uses. Esso Bowling Policies 2 and 3 require improvements to pedestrian and cycle access and the green network. I find that the strategy and policies, as proposed, to be complementary and well-balanced. I do not consider that it would be appropriate to modify the plan to downplay the employment potential of the site.

4. Proposed paragraph 4 of the preamble to the development strategy already reflects the preferred wording of Scottish Natural Heritage (SNH) in relation to the potential impact of development on the Inner Clyde Special Protection Area. Therefore, no modification to the plan is required on this matter.

5. SNH also recommends a change to the third and fifth bullet points of the development strategy regarding the green network and nature conservation. I consider that these revisions would ensure that future development is the best fit for the local landscape, protects and enhances the setting of the category B listed Dunglass Castle and Henry Bell Obelisk Memorial, provides appropriate protection to River Clyde habitats and that

the proposed plan reflects Scottish Planning Policy. The suggested changes are supported by the council. I have endorsed below the modifications proposed.

6. SNH's recommendation that a development brief is required for the site is addressed by the requirement in proposed Esso Bowling Policy 1 and proposed Scott's Yard Policy 1 that comprehensive masterplans for development of the sites are required to be submitted as part of future planning applications. SNH also recommends that the proposed plan makes clear that masterplans must be informed by a Landscape and Visual Impact Assessment (LVIA). The council advises that a LVIA has been carried out for the site. I consider that inclusion of a reference to the LVIA would help to ensure that development maintains and protects key aspects of landscape character. I have recommended below modifications to Esso Bowling Policy 1 and Scott's Yard Policy 1 which include a requirement to take account of the LVIA.

7. All the land shown as green belt on Map 8: Esso Bowling and Scott's Yard in the 2016 proposed plan which is included within the site boundary of the 2018 proposed plan is still shown as green belt. Therefore, I do not consider it necessary to modify the proposed plan to address the Royal Society for Protection of Birds Scotland's (RSPB) concern about green belt coverage.

8. The RSPB suggests simplifying the fifth paragraph of the preamble to the development strategy. However, the council points out that the proposed text has the endorsement of Scottish Natural Heritage. Given the nature conservation value of this part of the river, it is important that prospective developers have clear guidance on what is required to protect the SPA and SSSI. The circumstances in which development that would harm the SPA could be approved are set out in proposed Policy ENV1 Nature Conservation. The RSPB suggests referencing this policy within paragraph 5. I consider that this would be useful in helping users of the plan to understand what the 'exceptional circumstances' referred to relate to. I consider that it is not appropriate to abbreviate this paragraph but do consider that a cross-reference to Policy ENV1 would strengthen the plan. I have recommended revised wording below which is consistent with paragraph 208 of Scottish Planning Policy 2014..

9. The second bullet point of the proposed development strategy indicates that Scott's Yard can be redeveloped for a range of appropriate uses. The first paragraph of proposed Scott's Yard Policy 1 indicates that this range is restricted to business, industrial, leisure, tourism, residential and ancillary retail uses. The policy does not mention specifically power generating uses or a cruise liner stop but does allow a reasonable amount of flexibility for agreement on the final permutation of potentially complementary uses through the development management process. I do not consider it necessary to modify the development strategy to provide greater flexibility.

10. There is no suggestion in the development strategy that the proposed link road is to be fully funded through development. Rather, the council advises that funding of access improvements and supporting infrastructure to the Esso/Scott's Yard site is part of the City Deal project referenced in the first paragraph of the preamble to the development strategy. This provides reassurance that the proposed access arrangements are viable. However, I consider that adding information on financing from the City Deal project to the proposed plan would add unnecessary detail to what the Scottish Government requires to be a concise land use planning document. The council is of the view that this information would more appropriately form part of the masterplans for the site. This would be consistent with the second paragraph of proposed Policy CP3 Masterplanning and

Development Briefs. This requires masterplans to set out a phasing and delivery strategy which is realistic in terms of market conditions. I do not consider it appropriate to modify the proposed plan in order to describe funding arrangements for the new road network.

11. The proposed vehicular access to Scott's Yard site H2(7) is shown on the development strategy map as being taken from the proposed junction to the east of Dunglass roundabout. It is not proposed to reopen the level crossing for public use. A new western access to the site and a new accessible pedestrian rail bridge to the north of Scott's Yard are also proposed. I do not consider it appropriate to recommend a modification to the strategy in relation to reopening the level crossing. The council points out that Network Rail would be a statutory consultee on any proposals affecting the railway. Nonetheless, I find that a modification to Esso Bowling Policy 2 to promote early engagement with Network Rail in relation to pedestrian and both points of vehicular access would be helpful in guiding developers. I have recommended a modification below.

Development Strategy Map and Dumbarton Proposals Map

12. In order to address the comments of SNH, I note that the council proposes to undertake a non-notifiable modification to the development strategy map in order to make clear the status of land where an opportunity for green network enhancement coincides with a designation of land as green belt. At this stage of the examination process, such a change could be viewed as going beyond the scope of modifications available to the authority through the development plan regulations. However, I do agree that such a change would make the map easier to read. Therefore, for the avoidance of doubt, I have recommended below a modification to the same effect as that proposed by the council.

13. Scottish Natural Heritage recommends that identification of land suitable for enhancement of the green network is not appropriate within the Inner Clyde Special Protection Area (SPA). The council is now of the same view as SNH. I also consider that carrying out enhancement measures in this area has the potential to adversely affect the integrity of the SPA. Consequently, I have recommended below a modification which removes any overlap between the SPA and area identified for green network enhancement. The landward part of this area would remain allocated as Green Belt. This would address the representation from the Royal Society of Protection for Birds to this effect.

14. SNH questions why land south of the railway and north of the indicative access route is not allocated as public open space in the same way as the area of land situated between the railway and the A82 to the north. The council indicates that the area north of the railway is amenity greenspace and, accordingly, is allocated as open space whilst the area south of the railway requires to be enhanced as part of the proposed development. This part of the site is also required to assist with flood risk management. Therefore, this area is identified as a green network enhancement opportunity. On this basis, I find the approach taken to the designation of both areas to be logical and reasonable.

15. The western part of the area south of the railway and north of the indicative access route, defined on its eastern edge by a field boundary, is allocated as green belt as well as a green network enhancement opportunity. The council suggests that the whole area between the railway and the indicative access route is shown as green belt. I consider that it would be a logical revision to extend this green buffer along the full northern extent of employment site E1(16) where the proposed access road and railway will provide clear

and permanent boundaries. This would be in line with paragraph 51 of Scottish Planning Policy, 2014 which requires green belt areas to have 'clearly identifiable visual boundary markers based on landscape features such as rivers, tree belts, railways or main roads' and notes that 'hedges and field enclosures will rarely provide a sufficiently robust boundary'. In a response to my further information request on this matter, the landowner objects to this change on the basis that the area in question was previously identified as an opportunity for business and industry and designation as green belt would reduce the future potential to maximise employment development opportunities, including if the site was to be re-marketed. However, the western part of the site is already allocated as green belt and the eastern half is unallocated. No part of the site is allocated for business and industry. Additionally, as I have noted above, the council advises that the area is required to assist with flood risk management for the wider site. I have recommended below a modification to show the whole area as both green belt and an area for green network enhancement.

16. I note that the business and industry allocation does not extend to the foreshore on that part of the site to the west of Dunglass Castle. Where appropriate, this leaves the potential to enhance public access and also to provide tree planting to reduce the impact of employment development when viewed from the river and south bank. I do not consider it necessary also to reduce the size of site E1(16) in this area to accommodate improvements to access and landscaping. The council has suggested that the land in question could be designated as open space and as an opportunity for enhancement to the green network. Given that the future use of this area will be required to complement development of the employment site, I consider that designation as a green network opportunity would be more appropriate than designation as open space at this point in time. I consider that a modest reduction to the E1(16) allocation should be made along the shore to the east of Dunglass Castle. Such an amendment would allow a further extension of the green network opportunity as far as the Scott's Yard site. This would address that part of SNH's representation relating to recreational access and landscape enhancement along the river shore. I have recommended a modification to this effect below. When the improvements have taken place, it may then be appropriate to consider designation as open space in a future plan.

17. Dunglass Castle and the Henry Bell Obelisk Memorial are category B listed buildings. These are buildings of architectural and historic interest and two of very few distinctive, man-made landscape features on the site. The development strategy map shows the boundary of site E1(16) as being cheek by jowl with the listed buildings. Scottish Natural Heritage has recommended reallocating an area of land around the castle and obelisk as open space with public access. The council has not provided a response on this matter. I consider that a change to the development strategy map along these lines would be helpful in protecting and, potentially, enhancing the setting of the listed buildings. However, I consider that designation of this area as a green network opportunity would be more appropriate than designation as open space. This is for the same reason as I set out in paragraph 16 above. I have recommended below an appropriate modification to the map. This would complement the proposed modification to the development strategy, also recommended below.

18. In response to a request for views on the modifications proposed in paragraphs 16 and 17 above, neither the council nor SNH opposed the recommended changes to the proposed plan. However, the landowner objected to the proposed changes. The company is resistant to changing the designation of land along the site frontage currently proposed as a business and industry opportunity to an area for green network

enhancement and considers such a change would impede direct river access to the site frontage for future business or commercial activity.

19. The proposed additional green network opportunity on the west side of site E1(16) and along the south side of site E1(16) to the west of Dunglass Castle is not in an area proposed by the council for business and industrial use. I consider that allocation of these areas as being suitable for green network enhancement would be consistent with the objectives set out in Esso Bowling Policy 2 to provide path and cycle access through the site and in Esso Bowling Policy 3 to strengthen the biodiversity and landscape character of the site. I also consider that the proposed plan, by apparently allowing business and industrial development cheek by jowl with Dunglass Castle and the Henry Bell Obelisk Memorial, does not provide sufficient protection for the listed buildings and the allocation of an area of green network enhancement around the castle and obelisk will help to preserve their setting. The creation of a strip of land along the foreshore to the east of Dunglass Castle for green network enhancement would entail a modest reduction to the area of site E1(16) but would be consistent with how the River Clyde frontage of the site has been treated to the west of the castle and would be in line with the objectives of Esso Bowling Policies 2 and 3, which I have referred to above.

20. However, I am also aware that Esso Bowling Policy 1 provides support for 'maritime related uses in relation to Dunglass Bay and other appropriate uses that require deep water channel access'. Currently, there are no specific proposals of this nature but I appreciate that this is potentially one of the selling points of the site for employment development and pubic access could be in conflict with this opportunity. Therefore, I have recommended below a modification to proposed Esso Bowling Policy 2 which requires that future recreational access be designed to take account of potential health and safety and security issues arising from the proposed access to the river by future employment uses.

21. Scottish Canals suggest that the indicative waterfront walkway linking Scott's Yard to Bowling Basin could be part-funded through the City Deal. This is not a matter for the proposed plan. Consequently, I do not consider it appropriate to recommend a modification to address this point.

Development Policies

Esso Bowling Policy 2 Infrastructure Requirements

22. I consider that my conclusions at paragraph 11 above addresses the issues raised by Network Rail in relation to Esso Bowling Policy 2. I do not consider any further modification to the proposed policy is required to deal with the representation from Network Rail.

23. Strathclyde Partnership for Transport (SPT) recommends highlighting the need to consult with SPT and operators when providing new bus stops and associated infrastructure. I consider this would be a helpful change which would maximise the likelihood that the proposed infrastructure would attract commercial services. The council is supportive of this revision. I have endorsed below the modification proposed by SPT.

Esso Bowling Policy 3 Green Network and Green Infrastructure

24. Scottish Natural Heritage (SNH) has suggested changes to Esso Bowling Policy 3 to

emphasise the importance of effective landscape design along the River Clyde and to ensure effective integration with the wider landscape. I consider both proposed amendments would strengthen the policy by helping to ensure that redevelopment of the site takes full account of the natural assets on and around the site. The council is supportive of the changes suggested by SNH. SNH also suggests a number of relatively detailed matters to be taken into consideration in planning enhancement of the green network. The council considers that these are matters for the masterplan required by proposed Policy Esso Bowling Policy 1. At the level of detail suggested by SNH, I agree that would be the case. However, I consider that some enhancement of the existing guidelines would help to ensure that the masterplan creates a framework such that the full development potential of the site is realised through the development management process. I have taken a similar approach to modification of the parallel policy that relates to the Carless site. I have recommended below modifications that take account of SNH's representation.

25. I consider that a change to proposed Esso Bowling Policy 3 to specify planting of native tree species as part of the green network enhancements would introduce an inappropriate level of detail into what is expected by Scottish Ministers to be a succinct and visionary document. This is a matter that would more appropriately be introduced in the masterplans required by proposed Esso Bowling Policy 1 and Scott's Yard Policy 1 and agreed through the development management process. I do not consider it necessary to recommend a modification to address this part of the representation from Woodland Trust Scotland.

Scott's Yard Policy 1 Approved Types of Development and Other Requirements

26. Proposed Scott's Yard Policy 1 requires that, prior to development, that part of Bowling Harbour associated with the site is cleared, the harbour walls are restored and a path is provided along the harbour towards Bowling Basin. It is clear from the existing wording that, unless otherwise funded, these works are the responsibility of the developer and, without their completion, redevelopment of the site for the uses identified in the first paragraph of the policy will not be supported. I do not consider it necessary to modify the policy to reinforce these requirements, as suggested by Scottish Canals. Scottish Canals also recommends that the policy should refer to the need to dredge the western half of the harbour. Whilst I can appreciate the desirability of such works, the council is correct to point out a requirement of this nature would go beyond its powers as planning authority. Consequently, I do not consider it appropriate to recommend a modification to address this part of Scottish Canals' representation.

Ownership of Land, Impact on the Greenbelt, Proposed Road and Infrastructure

27. There is a large number of representations indicating opposition to inclusion of the land owned by Susan Dick within the site boundary. Similar issues were raised in relation to the 2016 proposed plan. The reporter who prepared the examination report on that plan found that 'land ownership considerations are not a relevant matter for this examination'. That remains the case in relation to this examination. The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 require the council to notify the owners, lessees or occupiers of sites which the proposed plan specifically proposes to be developed and which would have a significant effect on the use and amenity of the site. There is no suggestion that appropriate notification did not take place in this instance. The council must take account of representations received as a result of such notification. I have evidence that this has taken place. However, the

council is not required to remove the relevant development designation from the land in question from the proposed plan if asked to do so. My remit does not extend to the terms of any future acquisition of Ms Dick's land nor to matters of equine health. The suggestion that elected members have been misled by council officers is a matter for the council's chief executive. Consequently, I do not consider it necessary to modify the plan in order to remove the land owned by Ms Dick from the Esso and Scott's Yard site boundary.

28. Ms Dick suggests that the land in her ownership is allocated in the proposed plan as part of employment site E1(16). It is clear from the development strategy map that this is not the case.

29. The site is identified as green belt in the proposed plan. I am not able to comment on any impact this may have on the value of Ms Dick's land but it is evident that the green belt designation which covers those fields is part of a wider designation extending westwards and southwards within the site. I consider this is a reasonable approach by the council to the creation of a buffer between the communities of Dumbarton and Milton and the development site. I do not consider it appropriate to recommend a modification to the plan in order to remove the green belt designation from the land owned by Ms Dick.

30. There is also a view that the indicative access route shown on the land in Ms Dick's ownership is not consistent with the terms of proposed Policy GB1 Greenbelt and Countryside. The seventh bullet point of the proposed policy indicates that infrastructure with a specific locational need will be allowed in the greenbelt. I have concluded at paragraphs 2 and 3 above that the business and industry allocation on the former Esso site is appropriate. Paragraph 3.69 of the Exxon Site Development Project Outline Business Case, 2019 states that the development potential of the site would be limited if served from an eastern access only as transport assessments have shown the need for additional capacity to the site. The outline business case also indicates that dual access to the site would allow for the diversion of traffic from the A82 in the event of a closure on the section of that road north of the site (there is no existing parallel road route in this area, unlike much of the A82). I have no evidence to suggest that the conclusions presented in the outline business case are incorrect. I also consider that a new through-route serving the site would make it more likely that the development sites would be served in future by bus services, as sought by Esso Bowling Policy 2. Therefore, I find that a western access is essential in securing the full remediation and effective redevelopment of this very large, contaminated, brownfield site. On that basis, I also find that the proposed western access, through the green belt, complies with proposed Policy GB1.

31. I also find that the proposed western access complies with paragraph 52 of Scottish Planning Policy 2014 (SPP) which indicates that development plans should describe the development which would be appropriate within a green belt. SPP indicates that this could include essential infrastructure such as digital communications infrastructure and electricity grid connections. For the reasons I have outlined above, I consider that the proposed western road access can reasonably be considered as essential infrastructure. I note that the alternative road access proposed by Ms Dick would also be within the green belt.

32. In her representation on the proposed plan, Ms Dick suggests an alternative proposal for the western access which, she considers, would reduce the effect on her landholding, principally by moving the proposed junction with the A82 further east. This is

described as Option 2 in Ms Dick's submission. However, the council advises that the indicative road proposals shown on the development strategy map reflect the work carried out through a concept design, feasibility and options appraisal. They will also be subject to more detailed consideration, and further consultation, through the planning application process. I have no evidence to suggest that this appraisal exercise is flawed nor that the alternative proposals advanced are based on similar feasibility work.

33. In response to a request for comments on the alternative access arrangements submitted by Ms Dick, the council advises that the proposed road will traverse the railway by means of a new underbridge. The council explains that this structure must conform to Network Rail's Guide to Rail Investment Process (GRIP). Critically, in my view, this requires the approaches to that underbridge to have a 'square alignment' with the railway. This is the arrangement shown indicatively on the development strategy map. Although Ms Dick's suggested option skirts her fields, in order to minimise the impact on her grazing land, this means that the proposed road would run parallel to the railway before taking a sharp 90 degree turn into the underpass. This would not meet Network Rail's design requirements. In her additional comments on the council's response to the further information request, Ms Dick also produced drawings showing two other options. However, both show a similar relationship between the proposed road line and the new underbridge. From the evidence available to me, I consider it unlikely that either Option 1 or Option 3 would meet GRIP guidelines. From the information provided, the council is of the view that Ms Dick's Option 2 would also be unacceptable because it would not accommodate all necessary traffic movements in both directions between the A814 and A82. I have no evidence to suggest that this analysis is flawed.

34. In her further response, Ms Dick states that the requisite topographical survey, flood risk assessment and habitat survey of her land to accommodate any revised road proposals have still to take place. However, the third paragraph of the supporting text on page 20 of the proposed plan makes it clear that the access route shown on the development strategy map is indicative and may be subject to alteration as development progresses. I consider this to be a reasonable approach for the council to take in a local development plan and it is one that would allow for changes resulting from any outstanding investigative work on Ms Dick's land.

35. I conclude that it is not necessary to recommend a modification to the plan showing the removal or alteration of the western site access. My conclusions are consistent with those of the reporter who considered similar matters as part of the examination of the council's first proposed plan in 2016.

36. Ms Dick has suggested that the indicative road proposals should also be shown on the Dumbarton Proposals Map. I consider that this would introduce a level of detail to the proposed map which would potentially make it unclear. The proposed map identifies the Esso and Scott's Yard site as a Delivering Our Places site which, in turn, indicates to the reader that more detail is available in the relevant section of the proposed plan. I do not consider it necessary to recommend a modification to the plan on this point.

Biodiversity and Inner Clyde Special Protection Area

37. Proposed Policy CP2 Green Infrastructure requires development proposals to 'protect, restore and enhance biodiversity habitat networks'. Proposed Policy ENV1 Nature Conservation requires that all new development should enhance biodiversity as part of the green network. Proposed Esso Bowling Policy 3 Green Network and Green

Infrastructure states that green network enhancements should include habitat creation and protection. I consider that this policy framework provides the council with adequate scope to ensure that biodiversity issues are dealt with in an appropriate manner through the development management process, including giving due consideration to the trees, grasses, pond and bats mentioned in representations. The council also points out that it will be necessary for any future developer to carry out an environmental impact assessment for the site with any required mitigation to be included within the environmental statement which would be required to accompany their planning application. I do not consider that it is necessary to recommend a modification to the proposed plan in order to strengthen the protection afforded to wildlife on the site.

38. I have dealt with Scottish Natural Heritage's (SNH) representation on the proposed text referring to the Special Protection Area (SPA) at paragraph 4 above.

39. Ms Dick suggests that the indicative access route would impact on the SPA and could not be justified as an exceptional circumstance. However, the indicative access route shown on the development strategy map is situated to the north of and outwith the SPA. SNH acknowledges this and has not objected to the indicative route proposed. In order to comply with proposed Policy CON1 Transportation Requirements for New Development, the proposed road will be required to accord with Designing Streets, the national roads development guidelines. This will ensure that the proposed road would not adversely affect the integrity of the adjoining SPA and that the road proposals comply with proposed Policy ENV1 Nature Conservation as it relates to Natura 2000 sites (which includes SPAs) and sites of special scientific interest (SSSIs). I consider that the proposed plan contains sufficient safeguards to ensure that the proposed road infrastructure would not adversely affect the integrity of the SPA. I do not consider it necessary to recommend a modification to the plan to address representations on this matter.

40. The wording of the fourth paragraph of the introductory text regarding the SPA is that recommended by SNH in order to comply with Scottish Planning Policy. On that basis, I do not consider that it would be appropriate to recommend a modification to the plan simplifying this wording, as suggested by the Royal Society for the Protection of Birds Scotland (RSPB). I have recommended the inclusion of a cross-reference to proposed Policy ENV1 Nature Conservation at paragraph 8 above.

41. The fourth and fifth paragraphs of the introductory text set out the actions required to ensure that redshank habitat on the Inner Clyde is protected. This entails the preparation of a project-level Habitats Regulations Appraisal which can only be carried out meaningfully in relation to a specific development proposal. It would be premature to carry out a project-level appraisal at this juncture. The approach in the plan is in accord with the advice of SNH. I do not consider that it is necessary to modify the plan in order to ensure protection of the SPA.

42. I have recommended above a cross-reference in this part of the proposed plan to Policy ENV1 Nature Conservation. This proposed policy outlines the exceptional circumstances in which development which could adversely affect the integrity of the SPA could be approved. I do not consider it necessary to reiterate those circumstances by recommending a modification to the introductory text on page 20.

43. Proposed Policy CON3 Core Paths and Natural Routes states that the council will not support development which disrupts or adversely impacts a right of way. The policy

also states that, where such disruption or adverse impact is demonstrated to be unavoidable, the council will require the developer to provide an appropriate diversion within the site or put in place appropriate measures to mitigate and overcome the adverse impact expected. It is possible that the proposed development would have a detrimental impact on the right of way but that is something that can only be assessed fully through the consideration of a planning application, as is the nature of any alternative arrangements. I consider that proposed Policy CON3 would enable the council to deal with proposals in a way that preserves the functionality of the right of way. I also note that proposed Esso Bowling Policy 2 requires the creation of path and cycle access into and through the site. I do not consider that it is necessary to recommend a modification to the proposed plan to address concerns about the impact of development on the right of way.

44. The issue of any public safety risk arising from contamination of the site is not one that the local development plan can address directly. The Scottish Environment Protection Agency is the public authority responsible for enforcement. However, in allocating the site for development, the council has helped to create a financial value that will encourage decontamination. I could see from my site visit that this process is well advanced. I could also see from my site visit that both the Esso and Scott's Yard parts of the site are secured against casual public access. I do not consider that it is appropriate to recommend a modification to the plan in relation to the suggestion that contamination on the site poses a risk to public safety

Road Safety

45. I have dealt with concerns about the potential impact on the right of way at paragraph 37 above. As I have noted, proposed Policy Esso Bowling Policy 2 requires path and cycle access to be provided into and through the site. It does not require the creation of a footway or cycleway adjacent to the proposed access road. That is a detailed design issue that will be dealt with, initially through preparation of the masterplan and, subsequently, through the development management process. I have dealt with issues of 'congestion' at paragraph 27 above. I have noted at paragraph 33 above that the proposed road infrastructure will be required to comply with Designing Streets, the national roads development guidelines. This will ensure that the approved design is acceptable in road safety terms. I do not consider it necessary to recommend a modification to the plan on matters of road design.

Flooding, Water and Drainage

46. Susan Dick raises concerns about flooding of the site. Schedule 2 of the proposed plan indicates that a flood risk assessment is required to be submitted as part of any planning application for the Scott's Yard site. In terms of flood risk to the remainder of the site, proposed Policy ENV6 Flooding states that, in general terms, development will not be supported on the functional flood plain nor where it would have a significant probability of being affected by flooding or increasing the possibility of flooding elsewhere. The preamble to Policy ENV6 indicates that developments near the River Clyde may require to be subject to a flood risk assessment and mitigation measures to accord with Policy ENV6 and paragraph 263 of Scottish Planning Policy 2014. The Scottish Environment Protection Agency has not objected to the policies for the site on the grounds of flood risk and has indicated support for the development uses proposed. I consider that the proposed plan makes adequate provision to enable the council to address potential flooding issues through the planning application process. I do not consider it necessary to recommend a modification to the plan on this matter.

47. Scottish Water recommends an addition to the proposed plan to highlight the need for a water and drainage impact assessment along with early engagement with Scottish Water. I consider that this would help to provide users of the plan with a more complete indication of development requirements for the site. The council supports this change. I have recommended below a modification based on the wording suggested by the council.

Reporter's recommendations:

I recommend that the plan be modified by:

Introductory Text

1. Deleting the third sentence of the fifth paragraph on page 20 and substituting the following sentence:

'Development which could adversely affect the integrity of an internationally important site will only be approved in the circumstances detailed in Policy ENV1 Nature Conservation.'

2. Adding a final paragraph to the supporting text on page 20 of the proposed plan, as follows:

'A water and drainage impact assessment is required for the site. Early contact with Scottish Water is required in relation to this assessment and any potential impacts on Scottish Water's network.'

Development Strategy

3. Deleting the third bullet point of the proposed development strategy and substituting the following wording:

- 'To use the development of the sites to enhance the green network and access links and for the proposals to reflect the distinctive landscape and visual characteristics and qualities of the site, including Dunglass Castle and the Henry Bell Obelisk Memorial.'

4. Deleting the fifth bullet point of the proposed development strategy and substituting the following wording:

- 'To ensure no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI).'

Development Strategy Map

5. Revise the notation so that it is clear where the opportunity for green network enhancement coincides with a designation of land as green belt.

6. Deleting from the development strategy map the opportunity for green network enhancement that overlays the Inner Clyde Special Protection Area.

7. Extending the existing green belt designation in the western part of the area situated between the railway line and the indicative access route on the development strategy map

to cover this entire area and making a commensurate modification to the Dumbarton Proposals Map.

8. Identifying the land shown on the revised development strategy map prepared by the council on 20 December 2019 which is situated between the southern boundary of employment site E1(16) and the River Clyde to the west of Dunglass Castle and between the western boundary of employment site E1(16) and the Special Protection Area as an area for green network enhancement.

9. Identifying the area of land around Dunglass Castle and the Henry Bell Obelisk Memorial shown on the revised development strategy map prepared by the council on 20 December 2019 as a green network enhancement opportunity.

10. Reducing the size of employment site E1(16) in the area between Dunglass Castle and Scott's Yard to create an area for green network enhancement along the River Clyde, as shown on the revised development strategy map prepared by the council on 20 December 2019.

Esso Bowling Policy 1

11. Adding two additional sentences to the second paragraph of Esso Bowling Policy 1 to read as follows:

> 'The masterplan should be informed by the Landscape and Visual Impact Assessment (LVIA) that has been carried out for the site. The LVIA must also be provided alongside any planning application for the site.'

Esso Bowling Policy 2

12. Deleting the third bullet point of proposed Esso Bowling Policy 2 and substituting the following sentence:

'Provision of bus stops and associated infrastructure to encourage public transport provisions within the site, subject to discussion with SPT and bus operators.'

13. Adding a new third paragraph to proposed Esso Bowling Policy 2 to read as follows:

'Recreational access routes on the site must be designed to take account of potential health and security and safety issues arising from future land uses, in order to avoid risks to the public and conflict with approved uses. This may have the effect of limiting public access to some areas within the proposed green network.'

14. Adding a new final paragraph to proposed Esso Bowling Policy 2 to read as follows:

'Early engagement with Network Rail is essential to ensure that proposals to provide pedestrian and vehicular access to the site protect rail assets and do not compromise rail service delivery.'

Esso Bowling Policy 3

15. Deleting the first paragraph of proposed Esso Bowling Policy 3 and substituting the following paragraph:

'The council requires proposals for the site to:

- deliver a designed waterfront edge that demonstrates successful integration of proposals within the landscape, provides appropriate recreational access and frames key views;
- ensure that enhancements reflect and help to strengthen the biodiversity value of the site;
- retain significant trees and woodland to safeguard the landscape character of the site and protect the residential amenity of site neighbours;
- plant trees to reinforce the existing landscape pattern and help to mitigate the impacts of development;
- provide a high-quality landscape within the built development area that integrates with the natural environment of the site;
- take account of external views into the site, including from the River Clyde and from the south side of the river;
- take account of views to Dunglass Castle and the Henry Bell Obelisk Memorial;
- ensure any flood defences are designed to complement landscape character; and
- design recreational access to take account of potential health and safety and security issues arising from future land uses in order to avoid risks to the public and conflict with approved uses.

Scott's Yard Policy 1

16. Deleting the second paragraph of Scott's Yard Policy 1 and substituting the following paragraph:

'A comprehensive masterplan for the development of the site is required to be submitted as part of any planning application for the site. The masterplan should be informed by the Landscape and Visual Impact Assessment (LVIA) that has been carried out for the site. The LVIA must also be provided alongside any planning application for the site.'

Issue 5	**Carless, Old Kilpatrick**	
Development plan reference:	Delivering Our Places: Carless, Old Kilpatrick (Pages 24 - 28)	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

Susan Dick (PLDP/175/5) Malin Group (PLDP/177/5) Silverton and Overton Community Council (PLDP/182/5) SNH (PLDP/640/5) Woodland Trust Scotland (PLDP/646/5) M and J Smith (PLDP/668) Clydebelt (PLDP/673/5) Scottish Water (PLDP/674/5)	SEPA (PLDP676/5) (Support) Lesley McEwan (PLDP/718/5) R McEwan (PLDP/720/5) G Parton (PLDP/721/5) B Campbell (PLDP/757) M Campbell (PLDP/758) J Wintersgill (PLDP/759) Scottish Canals (PLPD/786/5)

Provision of the development plan to which the issue relates:	This issue relates to the Carless, Old Kilpatrick section of the Plan which sets out a Development Strategy and a series of place based policies for development of the area.

Planning authority's summary of the representation(s):

The representations made to this site have been grouped under the following sub-headings: General; Inner Clyde Special Protection Area; Development Strategy and Development Strategy Map; Carless Policy 1; Carless Policy 2; Carless Policy 3; Carless Policy 4; Proposals Map; Nature Conservation; and Forth and Clyde Canal Scheduled Monument.

General

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) object to the size of the building; the future plans for mixed-use and residential; and the additional access route. The respondents are of the view that the whole area should be an extension of the Saltings Nature Reserve as this would fit in with many of the policies contained within Local Development Plan 2. The respondents also refer to illegal driving of motor bikes in the area and highlights equestrian accidents etc.

Silverton and Overton Community Council (PLDP/182/5) do not object to development of the site, but have reservation about the height of any proposed buildings. They refer to one building being 43 metres in height which the respondent considers inappropriate for this environmentally sensitive site and almost impossible to visually shield.

SNH (PLDP/640/5) recommend that the Council require a development brief and Landscape and Visual Impact Assessment (LVIA) for the Carless site and sets out developer requirements in this regard.

SEPA (PLDP676/5) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on

ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these sites is Carless.

Scottish Water (PLDP/674/5) state that a Water and Drainage Impact Assessment will be need to be carried out to assess the impact on their water network and that early engagement is critical.

Inner Clyde Special Protection Area

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) suggest that an independent HRA should be carried out as the Council has too close an interest in developing this site in particular as some of the land is in its ownership (community park at end of Durban Avenue is earmarked as an access route).

A study of Redshank should be insisted upon as the site is within and adjacent to the SPA. This development must not have an adverse effect on the Inner Clyde Special Protection Area (SPA). The plans for this site involve heavy industry and with that will come associated pollution (various forms, noise, light etc), new roads, increased traffic, pedestrian and vehicular etc. The respondents are therefore of the view that development of the site cannot fail to have an impact/effect on the SPA.

The respondents are also of the view that a mixed use development and secondary access to the site should not take precedent over the impacts on the SPA. The respondents also state that the Plan should make it clear the parameters on how these impacts are outweighed by the development and who decides this.

SNH (PLDP/640/5) require the fourth paragraph on Page 23 to be amended in relation to the HRA to ensure there is no confusion between the information required to inform the Habitats Regulation Appraisal (HRA) and the HRA itself. Subsequent changes to the section on Carless in the HRA (CD 21) and SEA (CD 20) will also be need to be made.

Development Strategy and Development Strategy Map

Malin Group (PLDP/177/5) state that whilst the supporting text on page 24 identifies the contaminated land designations affecting the site, the need for remediation is not stated within the Development Strategy itself, nor within the Carless site specific policies which follow. There is also no recognition in policy terms of the need for remediation to follow a *"suitable for use"* approach, as required by Scottish Government Planning Advice Note 33: Development of Contaminated Land (CD 38), and the consequently logical approach of allowing remediation to proceed on a phased basis as end use proposals are progressively defined, funded and implemented. An amendment to reflect this approach is essential as the timing, extent and type of remediation required on different parts of the site will vary depending upon the nature of localised contamination, and the intended end use.

In relation to access, the second bullet point within the Development Strategy considers site access and includes a requirement to *'provide a secondary access point to the site and upgrade the existing access.'* However, neither the strategy nor the subsequent policies explore the circumstances under which a secondary access would be required, or

the detail of the 'upgrades' to the existing. It is implicit within Carless Policy 3 that a secondary access is required if residential is to come forward on the site. This is accepted, but it is not clear from the proposed plan that, in the absence of residential development, the single existing access, possibly upgraded, is sufficient to cater for a mixed-use business and industrial development. This has already been discussed and confirmed with the Council's Roads team of the Council and should be made clear within the Plan.

With regard to the Green Network, the respondent is of the view that the Development Strategy should make it clear that the primary role of the Green Network at the Carless site is one of habitat connectivity rather than recreation or access.

SNH (PLDP/640/5) recommend, in the order of consistency in the Plan and to accord with the wording of paragraph 207 & 212 of SPP (CD 03), that the fifth bullet be amended.

M and J Smith (PLDP/668) are of the view that no houses or development should be allowed on the area of land between the railway line and the canal as it is this area that makes it a haven for wildlife.

Carless Policy 1 - Business and Industrial Development

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) are of the view that no area of the site should be used for this type of development.

Malin Group (PLDP/177/5) states that the hard delineation of Business and Industry allocation E1(17) on the Carless Development Strategy combined with the wording in Carless Policy 1 that business and industrial proposals will be supported *"on the areas identified for uses within the Development Strategy Map"* is of concern as it could unnecessarily restrict redevelopment proposals. Moreover, the Carless Development Strategy Map excludes the existing jetties and land surrounding these from the business and industry land allocation, except for a narrow *"indicative access route"* to link the jetties with land allocation E1(17). This is misaligned with the introductory supporting text to the Carless Development Strategy which identifies the jetties and deep water access as being the key assets of importance for shipping and marine related redevelopment proposals. Given the economic importance of the jetties and that industrial led regeneration of the entire Carless site is in fact predicated upon their use, it is recommended that the Carless Development Strategy Map should be amended to include the existing jetties and an area of adjoining land as clearly being within Business and Industry allocation E1(17).

Carless Policy 2 - Mixed Use Development

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) are of the view that no area of the site should be used for this type of development.

Malin Group (PLDP/177/5) state that the diagrammatic segregation of the proposed Mixed Use Allocation from the Green Network corridor is unnecessary and should be removed such that the boundary of the allocation and corridor should overlap along the River Clyde frontage (i.e. the Green Network corridor should provide the frontage of and be within the Mixed Use allocation, rather than these being shown as functionally separate). This would

provide greater flexibility for redevelopment on the eastern part of the site, where further inward investment is still required to deliver appropriate remediation and regeneration, without undermining proposals for environmental enhancement. It would not interfere with the qualifying interests and integrity of the Inner Clyde SPA and SSSI, as the eastern part of the Carless site is not bounded by these ecological designations and appropriate protections would continue to apply.

SNH (PLDP/640/5) recommend that criterion (c) is amended in order to be consistent and to accord with the wording of paragraph 207 & 212 of SPP (CD 03).

Carless Policy 3 - Residential Development

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) are of the view that no area of the site should be used for this type of development. They are also of the view that any planned/potential or proposed development on the community park earmarked as a possible route for the road access should be removed.

Malin Group (PLDP/177/5) state that they only intend to bring this land forward for housing if it is not possible to secure a business or industrial use for it, or if a higher value use is required on the land to pay for remediation activities on the wider Carless landholding. To this end it is considered inappropriate to designate the land for housing use only and the designation should be changed to that of mixed use, to match the remainder of the Carless site. The text of the strategy and the Carless Policy 3 are sufficient to preserve the possibility of use for housing under certain circumstances. The requirement for a secondary access to serve housing is acknowledged; however it may be that other alternative access routes become available that would be equally acceptable. The new access should not be specific to Dumbarton Road. Also request that an area of land currently zoned as safeguarded open space is re-designated as a residential site.

SNH (PLDP/640/5) question the allocation of Housing Site H2(33) given the sensitivity of the landscape features and Green Network Enhancement either side of the Canal. They recommend either that the housing is incorporated within the Mixed use area, which would allow the proposed housing site to remain as open space that could link to the north side of the Canal; or the housing allocation could be split either side of the disused railway line and provide some open space within the existing allocated site; or the number of units could be reduced.

They also recommend that a new sentence is added to the end of the Policy to ensure development relates to key landscape characteristics and visual amenity of the site in accordance with Policy ENV2 of the Plan.

Clydebelt (PLDP/673/5) state that they cannot see the justification for a new road and bridge to the proposed residential site if this road is only serving the residential area. They state that they have been informed that the development can use the existing Ferry Road, subject to improvements and that this road would bisect the only sizable area of playing space South of Dumbarton Road. They are of the view that the site in question could be used as wildlife enhancement to replace the area of land being lost to the construction yard. Raise issues of residential amenity and state that it would create an isolated community and that development of the site is contrary to Carless Policy 4.

Carless Policy 4 - Green Network and Green Infrastructure

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) support part of the Policy where it refers to protecting and enhancing the disused railway line/wildlife corridor and states that this is a well-used core path/natural route used extensively by locals. The respondents however cannot see how a planned road right across it and major development on either side can possibly adhere to this Policy.

The respondents refer to Policy CON3 in relation to the protection of core paths, bridleways and footpaths states the development of the site and proposed road will affect the wildlife corridor and the cycle path/canal towpath. They are of the view that the proposed secondary access will also not allow for freedom of movement of wildlife; would endanger wildlife; and will also create fragmented areas.

The Policy also mentions upgrading existing open space and providing new green spaces within the site, as well as, retaining natural species and habitats within the site. Development of the site should not be used as compensatory green space and should be tidied up instead as it is a varied natural habitat and a well-used walking area. The respondent is strongly of the view that if it is developed for the intended uses then the Council will have ruined it for all future generations.

Malin Group (PLDP/177/5) is of the view that the requirement in Carless Policy 4 that “development of the site is required to deliver habitat, access, green and open space enhancements site” does not provide a clear statement regarding the Green Network role of the site or how this should be enhanced. To address this, it is recommended that Carless Policy 4 should be amended to clearly define the primary role of green network enhancements within the Carless site as one of habitat connectivity rather than recreation, amenity or access, which are fulfilled by the canal and tow path immediately to the north east.

The Malin Group is of the view that there is one location on site where green network enhancements could be used to provide a recreational and access function. In the SE portion of the site, adjacent to the Auchentoshan Burn, there is an opportunity to provide green network connectivity back to the canal towpath and thereby allow recreational riverside access. The Development Strategy Map could be amended to indicate this opportunity.

SNH (PLDP/640/5) is of the view that another bullet point is required in relation to the design of the green network and spaces.

Woodland Trust Scotland (PLDP/646/5) state that they have identified strips of woodland present on the NWSS at site allocation H2(33). As woodland loss is a potential negative impact of development at this site, the respondent would like to ensure that appropriate compensatory planting with native trees is specific in the policy section for this development area.

Clydebelt (PLDP/673/5) would like to see improvement to the unmade footpath near the river around the whiskey bond forming a walking loop with the canal footpath and Sustrans ex rail track.

Scottish Canals (PLPD/786/5) states that because of the nature of the waterside proposal at the Carless site it might not be possible to provide a continuous Riverside Walkway along the north bank of the Clyde at this location. The Forth & Clyde Canal towpath could be upgraded by the Carless development to provide an alternative access route set back from the River. The policy should also recognise the importance of the proposed development at Carless providing new access connections to the Canal towpath and for the potential of the canal to provide a conduit for surface water discharge from the development site if feasible.

Proposals Map

Malin Group (PLDP/177/5) state that due to the modifications they are seeking, corresponding changes to the Proposals Map in relation to the site will require to be made as detailed within Figure 7.1 of their representation.

SNH (PLDP/640/5) state that areas within the Green network enhancement are not allocated as open space within the site and recommended that they are allocated as such on the proposals maps

Nature Conservation

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) refer to Policies WD1, CP1, CP2 and ENV1 in relation to impacts on nature conservation within the site. Request that the site is kept natural looking and free from development. Also advises that Bats, as well as, water voles are in the area/on the site and asks if surveys have been carried out on these species and other wildlife within the and adjacent to the site. The respondents also suggest that the ponds on the site should be safeguarded as should the wildlife corridors and that no exceptions should be allowed that go against the aim of protecting nature conservation or protected species.

M and J Smith (PLDP/668) adds that if the site is not kept natural no birds will visit it.

Forth and Clyde Canal Scheduled Monument

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) quote Policy FCC1 and states that a bridge over the Forth and Clyde Canal will have an adverse impact on the Scheduled Monument and will destroy its natural setting, disturb wildlife and the have an impact on the use of the canal during and post construction. Asks if Historic Environment Scotland have given consent for this and also refers to the fact that the Antonine Wall may also be in the vicinity of the site.

Scottish Canals (PLPD/786/5) note that an indicative access route is shown on the Plan for the Carless site. Any access bridges proposed over the Forth & Clyde Canal will need the approval of Scottish Canals and will also require Scheduled Monument Consent.

Modifications sought by those submitting representations:

General

SNH (PLDP/640/5) recommend that the Council require a development brief and

Landscape and Visual Impact Assessment (LVIA) for the Carless site and sets out developer requirements as follows:

- Establishing spatial links and paths between the site and the housing area to the north in several places, across the canal in-between, and not just at the eastern end of the site.
- Retention of existing mature trees along the south side of the Forth and Clyde canal as well as opening-up some framed views from the cycle route towards the River Clyde.
- Retention of existing mature trees upon the site where possible.
- Design of landscape elements and pathways that link between the Forth and Clyde Canal cycle route, the disused railway and the shoreline.
- Design of the open space in the north-east of the site to create an attractive space for local residents, including focal areas and mitigation of the effects of vehicles travelling along the A814.
- The route of powerlines across the eastern part of the site and associated wayleave restrictions.
- Design of the waterfront spaces to relate to the distinct landscape characteristics of the site, provide a high-quality built environment, provide green network enhancements and access for recreation, and integrate and protect the natural environment.
- How the site would be viewed from the southern side of the River Clyde, particularly the siting and scale of structures in relation to the foreground river expanse.

Scottish Water (PLDP/674/5), although not specifically seeking a modification to the Plan, is of the view that the Plan should require developers to provide a Water and Drainage Impact Assessment and engage early in this regard with Scottish Water.

Inner Clyde Special Protection Area

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) suggest that an independent HRA should be carried out and therefore is seeking an amendment to the Carless section in this regard.

SNH (PLDP/640/5) recommend that the fourth paragraph on Page 23 is amended to:

Development at Carless must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development

Subsequent changes to the section on Carless in the HRA will also be need to be made.

Development Strategy and Development Strategy Map

Malin Group (PLDP/177/5) request that the Carless Development Strategy is requested that the following modifications are made to the Carless Development Strategy on page 58

of the West Dunbartonshire LDP Proposed Plan:

- At the start of the Development Strategy text box, insert: "*Development proposals will be expected to support the implementation of the Development Strategy for Carless. As illustrated on the Carless Development Strategy Map, this seeks…*:
- Amend the second bullet point in the Development Strategy text box to read: "*To provide suitable and adequate infrastructure, including access, to accommodate redevelopment proposals*";
- Amend the third bullet point in the Development Strategy text box to read: "*To use development of the site to remediate contamination, deliver environmental betterment and to enhance the Green Network through improving habitat connectivity*. *Remediation and redevelopment proposals should make land suitable for future intended uses*";
- Amend the fifth bullet point in the Development Strategy text box to read: "*To safeguard the qualifying interests, integrity and conservation objectives of the Special Protection Area and SSSI"*; and

Amend the Development Strategy map to include the modifications shown in Figure 2.1 of the respondent's representation.

SNH (PLDP/640/5) recommend that the fifth bullet point of the Development Strategy is amended to the following:

"To ensure no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI)."

<u>Carless Policy 1 - Business and Industrial Development</u>

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) although not inherently stating it in these terms, are of the view that the proposed use and this Policy should be deleted from the Plan.

Malin Group (PLDP/177/5) seek the following modifications to the Carless Development Strategy Map on page 59:

- Amend Carless Development Strategy Map as per Figure 2.2 of the respondents representation to include the existing jetties and an area of adjoining land as clearly being within Business and Industry allocation E1(17). In consequence, remove the light blue "Route Access (indicative)" line from the map.

<u>Carless Policy 2 - Mixed Use Development</u>

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) although not inherently stating it in these terms, are of the view that the proposed use and this Policy should be deleted from the Plan.

Malin Group (PLDP/177/5) that the following modifications should be made to the Carless Development Strategy Map on page 59:

- Amend Carless Development Strategy Map to expand the yellow boundary of the mixed-use area to align with the red line site boundary, and retain the green network notation so that it is within the yellow boundary of the mixed-use area.

SNH (PLDP/640/5) recommend that the criterion (c) is amended to the following:

"To ensure no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI)."

Carless Policy 3 - Residential Development

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) although not inherently stating it in these terms, are of the view that the proposed use and this Policy should be deleted from the Plan.

Malin Group (PLDP/177/5) seek the following modifications:

- That the mixed-use designation on the Carless site be expanded to include the land currently earmarked for housing H2(33)1;
- That Carless Policy 3(b) be amended to read: "A second access has been provided to serve the residential development."

SNH (PLDP/640/5) recommend that a new sentence is added to the end of the Policy as follows:

'The siting and design of residential development should relate to the key landscape characteristics and visual amenity of the site in accordance with Policy ENV2'.

Clydebelt (PLDP/673/5) request that Carless Policy 3 and Site H2(33) are deleted from the Plan.

Carless Policy 4 - Green Network and Green Infrastructure

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) state that the LDP should steer development of the site to become a wildlife park. Bridleways should also be a feature of the site.

Malin Group (PLDP/177/5) seek the following modifications:

- Amend the first sentence to read: "As the site is identified as a strategic opportunity for the enhancement of the Glasgow and Clyde Valley Green Network, development proposals should protect and enhance the green network within and surrounding the site. Development proposals will be expected to demonstrate adequate open space provision and the improvement of habitat connectivity within Green Network corridors as identified on the Development Strategy Map".
- The development strategy map should be amended as per Figure 2.3 of the respondents representation to clarify where the possibility for improved access, as a function of the Green Network, can be achieved.

SNH (PLDP/640/5) recommend that an another bullet point is added to the Policy and suggest the following:

- '*Designing the green network and spaces to reflect and enhance the distinctive landscape characteristics and visual amenity of the site.'*

Woodland Trust Scotland (PLDP/646/5) request that the following additional bullet point is inserted into the Policy:

'Additional native tree planting with species appropriate to the site conditions should be part of the green space provision and green network enhancement.'

Clydebelt (PLDP/673/5) wish to see the requirement to upgrade the unmade footpath near the river around the whiskey bond to form a walking loop with the canal path and the former railway track added to the list of Policy requirements.

Scottish Canals (PLPD/786/5) wish to see the Policy amended to allow the Forth & Clyde Canal towpath could be upgraded by the Carless development to provide an alternative access route set back from the River. The Policy should also be amended to recognise the importance of the proposed development at Carless providing new access connections to the Canal towpath and for the potential of the canal to provide a conduit for surface water discharge from the development site if feasible.

Proposals Map

Malin Group (PLDP/177/5) state that due to the modifications they are seeking, corresponding changes to the Proposals Map in relation to the site will require to be made as detailed within Figure 7.1 of their representation.

SNH (PLDP/640/5) state that areas within the Green network enhancement are not allocated as open space within the site and recommended that they are allocated as such on the proposals maps.

Nature Conservation

Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) wish to see the site undeveloped and its natural environment retained.

Summary of responses (including reasons) by planning authority:

As detailed above, the representations made to this site have been grouped under the following sub-headings: General; Inner Clyde Special Protection Area; Development Strategy and Development Strategy Map; Carless Policy 1; Carless Policy 2; Carless Policy 3; Carless Policy 4; Proposals Map; Nature Conservation; and Forth and Clyde Canal Scheduled Monument. The Council's responses to the representations have been grouped under these same headings and are provided below.

General

With regard to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell

(PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) it should be noted that this site has had legacy of business and industrial development over a significant number of years. The site boundaries have a natural environmental quality which must be protected, but re-development of the site and the proposed uses for it can be developed in such a way that the natural environment is protected. Although the site has become naturalised since it ceased its previous use as an oil refinery, this is due to inactivity and the Council is of the view that the site should not become a Local Nature Reserve and should be redeveloped as proposed in the development strategy and policies for the site.

In relation to the size of the building and other design issues, raised by the respondents above and Silverton and Overton Community Council (PLDP/182/5), the Design policies of the Plan will ensure that the redevelopment of the site is to an acceptable design quality and is screened to an appropriate manner. However, these issues are considered to be detailed design considerations which are best addressed at the development management stage in terms of any future planning applications. No modifications to the Plan are required in this instance.

The other issues that Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) raise, such as alleged illegal driving of motor bikes, are matters that should be raised with the appropriate authorities i.e. Police Scotland. These issues are therefore not the responsibility of the Plan to address.

In relation to the representation from SNH (PLDP/640/5), the Council is aware that there may be landscape and visual impacts associated with development of the site and that an Landscape and Visual Impact Assessment (LVIA) would help to understand what the impacts may be and what mitigation may be required if there are adverse impacts associated with development of the site. The Council is therefore of the view that it may be appropriate to amend the Policy to require an LVIA to be provided as part of any application for planning permission within the site.

However, the Council considers that the majority of the modifications sought are provided by Carless Policy 4, although not in a prescriptive form as suggested by SNH. That being said, it may be appropriate to incorporate some of the suggested modifications from SNH, in order to strengthen the requirements of the Policy, where they have not been referenced previously.

Should the Reporter wish to amend Carless Policy 4, the Council would have no objection to the policy being changed and would suggest the following amendments (proposed amendments are in bold):

'Carless Policy 4

Green Network and Green Infrastructure

As the site is identified as a strategic opportunity for the enhancement of the Glasgow and Clyde Valley Green Network, development of the site is required to deliver habitat, access, green and open space enhancements site, as identified on the Development Strategy Map. This will entail the following:

- *Protecting and enhancing the disused railway corridor;*
- *Retaining natural screening of the site along the River Clyde corridor* ***and the Forth***

and Clyde Canal, but where appropriate, open up some of the trees and vegetation to provide views of the River Clyde from the N7 Cycle Route*;*

- ***Integrate and protect the natural environment by retaining,*** *where appropriate,* ***natural species, habitats and mature trees*** *within the site;*
- *Upgrading existing open space and providing new green spaces within the site;*
- ***Provide links and paths throughout the site, where these would not have adverse health and safety issues or conflict with operational security of the end uses, and ensure that connections are made to existing path networks outwith the site;***
- *Providing enhancements to the green network* ***and access for recreation*** *along the Canal and former Railway Line; the western and eastern parts of the site and the waterfront.* ***The enhancements to the Green Network and Green Infrastructure, including access to them for recreation, should take into account issues of health and safety and operational security of the end uses to avoid any adverse impacts or safety risks with public access to the site.***

Prior to remediation or development of the site, temporary uses which enhance the green network value of the site will be supported and encouraged, as will advanced greening of the site in accordance with Policy ENV7, until the site is fully developed.

Masterplanning and development of the site should be informed by Landscape and Visual Impact Assessment (LVIA) and this assessment should be provided alongside other relevant information, such as, but not limited to, a landscape strategy and a design and access statement, at the planning application stage.'

The Council is also strongly of the view that there should a masterplan for overall development of the site due to the long term nature of its redevelopment. Taking into account that a planning application has been recently submitted for a business and industrial development, the Council is of the view that the masterplan should provide a development framework for the rest of the site.

The requirement for this is to ensure that the long-term development of the site is undertaken in a comprehensive manner. Should the Reporter be agreeable to this modification, the Council would suggest that a new paragraph is added to the end of Carless Policy 2 as follows:

"A masterplan is required to be prepared in advance of any development proposals for the mixed use areas identified on the Development Strategy Map, taking into account the requirements of Policy CP3. The Masterplan should be submitted as part of any planning application for these sites and development proposals should be in accordance with the masterplan."

The Council would point out to SNH that a development brief is not required as Policy CP3 requires a masterplan for the site. The Council's proposed modification, as suggested above, reinforces this. No modification to the Plan is therefore required in this regard.

The Council has no objection to the amendment to the Carless section of the plan, in relation to the points raised by Scottish Water (PLDP/674/5), to note that Water and Drainage Impact Assessment will be required and that early contact with Scottish Water should be made. Should the Reporter wish to amend this section of the Plan, the Council would have no objection to a change being made and would suggest that a new paragraph is inserted after Paragraph 5 (which starts with 'The Council as…') as follows:

'Furthermore, a Water and Drainage Impact Assessment is required for the site. Early contact with Scottish Water is required in relation to this assessment and any potential impacts on Scottish Water's network.'

The comments of SEPA (PLDP676/5) on the purpose of the development strategy and policies within the section are acknowledged.

Inner Clyde Special Protection Area

The Council has undertaken an Habitat Regulations Appraisal (HRA) (CD 21) of Local Development Plan 2 which SNH, subject to some amendments, have approved at this stage. Development of the site will require to provide a project level HRA and a study of the redshank within the area. Therefore, the Council is of the view that the representations by Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/1); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759) on this matter have already been addressed in the Plan. The Council also do not agree that the Plan should define what an 'exceptional circumstance' is and who defines what it is, as this is on a case by case basis and is really a matter for consideration at the development management stage where all information, studies and assessments are considered together. In terms of the Plan, the HRA and other environmental assessments all point to the fact that, subject to mitigation, the site can be developed. It should be noted that SNH have not objected to development of the site and have raised no issues in relation to the SPA or the HRA's assessment. No modifications to the Plan are therefore required.

The Council would have no objection to the proposed modification to paragraph 4 on Page 24 being made, as requested by SNH (PLDP/640/5), should the Reporter wish to amend the paragraph.

Development Strategy and Development Strategy Map

In response to the representation from Malin Group (PLDP/177/5), the Council would have no objection to the proposed modification in relation to the need for remediation being inserted into the Development Strategy. In relation to the issues of access, the Council is also of a view that a modification to the Development Strategy may be required to clarify the Councils position on access issues, namely that a secondary access is only required if residential development is brought forward and that the existing access, once upgraded, is sufficient for the business and industrial and mixed use parts of the site.

Should the Reporter wish to amend the Development Strategy, the Council would have no objection to a change being made and would suggest that the Strategy is amended as follows (the proposed amendments are made in bold):

Development Strategy

The Development Strategy for Carless is:

- ***To remediate the Carless site to enable** redevelopment for business and industrial uses, appropriate commercial uses and, where appropriate and justified, housing and day-to-day convenience retail uses;*
- *To provide a secondary access point to the site**, where residential development is brought forward**, and to upgrade the existing access **in relation to the***

***Business and Industrial and Mixed Use areas of the site**;*

- *To use development of the site to enhance the Green Network;*
- *To protect the Forth and Clyde Canal and its setting; and*
- *To protect the qualifying interests and qualities of the Special Protection Area and SSSI*

However, the Council does not agree that the primary role of Green Infrastructure within the site should be of habitat connectivity only. The Reporter in the Examination of the Local Development Plan: Proposed Plan stated in the Examination Report (CD 15) that:

"One of the key elements of the strategy for the development of the Carless site is the enhancement of the green network. Access for recreation should be provided along this green network, enhanced as appropriate, although I recognise that access may need to be restricted along the foreshore at certain times of the year to protect the integrity of the special protection area. The disused railway line and canal together provide an ideal opportunity to combine the interests of recreation and nature conservation, in the context of the development of the site for the uses proposed.

Exactly how the area between the canal and disused railway line (where they are significantly separated in the southern part of the site) should be developed is a matter of detail for the masterplan to address. In addition, the areas for green network enhancements shown on Map 7 are clearly indicative, and the exact areas would be determined through the masterplan process. The type of access (walkers, cycles or horses) and the prospect of providing a footpath link to the south of the bonded warehouses are also matters that should be addressed through the masterplan process."

It is clear that the Reporter within the previous Examination saw access for recreation as an integral part of the green infrastructure and green network enhancement proposals within the site. The site is still used by the public for recreational access and this should continue to be provided taking account of health and safety issues and issues relating to the operational security of the proposed end uses on the site. The Council believes recreational access to and within the site is an important part of the sites redevelopment. No modifications to the Plan are considered necessary in this regard.

The Council also does not agree with the suggested modification in relation to the SPA, as the Plan and development within the site is required to protect the integrity of the SPA and its conservation objectives and to not merely safeguard them. The modifications suggested by the Malin Group would not be consistent with these objectives and would potentially not be in accordance with legislation and Scottish Planning Policy (SPP) (CD 03) in this regard.

Furthermore, the respondent seeks the removal of Green network designation on certain parts of the Development Strategy map. Firstly, it should be noted that the areas for green network enhancements annotated on the Development Strategy Map are clearly indicative and the exact areas are to be determined through the masterplan process and identified by a thorough landscape strategy for the site taking on board the requirements of Carless Policy 4.

The Council, however, does not agree with some of these changes, as detailed below, and is concerned that that the removal of these map designations could adversely impact on the overall strategy for green network and green infrastructure enhancements and the requirements to compensate for the loss of open space within the site. The Council is

strongly of the view that the removal of the green network enhancement designation between the proposed housing site (Site ref: H2 (33)) and the mixed use area could have a significant adverse impact on the loss of open space and nature conservation in the area. The requirement for green infrastructure in this location is to have a natural buffer and screening between the mixed use area and the proposed residential area to provide an area of separation between the uses. Therefore, the Council is of the view that no modification should be made to the Development Strategy Map in this regard.

The request to remove the area of green infrastructure between the business and industrial and mixed use site and the jetties is discussed below in relation the representation to Carless Policy 1; but for completeness and cross-referencing, the Council acknowledges that a modification is appropriate in this regard and the suggested modification is contained within the Councils response within Carless Policy 1 to avoid duplication within this section of the Schedule 4.

The Council would have no objection to the proposed modification to the fifth bullet point of the Development Strategy on Page 24 being made, as requested by SNH (PLDP/640/5), should the Reporter wish to amend the Strategy.

With regard to the representation by M and J Smith (PLDP/668) in relation to the area of land between the railway line and the canal, the Council does not agree with the respondent that no development should be allowed in this area. The Reporter in the Examination of the Local Development Plan: Proposed Plan stated in the Examination Report (CD 15) that:

“The disused railway line constitutes an extensive area of dense woodland which would provide a significant habitat for local wildlife species, and may also be relevant in ensuring there would be no adverse effect on the qualifying interest of the special protection area. I note the concern expressed within the representations that the proposed development, and particularly the proposed new access road, would cause disruption to the wildlife corridors.

However, I find that this is a matter for the proposed masterplan, and subsequently the development management process, to address. Appropriate mitigation measures could be taken to ensure that local wildlife can access the whole of the site which is designated for open space and green network enhancement; and since this extends through and beyond the site along the former railway line, and also along the whole of the perimeter of the site, I find that there is plenty of scope for this.

I do not consider that there is evidence to suggest that this site contains a wildlife habitat of sufficient importance to justify its designation as a local nature reserve. I find that the strategy strikes the correct balance between development of the site, in the terms examined above, and protecting the nature conservation interests of the site.”

The Council agrees with the Reporters findings in this regard that there is nothing of intrinsically environmental importance within this area that would prevent its development. The Council therefore contends that the Reporters views are still relevant in the consideration of this representation. The Council is also of the view that the green network and green infrastructure requirements of Carless Policy 4 will help to compensate for the loss of this area of land. Therefore, no modifications to the Plan are required in this regard.

Carless Policy 1 - Business and Industrial Development

In response to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759), the Council does not agree that the site allocation and Policy should be deleted from the Plan. The site is designated as 'Contaminated Land' under Part IIA of the Environmental Protection Act 1990 (CD 39), primarily as a result of past evidence of mobile oily product in soils and groundwater below the ground posing a risk to the River Clyde and affecting the ecological designations. The central area of the site is also designated - under the same legislation - as a Special Site (1 of only four such sites in Scotland). Remediation would be carried out in a phased manner with the aim of facilitating the removal of the site's current contaminated land and Special Site designations under Part IIA of the Environmental Protection Act 1990 (CD 39). No remediation is proposed on the smaller northern parcel of the site as it is not categorised as contaminated land having not been part of the former Oil Terminal.

As well as remediating the site, redevelopment of it will bring about green network enhancements and provide new housing and/or opportunities for employment. National, regional and local planning policy seeks to direct development in particular to brownfield sites such as Carless. No modification to the Plan is therefore required in this regard.

With regard to the representation from Malin Group (PLDP/177/5), the Council has met with SNH to discuss the amendments sought to the site boundaries and the implications of this on the SPA and SSSI. SNH raised no issues with the proposed changes in relation to the SPA and SSSI; however, they did raise issues with the loss of a natural buffer between the SPA and the site which helps to mitigate against adverse impacts on the SPA and also helps with screening of the site and enhancements to green infrastructure. However, taking operational requirements and health and safety into consideration, especially as this would become a functional jetty, the Council consider that an amendment to the Development Strategy Map is required in this regard.

Should the Reporter wish to amend the Development Strategy Map, the Council would have no objection to this change being made and would suggest that the Strategy Map is amended as follows:

Extend the Business and Industrial Designation colour at the south east corner southwards and eastwards to the mirror the extent of the jetties.

SNH are content with this suggested modification but the Reporter may wish to contact SNH directly for their views in this regard.

The Council is also of the view that Carless Policy 4 requires to be amended to ensure that were there are operational areas within the Business and Industrial part of the site, which could have health and safety issues for members of the public and operational security for the occupier, that these are taken into account when designing publicly accessible green infrastructure within the site. The suggested modification to the policy is detailed above within the general section of the Councils response.

The Council however, is of the view that the Jetties themselves should not be included within the Business and Industrial location as they are located within the River Clyde, which is the jurisdiction of Marine Scotland. Local Development Plan 2 should only

allocate and/or provide policy direction to development on 'land' as detailed within legislation. No modification to the Plan is therefore required in this regard.

Carless Policy 2 - Mixed Use Development

In response to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759), the Council does not agree that this site allocation and Policy should be deleted from the Plan. The site is designated as 'Contaminated Land' under Part IIA of the Environmental Protection Act 1990 (CD 39), primarily as a result of past evidence of mobile oily product in soils and groundwater below the ground posing a risk to the River Clyde and affecting the ecological designations. The central area of the site is also designated - under the same legislation - as a Special Site (1 of only four such sites in Scotland). Remediation would be carried out in a phased manner with the aim of facilitating the removal of the site's current contaminated land and Special Site designations under Part IIA of the Environmental Protection Act 1990 (CD 39). No remediation is proposed on the smaller northern parcel of the site as it is not categorised as contaminated land having not been part of the former Oil Terminal.

As well as remediating the site, redevelopment of it will bring about green network enhancements and provide new housing and/or opportunities for employment. National, regional and local planning policy seeks to direct development in particular to brownfield sites such as Carless. No modification to the Plan is therefore required in this regard.

With regard to the representation from Malin Group (PLDP/177/5) the Council does not agree that the green network designation on the Development Strategy map should be included within the Mixed Use site boundary. The Reporter at the previous examination clearly stated that there should be recreational access within the site and along the River Clyde foreshore, which he noted may need to be restricted at certain times of the year to protect the integrity of the SPA.

By expanding the mixed use designation to the red line boundary, but retaining the green network designation within it, would, in the Council's view, dilute the importance of recreational access and the need for green network enhancements in this area, which would be against the strategy of Clydeplan (CD 06) for Carless. Public access to this part of the site is required within Carless Policy 4 and the Council has already agreed to a modification to remove the green network and access requirements associated with land around the jetties on health and safety and operation security issues. Any further loss of public access to the River, would as stated above, dilute the enhancements sought for the site. Furthermore, the inclusion of the designation within the mixed use area could result on lesser screening etc which could make the site more visually intrusive when viewed from the opposite side of the Clyde.

It must be further noted that, as previously stated, green network enhancements annotated on the Development Strategy Map are clearly indicative and the exact areas are to be determined through the masterplan process and identified through a thorough landscape strategy for the site taking on board the requirements of Carless Policy 4. As a result, no modifications to the plan are considered necessary in this regard.

The Council would have no objection to the proposed modification to Criterion (c) of the policy being made, as requested by SNH (PLDP/640/5), should the Reporter wish to

amend the policy.

Carless Policy 3 - Residential Development

In response to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759), the Council would point out similar representations were received in relation to the Carless site in the previous Examination Report (CD 15). The Reporter concluded in relation to loss of this area of land:

"The disused railway line constitutes an extensive area of dense woodland which would provide a significant habitat for local wildlife species, and may also be relevant in ensuring there would be no adverse effect on the qualifying interest of the special protection area. I note the concern expressed within the representations that the proposed development, and particularly the proposed new access road, would cause disruption to the wildlife corridors.

However, I find that this is a matter for the proposed masterplan, and subsequently the development management process, to address. Appropriate mitigation measures could be taken to ensure that local wildlife can access the whole of the site which is designated for open space and green network enhancement; and since this extends through and beyond the site along the former railway line, and also along the whole of the perimeter of the site, I find that there is plenty of scope for this.

I do not consider that there is evidence to suggest that this site contains a wildlife habitat of sufficient importance to justify its designation as a local nature reserve. I find that the strategy strikes the correct balance between development of the site, in the terms examined above, and protecting the nature conservation interests of the site."

The Council, at that time, concurred with the findings of the Reporter and nothing has materially changed since the Reporters decision on this matter through to the publication of Local Development Plan 2: Proposed Plan. The Council is still of the view that this part of the site is suitable for development and that the loss of open space in this area can be compensated throughout the rest of the site in accordance with Carless Policy 4.

In relation to the issues of the road, the Reporter stated within the previous Examination Report (CD 15) that:

"Some concern is expressed within the representations about the new access road crossing the canal. However, I am satisfied that this could be undertaken in a manner which ensures that the operation and character of the canal is not adversely affected…… I find that a new access road is necessary to facilitate the development of the site. It appears to me from my site inspection that taking an access from the roundabout on the A814 is both feasible and appropriate. In the circumstances, I consider that the consequences of providing this new access road can be satisfactorily addressed through the masterplan, and the subsequent development management process."

The Council agreed with the views of the Reporter in this regard and still is of the opinion that a secondary access is required to provide access to the residential site in order to separate residential traffic from the business and industrial and mixed use areas, on health and safety grounds, but also to provide a secondary access to the site, in case

access to Ferry Road is disrupted or closed off for a period of time. A secondary access from Dumbarton Road is considered feasible by the Council's Roads service subject to a Transport Appraisal detailing the optimum point for safe access to this part of the site.

No modification to the Plan is therefore required in relation to these representations.

In relation to the representations by Malin Group (PLDP/177/5), the Council would have no objection to the Reporter amending the Plan to change the designation of the site from residential to mixed-use, should the reported be agreeable to this amendment and considers that a change to the site designation is required. The Council is of the view, that this would give further flexibility to the long-term development of the site and give greater scope for marketing of the site to wider range of uses, which is in conformity with the Development Strategy for the site and the other mixed use area to the south of this part of the site. The indicative capacity of the site has not been counted as part of the Housing Land Requirement as it is a long-term release site. Therefore, the change in designation would have no implication for the Housing Land Requirement of the Plan. However, the Council is of the view that Carless Policy 3 should remain to provide a long-term development strategy should residential development be brought forward on this part of the site in the future and to ensure that the requirements of the Council in this regard are maintained.

Should the Reporter wish to amend the Development Strategy Map and Carless Policy 3, the Council would have no objection to these changes and would suggest the Development Strategy Map and Carless Policy 3 is amended as follows (the proposed amendment is in bold where required):

Development Strategy Map

Amend the current designation of the site from residential to mixed-use but retain the H2(33) residential site reference.

Carless Policy 3

Carless Policy 3 Residential Development

Proposals for residential development will be restricted to the area identified on the Development Strategy Map ***as Site H2(33)*** *and will only be supported where they meet all of the following criteria:*

a) The areas identified for business, industrial and mixed-use, identified on the Development Strategy Map, have been substantially developed; and

b) A new access from Dumbarton Road has been provided to serve the residential development

The capacity of residential development on the site should take account of the site's topography, landscape capacity, infrastructure and green network enhancement requirements and be in accordance with Policies CP1 and CP2.

In relation to the points raised regarding the secondary access, the Council is of the view that a secondary access should still be facilitated from Dumbarton Road, instead of the revised secondary access proposed by the respondent. The alternative access from

Beardmore Place would require a significant length of new road to be developed which would bisect the bonded warehouse site and therefore, the potential for residential traffic to be taken through an industrial site would still exist. Also, it would increase the journey time for users accessing the site from this area than providing an access from Dumbarton Road, as proposed in the Development Strategy Map and the more straightforward option of access to public transport that this route would provide. It should also be noted that the Malin Group themselves proposed this access route at the Main Issues Report stage. The Council's Roads section is not supportive of this alternative access for the reasons explained above and as a result, the Council would not be supportive of the Development Strategy Map being changed in this regard.

The Malin Group has also proposed a new residential site for inclusion within the Carless section. The Council is not supportive of this new allocation for the following reasons:

- The site would be difficult to access and would raise the same access issues as detailed above;
- It is adjacent to a business and industrial development and within the HSE safety zone;
- The site provides a natural buffer between the bonded warehouses and the Forth and Clyde Canal;
- It is used as recreational open space and is safeguarded as open space within the Proposed Plan (2016) and Local Development Plan 2; and
- The Council do not considered that this is an effective housing site and there is no shortfall in the Housing Land Requirement of the Plan that would require allocation of additional sites.

The Council is of the view that this area of land should be enhanced to compensate for the loss of open space elsewhere in the site and should remain as protected open space. No modifications to the Plan are therefore required in this regard.

The Council does not agree that the current residential allocation (Site Ref H2:33) should be moved to the mixed-use area of the site or split up as suggested by SNH (PLDP/640/5), as in the interests of health and safety, as well as, residential amenity, the Council is of the view that it is not good planning to include residential development among the other proposed uses for the mixed-use area and as that area of the site is within the inner area of the HSE zone surrounding the adjacent bonded warehouses. Also, as detailed in the response to Malin Group (PLDP/177/5) above, having residential traffic using the same access roads as business and industrial traffic would also raise health and safety concerns. Therefore, the Council is of the view, for sound planning reasons, that the proposed residential area, albeit this would now be within a mixed use area if the proposed modification is accepted, should remain in its current location as detailed on the Development Strategy Map.

SNH also suggest reducing the capacity of the site. Carless Policy 3 states that the capacity of the site will be decided through a design led approach. Although the Plan does put an indicative capacity on the site, this is notional and represents the maximum number of units that the Council anticipates could be provided on the site. This capacity could be amended based on the design of the site and, as detailed above, does not form part of the Housing Land Requirement of the Plan. No modification to the Plan in this regard is therefore considered necessary.

The Council would have no objection to the proposed modification to Carless Policy 3

being made, as requested by SNH (PLDP/640/5), and would suggest that the last paragraph of the policy is amended as follows (proposed amendments are in bold)

'The capacity of residential development on the site should take account of the site's topography, landscape capacity ***and characteristics, visual amenity****, infrastructure and green network enhancement requirements and be in accordance with Policies CP1, CP2* ***and ENV2****.'*

Carless Policy 4 - Green Network and Green Infrastructure

In response to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759), the Council's response to the objections raised in relation to Carless Policy 3, the residential site and the proposed access above also apply to the representations raised to this Policy. No modifications to the Policy are therefore required for the reasons set out above.

In relation to the representation from Malin Group (PLDP/177/5), the Council, as stated in response to the respondents representations to the Development Strategy as discussed above, does not agree that the primary role of Green Infrastructure within the site should be of habitat connectivity only. The Councils detailed response to that representation is also the Councils view in relation to this representation. No modifications to the Plan are therefore required in this regard. With regard to the opportunity for green network enhancements as suggested by the respondent, the Council would have no objection to the Development Strategy Map being modified in this regard.

The Council would have no objection to the proposed modification to the policy being made, as requested by SNH (PLDP/640/5), should the Reporter wish to amend the policy.

The Council is of the view that the requirements contained within Carless Policy 4 already provide the protection requested by Woodland Trust Scotland (PLDP/646/5), but would have no objection if the Reporter wished to make an amendment to the Policy as the respondent suggests.

The Council would have no objection to the proposed modification to the policy being made, as requested by Clydebelt (PLDP/673/5), should the Reporter wish to amend the policy.

With regard to the representation from Scottish Canals (PLPD/786/5), the Council agrees that the Carless development could contribute to the upgrading of the Canal towpath but that this should not be a specific requirement of the Policy and should be considered at the development management stage in relation to Policy GI4 Developer Contributions. The Council would point out that the Forth and Clyde Canal and connections to and from it are a Strategic Green Network Project which developer contributions can be directed towards. Furthermore, the Council has already suggested an amendment to the Forth and Clyde Canal Strategic Green Network Project to allow developer contributions to be used towards upgrading of the towpath. See Issue 19 Green Infrastructure in this regard.

However, the Council does not agree that Policy should be amended to make reference to the Canal being used as a conduit for surface water drainage as this is a detailed requirement that should to be investigated through the masterplan process and at the development management stage. The Reporter in the last Examination Report (CD 15)

agreed with this approach.

No modifications to the Plan are required in this regard.

Proposals Map

In relation to the representation by Malin Group (PLDP/177/5) in this regard, the Council has agreed to some of the modifications sought as detailed in the sections above. The Council would have no objection to the proposed modification to Clydebank Proposals Map being made, as requested by SNH (PLDP/640/5), should the Reporter wish to amend the proposals map.

Nature Conservation

In response to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/1); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759), the Council does not agree that the site should remain undeveloped. The site is designated as 'Contaminated Land' under Part IIA of the Environmental Protection Act 1990 (CD 39), primarily as a result of past evidence of mobile oily product in soils and groundwater below the ground posing a risk to the River Clyde and affecting the ecological designations. The central area of the site is also designated - under the same legislation - as a Special Site (1 of only four such sites in Scotland). Remediation would be carried out in a phased manner with the aim of facilitating the removal of the site's current contaminated land and Special Site designations under Part IIA of the Environmental Protection Act 1990 (CD 39). No remediation is proposed on the smaller northern parcel of the site as it is not categorised as contaminated land having not been part of the former Oil Terminal.

As well as remediating the site, redevelopment of it will bring about green network enhancements and provide new housing and/or opportunities for employment. National, regional and local planning policy seeks to direct development in particular to brownfield sites such as Carless. No modification to the Plan is therefore required in this regard.

It should be noted that SNH have not raised any issues with wildlife on the site or objected to its development in this regard. The other issues raised by the respondent are for the development management stage to address. No modification to the Plan in this regard is considered necessary.

Forth and Clyde Canal Scheduled Monument

In response to the representations from Susan Dick (PLDP/175/5); M and J Smith (PLDP/668); Lesley McEwan (PLDP/718/5); G Parton (PLDP/721/5); B Campbell (PLDP/757); M Campbell (PLDP/758); and J Wintersgill (PLDP/759), the Council would point out that the Development Strategy seeks to protect the Forth and Clyde Canal and its setting and that development of the site would not destroy, as the respondent's states, its natural setting etc. Furthermore, neither Historic Environment Scotland nor Scottish Canals have objected to the development of the site or the proposed bridge/access over the Canal. No modifications to the Plan are therefore required in this instance.

In response to the representation from Scottish Canals (PLPD/786/5), the Council is of the view that is best addressed at the development management stage and other Policies within the Plan cover this requirement. No modification is considered necessary.

Reporter's conclusions:

General

1. The proposed plan does not provide guidance on the size of future buildings on site E1(17). Given the history of the site as a depot and oil refinery, its current vacant and contaminated condition, its large area (five hectares) and distance from other buildings, I consider that dealing with the size of any proposed development through consideration of a planning application is a reasonable approach. Proposed Policies CP1 Creating Places, CP3 Masterplanning and Development Briefs and CP4 Place and Design Panel are particularly relevant to issues relating to building size.

2. Indeed, during the course of this examination, the council has granted planning permission for a marine fabrication yard which includes a fabrication building 65 metres long, 48 metres wide and 42.7 metres high. The council acknowledges that the form of the proposed building is an unavoidable consequence of its proposed function and that this is best addressed by making it a focal point and landmark. There is an acceptance that the proposed building will be a prominent feature in the landscape but the orientation, design and materials take account of its relationship with the Kilpatrick Hills, Mountblow residential area, Erskine Bridge and Erskine Bridge Hotel. I also take the council's point that development on the scale proposed would send out a positive message about the regeneration of this part of the Clyde waterfront.

3. I find that the approach of the proposed plan in relation to building size is appropriate and that this is borne out by the recent decision of the council's planning committee. I do not consider it is necessary to modify the plan on this point.

4. I deal with issues relating to the mixed use and housing allocations at paragraphs 22 to 24, 29 to 33 and 34 to 43 below.

5. In relation to the biodiversity value of the site, I note that the development strategy requires that future development enhances the Green Network, protects the canal and its setting and protects the Inner Clyde Special Protection Area and Site of Special Scientific Interest. In addition, Carless Policy 4 Green Network and Green Infrastructure stipulates protection and enhancement of the disused railway corridor, retention of natural screening along the river, retention, where appropriate, of natural habitats, species and mature trees, upgrading open space and providing new green spaces and providing enhancements to the green network along the canal, disused railway and to the riverside, western and eastern parts of the site. Further support is provided through proposed Policy ENV1 Nature Conservation.

6. This all provides strong policy protection for key habitats on the site and support for the enhancement of its wildlife value. I have no evidence to suggest that there are biodiversity interests which could not be addressed within this policy framework and which would justify designation of the site as a local nature reserve. Furthermore, I appreciate the council's case that the contaminated and vacant nature of the site requires the creation of significant development value if it to be restored effectively. I find that the proposed allocation of the site for business, industrial and residential development, subject to requirements to protect and improve wildlife habitats, strikes an appropriate balance between commercial and biodiversity interests. I note that Scottish Natural Heritage has not objected to development of the site because of potential impact on wildlife. To provide consistency with the modification I have recommended above in

relation to Issue 3 Queen's Quay, Clydebank, I have recommended below a modification to provide a cross-reference in the supporting text to proposed Policy ENV1 Nature Conservation. Otherwise, I do not consider it appropriate to modify the plan in relation to the representations made on this matter.

7. The suggested illegal use of motorcycles on the site is an issue for the landowner and police. It is not a planning policy matter and no modification to the plan is required to address this concern.

8. The council recommends that the representation from Scottish Natural Heritage (SNH) is dealt with as part of the examination of proposed Carless Policies 2 and 4. I have addressed below the points made by SNH in the appropriate sections of the report.

9. Scottish Water has commented that a water and drainage impact assessment will be required in relation to the proposed development of the site. The council is supportive of a change to the plan along these lines. I consider that an addition to the plan on this matter will help to give users of the plan a more complete picture of the high-order issues that it will be necessary to address in taking forward development proposals. I have recommended below a modification based on the council's suggested wording.

Inner Clyde Special Protection Area

10. The council is the competent authority responsible for carrying out the project-level Habitats Regulations Appraisal (HRA) as required by the Conservation (Natural Habitats etc) Regulations 1994. Therefore, it is not appropriate to modify the plan to require that an independent HRA be carried out.

11. Paragraph four on page 24 of the proposed plan indicates that the project-level HRA may require a study of redshank behaviour in the affected part of the Special Protection Area (SPA) and that this is likely to involve survey over at least one overwintering season. The proposed wording of this paragraph reflects that suggested by Scottish Natural Heritage (SNH). I do not consider it necessary to modify the plan in order to ensure the protection of redshank habitat on the River Clyde.

12. Paragraphs four and five on page 24 of the proposed plan outline the process to be followed by the project-level HRA and how the outcome may impact on any proposed development. As I have noted above, the proposed wording of paragraph 24 reflects that suggested by SNH. I also note that SNH has not objected to the wording of paragraph 25. It is not possible to prejudge the outcome of the appraisal. Nor is it possible to prejudge the assessment required should the HRA indicate that the proposed development could harm the SPA. However, proposed Policy ENV1 Nature Conservation provides a framework for any such assessment. I do not consider it appropriate to modify the proposed wording in relation to the potential outcome of the HRA, nor in relation to any assessment required in the event that the HRA shows that development could adversely affect the integrity of the SPA.

13. The proposed wording of the fourth paragraph on page 24 already reflects the wording advocated by SNH. Consequently, I do not find it necessary to recommend a modification to this part of the proposed plan to address the representation from SNH.

Development Strategy and Development Strategy Map

14. The Malin Group seeks modifications to the development strategy in relation to implementation of the strategy, access, remediation of contaminated land, the green network and protection of the SPA and Site of Special Scientific Interest (SSSI). I deal with these issues, in turn, below.

15. I do not consider it necessary to state explicitly that development proposals will be required to support the implementation of the strategy. The proposed structure of the Carless section of the plan and the wording of the proposed strategy and policies already make this clear. Furthermore, the second paragraph of the strategy provides a link from the strategy to the development strategy map. I do consider any modification is required to address the first part of this representation.

16. One of the main reasons for promoting development at Carless is to remediate the extensive areas of contaminated and vacant land on the site. I find that it would be appropriate to reflect this objective in the development strategy. The council supports this change. I have endorsed below the proposed modification recommended by the council.

17. I consider that it would be helpful to clarify that a secondary access point would only be required if the proposed housing site is brought forward and that the employment site and mixed-use site could be served by upgrading the existing site access. The council is supportive of this proposal. I have proposed below a modification to the second bullet point of the strategy, based on the change suggested by the council.

18. In relation to the role of the green network on the Carless site, I have reviewed the conclusions of the reporter who conducted the examination of the council's first proposed local development plan and find that there are no changed circumstances that would lead me to a different conclusion. I could see on my site visit that the canal, former railway and riverside, in particular, are well used for recreational purposes. I appreciate that some restrictions and revisions to access arrangements may be required as development progresses. However, overall, I consider that the site is large enough that restricting the objectives of the green network to habitat connectivity alone would significantly undervalue the potential of the site. Such an approach would also be incompatible with proposed Policies CP1 Creating Places and CP2 Green Infrastructure. I do not consider it appropriate to modify the plan in relation to the role of the green network.

19. The suggested change to the fifth bullet point of the strategy to require safeguarding of the SPA and SSSI is not consistent with the change of wording recommended by SNH. Paragraph 207 of Scottish Planning Policy 2014 (SPP) defines Natura 2000 sites, which includes SPAs, as protected areas. I find that the wording proposed by SNH reflects more accurately the requirements of Scottish Government policy. Consequently, I have recommended below a change in line with SPP. I note that the council supports a modification along these lines.

20. As I have noted at paragraph 2 above, planning permission has now been granted for the development of a marine fabrication yard on employment site E1(17). In granting planning permission, the council acknowledged that access to the deep-water jetties on the river is a key element of the proposed development and that, as a result, it is not feasible to deliver a riverside walkway as part of the regeneration of the site. That being the case, I find that it is acceptable to remove the green network enhancement designation from that part of the site adjoining the jetties and replace it with a designation

as an extension of the business and industry allocation relating to site E1(17). I have recommended below a modification to that effect.

21. There is also a proposal to delete the green network enhancement designation from the disused railway line which separates the mixed-use allocation and proposed housing site H2(33). This is justified on the basis that the canal and towpath deliver the green network function in this area. I am of the view that this part of the site fulfils a different purpose from the canal and towpath in that it provides a degree of visual separation between the two proposed development sites. This will be important in establishing a reasonable degree of residential amenity for those homes on the south-west side of the housing site, particularly in the early years of development, before any supplementary planting becomes established. The details of future access routes are to be established through development and approval of a masterplan. The route of the old railway line provides a significant opportunity in this regard. It also has value as a wildlife habitat. I do not consider that it would represent good planning to delete this part of the green network designation. Therefore, I do not consider it is appropriate to modify the plan in support of the representation on this matter.

22. That part of the site located between the former railway line and the canal comprises an area of woodland of varying density and maturity. The impression I formed on my site visit is that it contains trees that it would be desirable to retain as part of any new housing development, particularly where these trees would have a role in reducing the visual impact of new development from areas of public access and also in providing a buffer between the housing site and mixed-use site. Equally, there are parts of the site which are much more scrubby in character and of less landscape and wildlife value where development could be accommodated.

23. Proposed Carless Policy 3 requires that the capacity of the site to accommodate new housing should take account, amongst other things, of landscape capacity and green network enhancement requirements and be in accordance with proposed Policies CP1 and CP2. Proposed Policy CP1 requires that new development accords with the Creating Places Supplementary Guidance and, pending production of that guidance, with the council's non-statutory Residential Development: Principles for Good Design Planning Guidance. This latter document requires that existing hedges and trees should be integrated into new development. Proposed Policy CP2 requires that development proposals take account of existing on-site green infrastructure assets and demonstrate how the design and layout has been informed by these assets. Proposed Carless Policy 4, as modified, includes a requirement that development of the wider Carless site includes the retention, where appropriate, of natural species, habitats and mature trees.

24. Any planning application to build houses between the former railway line and canal would be considered in light of these four policies. I find that this policy framework would enable the council to ensure the best and most useful trees and other vegetation on the site is retained whilst allowing for development in line with proposed Carless Policy 3. I also take on board the council's point that the requirement on developers to enhance other parts of the green network on the site will compensate for any loss in this area. I do not consider it necessary to recommend a modification to the plan in relation to the representation on this issue.

<u>Carless Policy 1 – Business and Industrial Development</u>

25. As a result of contamination to soil and groundwater caused by its former use as an

oil refinery, the council advises that the Carless site is designated as one of only four special sites in Scotland under the Environmental Protection Act 1990. This contamination is regarded as a threat to water quality in the River Clyde and to the Inner Clyde Special Protection Area and Site of Special Scientific Interest in particular. I regard it as highly unlikely that contamination on this scale and of this severity so close to such a sensitive receptor could be remediated unless it is through high-value development.

26. Employment development on site E1(17) will also bring jobs to the area, open up access to the adjoining mixed-use opportunity and provide enhancements to the local green network. I note that the Business and Industrial Land Review carried out for the council in 2018 rated the economic impact of development of the Carless site as being the greatest of any employment site allocated in the proposed plan.

27. Planning permission for a marine fabrication plant on site E1(17) has now been granted and the business and industry allocation, as modified, reflects the current planning status of the site. I consider it appropriate that the local development plan reflects the planning status of the site. I do not consider it appropriate to remove this designation.

28. I have dealt with the issue regarding appropriate designation of the area adjoining the deep-water jetties at paragraph 20 above. The council advises that Scottish Natural Heritage has expressed concern at the loss of a natural buffer between the development and the Inner Clyde Special Protection Area but, following discussion, is content with a modification along the lines I have recommended. I find that, with the resulting modification to the development strategy map, the area shown on the map for business and industrial use is an accurate reflection of the planning permission granted in August 2019 for the marine fabrication yard. I do not consider any further modification to the development strategy map is required.

Carless Policy 2 – Mixed Use Development

29. My conclusions at paragraphs 25 and 26 above in relation to the designation of employment site E1(17) apply equally to the mixed-use allocation. I do not consider it appropriate to modify the plan to remove this designation.

30. A key element of the development strategy for Carless is to use development of the site to enhance the green network. This is consistent with requirement c) of proposed Policy CP1 Creating Places which states that green infrastructure must be an integral part of the design process for development from the outset. It is also consistent with proposed Policy CP2 Green Infrastructure which states that developments are required to create high quality places people can enjoy living and working in which contribute to healthy lifestyles and wellbeing by delivering green infrastructure. The approach adopted by the council is consistent with the identification in Clydeplan 2017 of Clydebank as a Green Network Strategic Delivery Area.

31. The areas identified for green network enhancement have the potential to protect and improve access, wildlife habitat and separation between various components of future development. These are important functions. I consider that inclusion of the areas shown on the development strategy map where the green network is to be enhanced within the mixed-use allocation would give a visual impression that less weight is attached to this core element of the redevelopment than is the case. This could have the effect of weakening the council's hand in dealing with future planning applications. As the council

points out, the allocated areas are indicative so detailed implementation can be finalised through the development management process. I do not consider a modification to the plan is appropriate in response to this aspect of the Malin Group's representation.

32. In order to provide consistency with Scottish Planning Policy 2014 (SPP), SNH has recommended a modification to criterion c) of the proposed policy. I consider that the modification proposed would provide closer alignment with paragraph 207 of SPP which stresses the importance of protecting the integrity of Natura 2000 sites. This suggestion is supported by the council. I have recommended below a change of wording consistent with SPP.

33. SNH has also suggested that the council requires the preparation of a development brief for the site. The council notes that planning permission has been granted for employment site E1(17) and indicates that its preferred approach is to require the preparation of a masterplan to ensure that the long-term development of the mixed-use site is carried out in a comprehensive manner, taking account of the adjacent housing site. This is consistent with proposed Policy CP3 Masterplanning and Development Briefs. Policy CP3 requires masterplans to be provided for all Delivering Our Places sites, of which Carless is one. I consider that this would address SNH's suggestion and have recommended below a modification based closely on that suggested by the council.

Carless Policy 3 – Residential Development

34. A number of issues have been raised in representations on Carless Policy 3. In summary, these are: whether the site should be allocated for housing, the appropriate capacity of the site for housing, whether the site should be allocated for mixed-use development, how to access the site, whether an adjacent site should be allocated for housing and how to ensure development conforms to proposed plan Policy ENV2. I consider each of these issues in turn below.

35. I have dealt with the issue of whether the principle of residential development on site H2(33) is appropriate in paragraphs 22, 23 and 24 above. It is suggested additionally that the development of housing on the site would create an isolated community. I do not consider that this would be the case. The proposed road link is relatively short and would connect the site to Dumbarton Road and the Mountblow housing area to the north. I do not consider it necessary to modify the proposed plan to remove the housing allocation on site H2(33).

36. The capacity of the site is shown as 50 units in Schedule 2 of the proposed plan. The council advises that this is a notional, maximum figure. The second paragraph of proposed Carless Policy 3, including the modification recommended below, indicates that the capacity of the site will be determined by topography, landscape capacity and characteristics, visual amenity, infrastructure and green network enhancement requirements and the requirement to comply with Policies CP1, CP2 and ENV2. This addresses the key issues that will govern final capacity and I accept that detailed compliance with these policies can be resolved through the development management process. I do not consider it necessary to recommend a modification to the plan in terms of site capacity.

37. Further to my conclusions at paragraphs 22, 23 and 24 above, I also consider that housing development on site H2(33) would provide a better opportunity to create an attractive frontage to both the canal and route of the former railway than business,

commercial or industrial use. Residential development would also provide more flexibility in retaining appropriate trees on site. I note that the fourth bullet point of Carless Policy 4 requires the provision of new green spaces within the site. This will enable the council to require that new informal open space is created to compensate for any loss on the site due to development. For these reasons, I find that it is appropriate to allocate the site for housebuilding but not for mixed-use development. I do not consider it appropriate to recommend a modification to the proposed plan in relation to the representations on this point. The council has suggested a minor revision to cross-reference the policy to the development strategy map which I find would be help users to navigate the proposed plan. I have endorsed this change below.

38. The reporter who dealt with the issue of access to site H2(33) at the examination into the council's first proposed local development plan concluded that a new access from the A814 would be required to facilitate development of the site and that this could be achieved without detriment to the operation and character of the canal. I consider that this remains the case and it would be possible to resolve issues arising from such a link through the planning application process. Creation of a new point of access would also facilitate some separation of traffic serving housing and employment areas on the wider site. I consider that the loss of a small part of the designated open space to accommodate the proposed access would not affect significantly its value to the community. Development would be required to comply with proposed Policies ENV1 Nature Conservation, GI1 Safeguarded Open Space and Outdoor Sports Facilities, FCC1 Forth and Clyde Canal and CON1 Transportation Requirements for New Development. The council's roads service is supportive of the proposed link subject to consideration of a transport appraisal to confirm the safest point at which to form a new junction.

39. The Malin Group has proposed that the route of the second access be left open in the proposed plan. However, the company has suggested that one possibility might be the creation of a secondary access from Beardmore Place, running to the north-east of the bonded warehouses and joining the proposed housing site in its south-west corner. This would create a long stretch of off-site road, would have a significant impact on the local nature conservation site based on the route of the former railway, be more likely to bring residential and industrial traffic into conflict and would make for a long walk from the site, either to the north-west or south-east, to access bus services on Dumbarton Road. I note that the council's roads service does not support this option.

40. No other alternatives have been suggested. I consider that leaving the route of the second access open would create uncertainty for the local community. I do not consider it necessary to recommend a modification to the proposed plan in relation to issues concerning vehicular access to site H2(33)

41. The Malin Group has recommended that an area of land located between the canal and former railway to the north-east of the bonded warehouse site is allocated for residential development. I have a number of concerns about this proposal. Firstly, were access to be taken from Beardmore Place, this would raise the same concerns that I have noted in paragraph 39 above and I have no evidence to suggest that the proposed access to housing site H2(33) could serve this site. Secondly, the site is located largely within the Health and Safety Executive (HSE) safety zone around the bonded warehouses, as depicted on the Clydebank proposals map. Thirdly, the council advises that the site is safeguarded as open space. This leads me to conclude that it is not appropriate to allocate the site for housing.

42. I consider that an alternative proposal by the Malin Group that this area is allocated as an extension to the mixed-use allocation to the south-west would also be inappropriate in light of my conclusion above regarding access, the fact that most of the site is covered by the HSE safety zone and given the designation of the site as open space. The council proposes that the area in question be enhanced to compensate for the loss of open space elsewhere on the Carless site. I consider that this would be a more appropriate use of the site. Therefore, I have recommended below that the Carless site boundary be extended to include this area, that it be shown as a green network enhancement opportunity and, for consistency with the Clydebank proposals map, also shown as open space.

43. Scottish Natural Heritage (SNH) recommends that a new sentence be added to the end of Carless Policy 3 to ensure that the siting and design of residential development complies with proposed Policy ENV2 Landscape Character. The council supports this proposed change. I consider that this would strengthen the policy and have recommended below a modification which endorses the revision recommended by the council.

Carless Policy 4 – Green Network and Green Infrastructure

44. I have addressed issues relating to the proposed housing site, proposed mixed-use site, second site access, disused railway line and role of the green network above.

45. The development strategy map already shows the area for green network enhancement extending to the River Clyde where it is joined by the Auchentoshan Burn. The detail of any enhanced riverside access at this point can be determined through the masterplan and planning application process in the context of proposed Carless Policy 4. I do not consider it necessary to modify the strategy map to highlight this opportunity. Indeed, to do so, may give the impression that this is the only point on the site where enhanced riverside access can be provided when detailed consideration may suggest wider opportunities.

46. Scottish Natural Heritage (SNH) recommends extending the development requirements in Carless Policy 4. I consider that, where these suggestions are consistent with the policy approach of the proposed plan and do not result in duplication, they would strengthen the policy requirements in relation to access, tree protection, views and visual amenity. The council takes a similar view. SNH also recommends that the council requires the preparation of a Landscape and Visual Impact Assessment for the site. I agree that this would help the council to ensure that future development is the best fit for the site. The council is also supportive of this suggestion. I have recommended below a modified version of proposed Carless Policy 4 which draws on the views of both SNH and the council.

47. I have dealt with issues relating to tree protection and replacement and woodland enhancement on site H2(33) at paragraphs 22, 23 and 24 above. I do not consider it appropriate to specify replacement with native tree species as a policy requirement as this can be dealt with through the development management process. Proposed Policy ENV4 Forestry, Trees and Woodland sets out the requirements on developers where proposals could affect woodlands identified in the Forestry Commission Native Woodlands Survey of Scotland. I do not consider it necessary to modify the plan in order to address potential woodland loss.

48. Improvement to the footpath around the Dalmuir bonded warehouses would

potentially create a useful local facility. However, this would be located outwith the site boundary identified on the development strategy map. Consequently, I find that it would not be appropriate to make any upgrade a requirement of development at the Carless site. I do not consider that it would be appropriate to modify the policy to include this opportunity.

49. The fifth bullet point of Carless Policy 4 states that enhancement of the green network will include enhancements along the Forth and Clyde Canal. Furthermore, the reporter dealing with Issue 19 Green Infrastructure has concluded that the existing wording of proposed Policy GI4 allows for developer contributions towards canal-related improvements. I find that, together, these policies provide sufficient policy support to enable the council to require appropriate upgrading of the towpath at Carless through the development management process.

50. The issue of whether or not surface water from the development site could drain to the canal is one of detail that need not be addressed specifically in the proposed plan. Proposed Policy FCC1 Forth and Clyde Canal requires that development that would have an adverse impact on the canal will not be permitted. Proposed Policy ENV 5 Water Environment sets out requirements to ensure that development protects and, where possible, improves water bodies. I find that, together, these policies provide sufficient policy support to enable the council to address satisfactorily the issue of surface water management from new development at the planning application stage.

51. I do not consider it necessary to recommend a modification to the plan to address either part of Scottish Canals' representation.

Proposals Map

52. I have dealt with the various changes to the development strategy map proposed by the Malin Group at paragraphs 20, 21, 24, 31 and 39 to 42 above.

53. SNH recommends showing the areas designated on the development strategy map for enhancement to the green network as open space. This would be hard to do clearly without changing the notation throughout the plan. Moreover, I find that designation as an area of green network enhancement highlights the need for improvement. I consider it would be more appropriate to show these areas as open space when the development is complete. I do not consider it appropriate to recommend a modification to the plan at this juncture.

Nature Conservation

54. I have dealt with issues regarding nature conservation on the site at paragraphs 5 and 6 above.

Forth and Clyde Canal Scheduled Monument

55. The fourth bullet point of the development strategy for the Carless site states that development must protect the canal and its setting. Proposed Policy FCC1 Forth and Clyde Canal requires that development alongside the canal should enhance the canal as a green network asset and states that development that would have an adverse effect on the canal or its setting will not be permitted. Proposed Policy BE1 Scheduled Monuments and Archaeological Sites states that development that would adversely affect a

Scheduled Monument or its setting will not be permitted. In this context, I find that the council, in consultation with Historic Environment Scotland and Scottish Canals, will be able to ensure that any proposed canal crossing will not damage the canal or its setting. Any crossing will also require the consent of Scottish Canals and scheduled monument consent from the Scottish Government. Neither Historic Environment Scotland nor Scottish Canals has objected to the plan on the basis of the potential impact of the canal crossing. I do consider it necessary to modify the proposed plan on this point.

56. As can be seen from the map on page 63 of the proposed plan, the Antonine Wall is situated largely to the north of the A82 and would not, in my view be affected by development on the Carless site. I do not consider it necessary to modify the proposed plan to address the representation on this point.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Deleting the final sentence of the proposed fifth paragraph of the supporting text on page 24 and substituting a new sentence, to read as follows:

'Development which could adversely affect the integrity of an internationally important site will only be approved in the exceptional circumstances detailed within Policy ENV1 Nature Conservation.'

2. Inserting a new sixth paragraph on page 24 to read as follows:

'A water and drainage impact assessment will be required to support the proposed development of the site. Early contact with Scottish Water is required in relation to the assessment and any potential impacts on the water environment.'

3. Deleting the first bullet point of the development strategy and substituting the following wording:

- 'To remediate the Carless site to enable redevelopment for business and industrial uses, appropriate commercial uses and, where appropriate and justified, housing and day-to-day convenience retail uses;'

4. Deleting the second bullet point of the development strategy and substituting the following wording:

- 'To provide a secondary access point to the site where residential development is proposed on site H2(33) Carless and to upgrade the existing access to serve the business and industrial and mixed-use areas of the site;'

5. Deleting the fifth bullet point of the development strategy and substituting the following wording:

- 'To ensure no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI).'

6. a) Deleting the green network enhancement allocation on the Carless Development

Strategy Map from that part of the site which adjoins the deep-water jetties on the River Clyde within the phase 1 site boundary for the approved fabrication building (council reference DC/19/046). Additionally, showing this area, including the associated phase 1 route access, as an extension of the E1(17) business and industry opportunity site.

b) If the scale allows this to be done clearly, making a commensurate change on the Clydebank proposals map.

7. a) Extending the red line which defines the site boundary on the development strategy map to include the area to the south-east of the H2(33) Carless housing site located between the canal and disused railway to the point in the south-east corner of the map where the existing scheduled ancient monument designation and local nature conservation site designation converge.

b) Showing this area as open space and a green network enhancement opportunity.

c) Making a commensurate change to the site boundary on the Clydebank proposals map.

8. Deleting criterion c) of proposed Carless Policy 2 and substituting the following wording:

- 'There is no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI).'

9. Adding a second paragraph to proposed Carless Policy 2 Mixed Use Development, as follows:

'A masterplan is required to be prepared in advance of any individual development proposals for the mixed-use area shown on the development strategy map, taking into account the requirements of the housing development opportunity and new access proposed in relation to site H2(33). The masterplan should be submitted as part of any planning application for these sites and development proposals should be in accordance with the masterplan agreed by the council.'

10. Deleting the first sentence of proposed Carless Policy 3 Residential Development and substituting the following sentence:

'Proposals for residential development will be restricted to the area identified on the Development Strategy Map as Site H2(33) and will only be supported where they meet all of the following criteria:'

11. Deleting the second paragraph of proposed Carless Policy 3 Residential Development and substituting the following paragraph:

'The capacity of residential development on the site should take account of the site's topography, landscape capacity and characteristics, visual amenity, infrastructure and green network enhancement requirements and be in accordance with policies CP1, CP2 and ENV2.'

12. Delete proposed Carless Policy 4 Green Network and Green Infrastructure and

substitute the following three paragraphs:

'As the site is identified as a strategic opportunity for the enhancement of the Glasgow and Clyde Valley Green Network, development of the site is required to deliver habitat, access, green and open space enhancements, as identified on the development strategy map. This will entail the following:

- Protecting and enhancing the disused railway corridor;
- Retaining natural screening of the site along the River Clyde and the Forth and Clyde Canal but, where appropriate, removing some trees and vegetation to provide views of the river from the national cycle network;
- Taking account of views to the site from the opposite bank of the River Clyde;
- Integrating and protecting the natural environment by retaining, where appropriate, natural species, habitats and mature trees within the site;
- Upgrading existing open space, including mitigating the effect of the proposed road link on the open space adjoining Dumbarton Road, and providing new green spaces within the site;
- Providing paths between the mixed use and residential sites and linking the canal towpath, disused railway line, river and existing paths outwith the site.
- Providing enhancements to the green network and access for recreation along the canal and former railway line, the western and eastern parts of the site and the waterfront.
- Designing the green network and spaces to reflect and enhance the distinctive landscape characteristics and visual amenity of the site.
- Designing recreational access to take account of potential health and safety and security issues arising from future land uses in order to avoid risks to the public and conflict with approved uses.

Masterplanning and development of the site should be informed by a Landscape and Visual Impact Assessment. This assessment should be provided at the planning application stage alongside other relevant information such as, but not limited to, a landscape strategy and design and access statement.

Prior to remediation or development of the site, temporary uses which enhance the green network value of the site will be supported and encouraged, as will advance greening of the site in accordance with Policy ENV7, until the site is developed fully.'

Issue 6	**Dumbarton Town Centre and Waterfront**	
Development plan reference:	Delivering Our Places: Dumbarton Town Centre and Waterfront (pages 28 to 33)	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
Jeremy Watson (PLDP/002/6) Silverton and Overtoun Community Council (PLDP/182/6) SNH (PLDP/640/6) Legal and General UK Property Fund (PLDP/660/6)	SEPA (PLDP676/6) (Support) SPT (PLDP/675/6) (Support) Dumbarton Football Club Ltd (PLDP/783/6)	
Provision of the development plan to which the issue relates:	This issue relates to the Dumbarton Town Centre and Waterfront section of the Plan which sets out a Development Strategy and a series of place based policies and proposals for development of the area.	

Planning authority's summary of the representation(s):

The representations to this section of the Plan have been grouped under the following sub-headings: Dumbarton Town Centre and Waterfront Supporting Text; Development Strategy; Dumbarton Policy 1 - High Street and Retail Development; Dumbarton Policy 2 - St James Retail Park/Morrisons Commercial Centre; Dumbarton Policy 3 - Quayside and Riverside Lane; Dumbarton Policy 5 - Sandpoint Marina; Dumbarton Policy 6 - Dumbarton Waterfront Path: Development Contributions; Dumbarton Policy 7 - Dumbarton Castle; Dumbarton Proposal 1 - Dumbarton Football Club; and Dumbarton Proposal 2 - Dumbarton Town Centre Conservation Area.

Dumbarton Town Centre and Waterfront Supporting Text

SEPA (PLDP676/6) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these areas is Dumbarton Town Centre and Waterfront.

Development Strategy

Silverton and Overtoun Community Council (PLDP/182/6) are supportive of the Development Strategy but suggest a list of potential uses for vacant shops or new units. They also urge the Council to consider the demolition of the Artizan Centre and are seeking greater clarity in the Development Strategy as to the nature of, and timescale for, delivering improvements to the Town Centre.

Dumbarton Football Club Ltd (PLDP/783/6) state that the Development Strategy should make reference to the value of Dumbarton Football Club to the town and to its need for a new stadium. It should also include support for the redevelopment of the Dumbarton FC

stadium at Castle Road for residential and other uses in order to facilitate the relocation of the football club.

SNH (PLDP/640/6) seek modifications to both the policy and the supporting text relating to the Inner Clyde Special Protection Area (SPA) and Site of Scientific Interest (SSSI) to provide additional clarity and consistency across the Plan and with the Habitats Regulation Appraisal (HRA) text.

Dumbarton Policy 1 - High Street and Retail Development

Silverton and Overtoun Community Council (PLDP/182/6) support a wider range of uses for the High Street, as detailed in their response to the Development Strategy, as well as the conversion of empty premises into joint residential/business premises, as most of the High Street shops are two or three storeys high. They would resist any planning applications for any increase in betting shops, pay day lenders, fast-food shops, and electronic cigarette shops. The Community Council also suggest improving and opening up the entire length of the back of the High Street, or even reversing the whole frontage of the High Street to face the River Leven.

Dumbarton Policy 2 - St James Retail Park/Morrisons Commercial Centre

Legal and General UK Property Fund (PLDP/660/6) state that it is ambiguous on the Dumbarton Town Centre and Waterfront Map whether the St James' Retail Park is identified within the town centre or not, and that this should be clarified. They would, however, support it being included in the town centre.

The representation also makes reference to Policy SC1 of the Plan and this is considered fully within Issue 17 Supporting Town Centres.

Dumbarton Policy 3 - Quayside and Riverside Lane

Silverton and Overtoun Community Council (PLDP/182/6) are supportive of the policy, in particular the aspiration to link the town centre to Levengrove and Posties Park by a footbridge, but remind the Council of the need to mitigate the threats of climate change and flood risk.

SPT (PLDP/675/6) are supportive of the long term aspiration of the Council to link the town centre to Levengrove and Posties Park by a footbridge as it would support and encourage sustainable travel.

Dumbarton Policy 5 - Sandpoint Marina

Silverton and Overtoun Community Council (PLDP/182/6) support residential use on the site in principle, but would not support development of more than 3 storeys, or 'high density' housing. They welcome the requirement for a waterfront path around the whole site that is consistent with Access legislation.

SNH (PLDP/640/6) are seeking a modification of the policy text to ensure the protection of the Special Protection Area (SPA) and Special Area of Conservation (SAC).

SPT (PLDP/675/6) welcome the requirement for additional public transport infrastructure on Bridge Street and West Bridge Street, along with improvements to pedestrian and cycle

routes between Sandpoint Marina and these stops as a requirement for the regeneration of this site.

Dumbarton Policy 6 - Dumbarton Waterfront Path: Development Contributions

Silverton and Overtoun Community Council (PLDP/182/6) strongly support the Waterfront Path policy but would like the policy to make reference to the former Denny Tidal Basin and potential tourism links to Bowling Basin and Harbour and to the other side of the River Clyde.

SNH (PLDP/640/6) are seeking a modification of the policy text to ensure the protection of the Special Protection Area (SPA) and Special Area of Conservation (SAC).

SPT (PLDP/675/6) welcome Development Contributions in support of the delivery of the Dumbarton Waterfront Path.

Dumbarton Policy 7 - Dumbarton Castle

Silverton and Overtoun Community Council (PLDP/182/6) welcome this policy but wish the policy to also include support for rock climbing on Dumbarton Rock, where it would not damage the natural or cultural environment, as it is “the birthplace of the modern sport of rock climbing” and would encourage visitors to the area. They also suggest a potential camp site at the base of the Rock.

Dumbarton Proposal 1 - Dumbarton Football Club

Dumbarton Football Club Ltd (PLDP/783/6) would like the Council to reinstate explicit support for the relocation of the club and redevelopment of the existing stadium for residential and commercial uses in order to help financially enable the club’s relocation.

Please note, the respondents’ further request for the insertion of a policy into LDP 2 in support their preferred stadium relocation site of Young’s Farm, Dumbarton is addressed in Issue 31: Non Allocation of Young’s Farm, Dumbarton.

Dumbarton Proposal 2 - Dumbarton Town Centre Conservation Area

Jeremy Watson (PLDP/002/6) is strongly supportive of the proposed Conservation Area but would like to see additional areas included within it, including an area of land at Meadowbank Street, the full extent of Dumbarton Central Station, platforms and supporting walls, and potentially Dumbarton Old Bridge (1765).

Silverton and Overtoun Community Council (PLDP/182/3) note their strong support for a Conservation Area, particularly the inclusion of Dumbarton Central Station.

Modifications sought by those submitting representations:

Development Strategy

Silverton and Overtoun Community Council (PLDP/182/6) seek to include the following list of potential uses for vacant shops or new units:

• Food stalls or farmers’ market on weekly or monthly basis

• 'Pop-up' shops
• Premises for 3rd sector/social enterprises/community groups
• Sport and leisure activities
• Arts and crafts workshops/book shops
• Restaurants and cafes
• Nurseries/soft play area for families
• Tourist information/Museum (possibly in Glencairn House),

The Development Strategy should also provide details of the nature of, and timescales for improvements to the Town Centre.

Dumbarton Football Club Ltd (PLDP/783/6) seek the insertion of words to the effect of:

'the redevelopment of the existing Dumbarton FC stadium at Castle Road for residential and other appropriate uses so as to support the councils' objectives for maximising the tourism potential of the castle and to support the development of a new replacement stadium and community sport and recreation centre elsewhere'

SNH (PLDP/640/6) recommend replacing the wording in paragraphs 5 and 6 of this section of the Plan (supporting text) with the following:

"Development at Dumbarton Town Centre and Waterfront must also not have an adverse effect on the Endrick Water Special Area of Conservation (SAC) for which Atlantic salmon, Brook lamprey and River lamprey are the qualifying interests or on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest.

Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA).This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development".

SNH also seek the insertion of the following additional bullet point to the Development Strategy text itself:

"Protecting and enhancing the natural heritage and ensuring no adverse effect on the integrity of the Inner Clyde Special Protection Area (SPA), the Endrick Water Special Area of Conservation (SAC) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI)."

<u>Dumbarton Policy 1 - High Street and Retail Development</u>

Silverton and Overtoun Community Council (PLDP/182/6) are seeking that the policy should support a more diverse range of uses in the Town Centre as detailed under their comments for the Development Strategy, above, and should also support joint residential/retail uses for empty premises of several storeys. The policy should also resist any increase in betting shops, pay day lenders, fast-food shops, and electronic cigarette shops. Finally, there should be a reference in the policy to supporting improvements and renovation to the rear of the High Street facing the River.

Dumbarton Policy 2 - St James Retail Park/Morrisons Commercial Centre

Legal and General UK Property Fund (PLDP/660/6) are seeking a change to the Map to place the St James Retail Park/Commercial Centre within the boundaries of the Town Centre.

Dumbarton Policy 5 - Sandpoint Marina

Silverton and Overtoun Community Council (PLDP/182/6) seek that the policy should not support residential development that is more than 3 storeys high or of 'high density'.

SNH (PLDP/640/6) recommend an amendment and addition to the policy text as follows:

"Any development of the site should:

- *Provide high quality design, layout and materials to reflect the sites close proximity to Dumbarton Castle and Rock as well as Levengrove Park,*
- *Provide a waterfront path; and*
- *Ensure no adverse effect on the integrity of any Natura site"*

Dumbarton Policy 6 - Dumbarton Waterfront Path - Development Contributions

Silverton and Overtoun Community Council (PLDP/182/6) are seeking a change to the policy to include a direct reference to the former Denny Tidal Basin as part of the Waterfront Path.

SNH (PLDP/640/6) recommend adding a final sentence to the Policy:

"Proposals for development must not have an adverse effect on the integrity of a Natura 2000 site"

Dumbarton Policy 7 - Dumbarton Castle

Silverton and Overtoun Community Council (PLDP/182/6) are seeking a modification to the policy to include support for rock climbing on Dumbarton Rock where it would not damage the natural or cultural environment, and potentially an organised campsite at the base of the Rock.

Dumbarton Proposal 1 - Dumbarton Football Club

Dumbarton Football Club Ltd (PLDP/783/6) seek the insertion of words similar to the following:

'The Council acknowledges the need for and benefits of Dumbarton Football Club relocating from its present site so as to allow the Club to develop and play from a new, modern, fit for purpose community stadium and sports facility, this because its existing site is too small and constrained to support a new stadium development. So as to assist this process the Council will support the redevelopment of the existing stadium site for residential and appropriate complementary commercial uses. The site is in a sensitive location, adjacent to Dumbarton Castle, and careful consideration should be given to the layout, scale and design of the proposed development. To ensure that the development is appropriate and of a sufficient quality the Council will require any planning application to

be supported by a masterplan and design statement. A waterfront path would be required within the development linking to paths on either side. Uses that would increase the attractiveness of Dumbarton Castle to visitors will also be supported on this site.'

Dumbarton Proposal 2 - Dumbarton Town Centre Conservation Area

Jeremy Watson (PLDP/002/6) seeks to make the following extensions to the proposed Dumbarton Town Centre Conservation Area shown in the Dumbarton Map, to include:

- A triangle of land at Meadowbank Street
- The full extent of Dumbarton Central Station, platforms and parapeted supporting walls, including the Bankend Road frontage.
- Include or make reference to Dumbarton Old Bridge.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations to this section of the Plan have been grouped under the following sub-headings: Dumbarton Town Centre and Waterfront Supporting Text; Development Strategy; Dumbarton Policy 1: High Street and Retail Development; Dumbarton Policy 3: Quayside and Riverside Lane; Dumbarton Policy 5: Sandpoint Marina; Dumbarton Policy 6 - Dumbarton Waterfront Path: Development Contributions; Dumbarton Policy 7: Dumbarton Castle; Dumbarton Proposal 1: Dumbarton Football Club; and Dumbarton Proposal 2: Dumbarton Town Centre Conservation Area.

Dumbarton Town Centre and Waterfront Supporting Text

The comments of SEPA (PLDP676/6) are welcomed.

Development Strategy

In response to the representation from Silverton and Overtoun Community Council (PLDP/182/6) to include their list of potential uses for units in the town centre, it is considered that the Local Development Plan 2 already fully supports all of these uses within Dumbarton Town Centre, as articulated in the Dumbarton Development Strategy, Dumbarton Policy 1 High Street and Retail Development, Policy SC2 - Core Town Centre Areas and Policy SC3 - Other Town Centre Areas. In terms of the requested setting of timescales for improvement works to the town centre, it is firstly noted that the Community Council does not specify which particular improvements are being referred to. While Local Development Plan 2 sets out broad policy support and a policy framework for a range of changes and improvements to the town centre, the delivery of most physical improvement projects will be dependent on the work and funding from a range of other Council services, public sector organisations and private sector developers and businesses. The Local Development Plan 2 Action Programme (CD 27) sets out timescales and lead partners for each Dumbarton Policy and Proposal in Local Development Plan 2; however, these details are considered beyond the scope of the Plan policies themselves. No modifications are therefore required to the Plan in this regard.

With regard to Dumbarton Football Club Ltd (PLDP/783/6), this issue is addressed within Dumbarton Proposal 1 Dumbarton Football Club, below.

The Council would have no objection to the proposed modification to Paragraphs 5 and 6 and the Development Strategy on Page 28 being made, as requested by SNH

(PLDP/640/6), should the Reporter wish to amend the strategy.

Dumbarton Policy 1 - High Street and Retail Development

As set out in the response to the Development Strategy issue, it is considered that the list of proposed town centre uses Silverton and Overtoun Community Council (PLDP/182/6) are seeking to be included are already fully supported within Local Development Plan 2. The Plan also sets out planning restrictions and appropriate guidance on town centre uses, including betting shops and payday lenders, through Policies SC2 and SC3 and Planning Guidance. Improvements to the rear of the High Street are already supported in Dumbarton Policy 3: Quayside and Riverside Lane. As such, it is considered that no modifications to the Plan are required in this regard.

Dumbarton Policy 2 - St James Retail Park/Morrisons Commercial Centre

With regard to the request from Legal and General UK Property Fund (PLDP/660/6) to clarify that the St James' Retail Park is within Dumbarton Town Centre, the Council considers that the Dumbarton Town Centre and Waterfront Map and associated policies do make it clear that the Retail Park is not within the Town Centre but is instead identified as a separate Commercial Centre on the edge of the Town Centre. The Plan seeks to maintain the complementary role of the Commercial Centre, which would be jeopardised if it were to be included within the Town Centre boundaries and would likely cause harm to, and divert trade and retailers away from, the High Street particularly. This would run counter to the overall strategy of Local Development Plan 2 and the aims of SPP (CD 03) to protect and support Town Centres. As such it is considered that no modification to the Plan is required.

Dumbarton Policy 3 - Quayside and Riverside Lane

The support from Silverton and Overtoun Community Council (PLDP/182/6) for the Policy is welcomed. In terms of the comments on climate change and flood risk, the Council is aware of the need to for measure to protect against and mitigate these risks, and the Policies within the Plan will help to ensure that this is undertaken where appropriate.

The support of SPT (PLDP/675/6) for the long term aspiration of connecting the Town Centre to Levengrove Park via a bridge is acknowledged.

Dumbarton Policy 5 - Sandpoint Marina

With regard to Silverton and Overtoun Community Council (PLDP/182/6), seeking that the policy should not support residential development more than 3 storeys high or of 'high density', the Council would note that the Plan recognises the prominent and sensitive nature of the Sandpoint site and that it "supports development of housing on the site to a scale reflecting the site's prominence and proximity to Dumbarton Castle." It is considered that more detailed design issues regarding height would be a Development Management matter to be assessed during the planning application process. As such, it is considered that no modifications to the Plan are required in this regard.

The Council have no objection to the proposed modification to the Policy as requested by SNH (PLDP/640/6) should the Reporter be agreeable to this amendment and considers that a change to the Policy is required. Should this be the case then the Council suggests that the Policy is amended as suggested by SNH.

The support from SPT (PLDP/675/6) for improved public transport as part of the development of the site is acknowledged.

Dumbarton Policy 6 - Dumbarton Waterfront Path: Development Contributions

With regard to Silverton and Overtoun Community Council (PLDP/182/6) the Council considers that it is not the purpose of the policy to describe the different sections of the proposed Dumbarton Waterfront Path; the detail and delivery of which are set out in the Dumbarton Waterfront Path Planning Guidance (CD 40). No modification to the Plan is therefore required in this regard.

However, whilst looking at this section of the Plan, the Council noticed that there is a typographical error in the Policy. The reference to the Waterfront Path should be as Non-Statutory Guidance and not Supplementary Guidance. As this is more than a non-notifiable change, the Council would be appreciative if the Reporter could modify Dumbarton Policy 6 in this regard by changing the references within the Policy from 'Dumbarton Waterfront Path Supplementary Guidance' to 'Dumbarton Waterfront Path Non-Statutory Guidance' as it was not the Council's intention for this Guidance to be supplementary and that as it is a live and complex project, the guidance needs to be able to updated as quickly as possible when required.

The Council would have no objection to the proposed modification to policy being made, as requested by SNH (PLDP/640/6), should the Reporter wish to amend the policy.

The support of SPT (PLDP/675/6) is welcomed.

Dumbarton Policy 7 - Dumbarton Castle

In response to Silverton and Overtoun Community Council's (PLDP/182/6) suggestion that the policy should be modified to include support for rock climbing or a campsite at Dumbarton Rock, it is considered that while the policy provides general support for an improved visitor experience and protection of the site, such specific proposals would be best considered at the Development Management stage of a planning application. No modification to the Plan is therefore required in this regard.

Dumbarton Proposal 1 - Dumbarton Football Club

With regard to Dumbarton Football Club Ltd (PLDP/783/6), the Council is of the view that the proposal does not require to be modified and that the matters raised are best addressed at the Development Management stage. The other part of the representation is addressed fully in Issue 31 Young's Farm, rather than in this issue.

No modifications to the Plan are therefore considered necessary in this regard.

Dumbarton Proposal 2 - Dumbarton Town Centre Conservation Area

In response to the representation from Jeremy Watson (PLDP/002/6), the Council welcomes the suggested amendments to the proposed Conservation Area for Dumbarton Town Centre but notes that the process of designating a Conservation Area is separate to the Local Development Plan process itself and considers that the Local Development Plan Examination is not the appropriate route for determining the final Conservation Area boundaries. The Council held an extensive public consultation on the proposed

Conservation Area between January and March 2019 and, based on all comments and suggestions received, including from Historic Environment Scotland, intends to take a revised Conservation Area boundary back to the Planning Committee for approval in August 2019. Nonetheless, the suggestions made by Mr Watson to Local Development Plan 2 will be included in this review (for information, Mr Watson has made further submissions to the Conservation Area consultation).

While the map in the Dumbarton Town Centre and Waterfront section of Local Development Plan 2 shows an indicative Conservation Area boundary proposal based on the initial recommendations from heritage consultants, it is intended that the final, adopted version of Local Development Plan 2 will include the finalised and approved boundary of the Conservation Area. The final boundaries of the Conservation Area, when approved by Scottish Ministers (which the Council hope will be before December 2019), will be submitted to the Reporter and the Council would be grateful if the Reporter would accept these as the final version and amend the Strategy map accordingly.

The strong support of Silverton and Overtoun Community Council (PLDP/182/6) is welcomed.

Reporter's conclusions:

Development Strategy

1. The pre-amble to Dumbarton Policy 1 High Street and Retail Development notes that there is an increasing level of vacant shops in the town centre. Dumbarton Policy 1 encourages a range of uses within the core town centre area where they accord with proposed plan Policy SC2 Core Town Centre Areas. Policy SC2 supports a range of different uses where they would help to improve the vibrancy of town centres, taking account of a list of appropriate town centre uses set out in Table 5. These uses are shops, financial, professional and other services, food and drink, hotels and hostels, assembly and leisure, public houses, business, houses and hot food takeaways. Uses are also required to safeguard the vitality and viability of the town centre or surrounding area, ensure shops remain the predominant ground floor use within the core town centre; provide added value or meet a deficiency in service provision; have substantial day-to-day contact with the public; provide an attractive window display or active frontage, do not result in an undesirable concentration of uses or dead frontages and comply with supplementary guidance on pay day lending and betting shops.

2. Dumbarton Policy 1 also provides support for a wider range of uses in other areas of the town centre provided such uses complement shopping visits, encourage visitors to the town centre and do not harm the character and amenity of surrounding areas. Proposals would also be required to be assessed against proposed plan Policy SC3 Other Town Centre Areas. Policy SC3 provides support for uses other than those listed in Table 5 where they comply with Policy SC2, encourage visits to the town centre and are appropriate to the role and function of the town centre. Policy SC3 also identifies town centres as the preferred location for leisure uses and public services which do not have a local focus. However, proposals which result in an over-proliferation of non-retail uses and/or which detract from the character and amenity of the town centre will not be supported.

3. I consider that Dumbarton Policy 1, read with Policy SC2 and SC3, provides adequate policy support, with appropriate safeguarding criteria, for all the potential uses for vacant

or new shops advocated by Silverton and Overtoun Community Council. Therefore, I do not consider it necessary to modify the proposed plan to address this aspect of the community council's representation.

4. The Development Strategy provides support for improvements to the Artizan Centre, the river frontage, public realm improvements at Dumbarton Castle, improved access, including to Dumbarton Central Railway Station, and preservation and enhancement of Dumbarton's built heritage. The council explains that improvements will be delivered by the local authority itself, other public sector organisations and the private sector. The proposed action programme which supports the proposed plan identifies likely partners but I have no evidence of committed funding or timetable for delivery, other than that the council has committed to making a significant investment in a riverside path. This is referenced at paragraph four of the preamble to the Development Strategy. Therefore, I find that attempting to provide more detail in the proposed plan would be potentially misleading. I do not consider it appropriate to recommend a modification of the plan on this point.

5. The Development Strategy provides support for improvements to the Artizan Centre. The preamble to Dumbarton Policy 1 provides support for the improvement or redevelopment of the centre. It is clear from this second reference that the council would, potentially, support the demolition of the Artizan Centre. I do not consider that any further reference to that effect is required in the proposed plan.

6. In its response to a further information request from the Scottish Government reporter leading this examination and further to its original representation, the football club indicated that it would like to see some of the existing stadium site allocated as a residential development opportunity with potential also to provide a stretch of the proposed waterfront path, creation of a parkland setting to the Rock and Castle, car and coach parking and a visitor centre. In its response to the further information request, the council indicated that the football club has been clear that a move to Young's Farm is its clear, preferred option and that this would only be viable were associated enabling development to include new housing. The council considers that granting permission for housing at Young's Farm would be contrary to policy. It was for this reason that planning permission for a new stadium and associated development at Young's Farm was refused in 2017.

7. Dumbarton Proposal 1 Dumbarton Football Club supports enhancements to the area around the stadium and uses that would increase the attractiveness of the public realm on the approach to Dumbarton Castle. This wording is not prescriptive in terms of alternative uses but this approach may be helpful to the football club in identifying suitable redevelopment proposals. Redevelopment would also be guided by other, relevant policies of the proposed plan. A second further information request to the football club and council showed that planning permission in principle exists for 32 flats and five detached houses on the north-west and north-east parts of the Castle Road site, respectively. For completeness, I consider that the development strategy map should be modified to show these sites as consented residential development. Otherwise, given the uncertainty about future stadium proposals following the Young's Farm decision, I do not consider it necessary to recommend a modification to the plan to vary the existing wording in relation to the football club's interests. The club's proposal to relocate to a site at Young's Farm is dealt with at Issue 31, below.

8. In the interests of clarity and consistency, Scottish Natural Heritage has proposed

modifications to the proposed plan in relation to the Inner Clyde Special Protection Area and Endrick Water Special Area of Conservation. I consider that the proposed changes would provide consistency with paragraph 207 of Scottish Planning Policy 2014 (SPP) which requires that the integrity of Natura 2000 sites be protected. The proposed changes are supported by the council. I have endorsed below the proposed modifications to the development strategy and paragraphs five and six of the supporting text. In order to provide consistency with the modification I have recommended above in relation to Issue 3 Queen's Quay, Clydebank and Issue 5 Carless, I have also recommended below a modification to provide a cross-reference in the supporting text to proposed Policy ENV1 Nature Conservation.

Dumbarton Policy 1 High Street and Retail Development

9. I consider that my conclusions at paragraphs 1 to 3 above address the community council's representation in relation to Dumbarton Policy 1. The first bullet point of Dumbarton Policy 3 Quayside and Riverside Lane supports proposals for dual orientation of existing buildings or new development on High Street to provide active frontages to both High Street and Riverside Lane. I consider that this addresses adequately the community council's representation on this point. I find that no modification to the proposed plan is required in relation to either issue.

Dumbarton Policy 2 St James Retail Park/Morrisons Commercial Centre

10. Paragraph 63 of Scottish Planning Policy 2014 states that development plans should identify as commercial centres those centres that have a more specific focus on retailing and/or leisure uses (than town centres) such as shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres. In this context, I consider it appropriate that the proposed plan identifies that part of the town occupied by the St James Retail Park and Morrisons superstore as a commercial centre, as distinct from the Dumbarton Strategic Town Centre. It is clear from the notation on the Dumbarton Town Centre and Waterfront plan where the respective boundaries lie. The red line identifies the town centre and waterfront as one of the key locations expected to experience change during the plan period. The area within the blue line is the strategic town centre. The area highlighted by the blue tint is the commercial centre. I do not consider it necessary to modify the plan to address this representation.

Dumbarton Policy 3 Quayside and Riverside Lane

11. Proposed plan Policy ENV6 Flooding sets out the council's precautionary approach to the management of flood risk from proposed development. Various other policies of the proposed plan, including Policy CP1 Creating Places, Policy H1 Housing Land Supply, Policy ENV3 Carbon Rich Soils, Policy RE4 Heat Generation, Policy RE5 Low and Carbon Buildings and Policy ZW 1 Sustainable Waste Management, form a robust policy framework for minimising any impact from development on climate change. I do not consider any changes to the proposed plan are required to address the community council's comments on these matters.

Dumbarton Policy 5 Sandpoint Marina

12. Dumbarton Policy 5 notes that the Sandpoint Marina site occupies a prominent location and indicates that support for housing is contingent on any proposed development being of a high-quality design, layout and materials, reflecting this

prominence, along with the proximity to Dumbarton Rock and Castle and Levengrove Park. The site is not located within the proposed conservation area and there are no traditional buildings on site to provide context. Consequently, I consider that the proposed policy provides adequate design guidance at the level of the local development plan. Detailed consideration through the development management process can resolve adequately the precise acceptable height of any new homes. I do not consider it necessary to modify the plan to address the representation on this point.

13. Scottish Natural Heritage (SNH) has proposed that an additional bullet point be included in Dumbarton Policy 5 to emphasise that development should not have an adverse impact on any Natura site. I consider that this would help to ensure consistency with Paragraph 207 of SPP which I have referred to at paragraph 7 above. The council is supportive of this suggestion and I have endorsed below the change advocated by SNH.

Dumbarton Policy 6 Dumbarton Waterfront Path: Developer Contributions

14. The preamble to Dumbarton Policy 6 refers to the council's Dumbarton Waterfront Path Planning Guidance, 2017. Appendix A of this document shows the proposed route of the path from Cullross to Dumbarton Castle. On this basis, I do not think it is necessary for the proposed plan also to detail specific sections of the route. I do not have any evidence to indicate that there are particular land use planning issues arising from the community council's desire to promote wider tourism links. Consequently, I have not recommended any changes to the plan on these matters.

15. The council has pointed out that there is a number of erroneous references to supplementary guidance in both the policy and the preceding text. The document being referred has the status of non-statutory planning guidance. SNH has recommended that the policy indicates that the development of the path must not have an adverse impact on any Natura site. I consider that the change proposed by SNH would provide consistency with paragraph 207 of SPP which requires that the integrity of Natura 2000 sites be protected. The council is supportive of SNH's proposed revision. I have recommended modified wording below which addresses both issues.

Dumbarton Policy 7 Dumbarton Castle

16. Dumbarton Policy 7 supports appropriate proposals to improve the visitor experience of the castle, provided any such proposals recognise, protect and, where appropriate, enhance the setting of the castle and retain access along the base of the rock face along with views of the rock face. At Issue 21 of this report, I have recommended a modification to proposed Policy CON3 that requires developers to consider any impacts on access rights for outdoor sport and recreation interests. The activity of rock climbing would not, in itself, require planning permission. Any associated infrastructure probably would, as would a campsite. I consider that proposed Dumbarton Policy 7, as worded in the proposed plan and supported by the recommended modification to proposed Policy CON3, provides an appropriate balance between promoting appropriate development and protecting the significant assets of the rock and castle. Any detailed issues can be dealt with at development management stage. I do not find it necessary to modify the plan to deal with this representation.

Dumbarton Proposal 1 Dumbarton Football Club

17. I consider that my conclusions at paragraphs 6 and 7 above address this

representation. I find that it is not necessary to modify Dumbarton Proposal 1.

Dumbarton Proposal 2 Dumbarton Town Centre Conservation Area

18. Conservation areas are designated under the provisions of sections 61 and 62 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, rather than through the local development plan. Consequently, I have no locus to recommend modifications to the conservation area boundary. The council advises that the Dumbarton Town Centre Conservation Area was designated on 11 October 2019, whilst this examination was in progress. I note that the council provided a reassurance that, in considering the final position of the boundary, it would take into account the suggestions made by Mr Watson and that the designated area includes the additional triangle of land at Meadowbank Street and the full extent of Dumbarton Central Station, including the Bankend Road frontage, as advocated by Mr Watson but not Dumbarton Old Bridge or the parking area to the south-east of the station.

19. In order to ensure that the proposed plan is as up to date as possible, I have recommended below that the Dumbarton Town Centre and Waterfront Development Strategy may be modified to show the designated conservation area boundary. I have also recommended a modification to Dumbarton Proposal 2 which deletes the reference to the council investigating designation of a town centre conservation area.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Deleting paragraphs five and six on page 28 of the proposed plan, under the heading 'Dumbarton Town Centre and Waterfront', and replacing them with the following paragraphs:

'Development at Dumbarton Town Centre and Waterfront must not have an adverse effect on the Endrick Water Special Area of Conservation (SAC) for which Atlantic salmon, brook lamprey and river lamprey are the qualifying interests, nor on the Inner Clyde Special Protection Area (SPA) for which redshank are the qualifying interest.

Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the development.'

2. Deleting the final sentence of proposed paragraph seven on page 28 and replacing it with a new sentence, to read as follows:

'Development which could harm an internationally important site will only be approved in the exceptional circumstances detailed within Policy ENV1 Nature Conservation.'

3. Adding a tenth bullet point to the Development Strategy on page 28, as follows:

- 'Protecting and enhancing natural heritage and ensuring no adverse effect on the integrity of the Inner Clyde Special Protection Area (SPA), the Endrick Water

Special Area of Conservation (SAC) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI).'

4. Deleting the third sentence of paragraph one of Dumbarton Policy 5 Sandpoint Marina and substituting the following wording:

'Any development of the site should:

- provide high quality design, layout and materials to reflect the close proximity of the site to Dumbarton Castle and Rock and Levengrove Park;
- provide a waterfront path; and
- ensure there is no adverse effect on any Natura site.'

5. Deleting Dumbarton Policy 6 and the preceding paragraph and substituting the following text:

'Dumbarton Waterfront Path

Following the Dumbarton Castle and Rock Charrette, Planning Guidance on the Dumbarton Waterfront Path was adopted in 2016. This details the approach to its delivery, including the required financial contributions from landowners/developers to enable the construction of the Waterfront Path. This should be taken into account by landowners and developers.

Dumbarton Policy 6
Dumbarton Waterfront Path: Development Contributions

The council will support the development of a continuous Waterfront Path leading from the town centre to Dumbarton Castle. Developer contributions will be sought from landowners/developers to enable the delivery of the path in line with the Dumbarton Waterfront Path Planning Guidance.

Where developers wish to deliver the path as part of their development proposals they will be required to demonstrate to the council that this is the best way of delivering the path overall and will be required to comply with the specification and procedures set out in the Dumbarton Waterfront Path Planning Guidance.

Proposals for development must not have an adverse effect on the integrity of any Natura site.'

6. Revising the conservation area boundary on the Dumbarton Town Centre and Waterfront map to reflect the boundary approved by the council on 11 October 2019 and adjusting the notation accordingly.

7. Showing the sites at Dumbarton Football Club's Castle Road stadium which were granted permission for residential development by planning permission DC16/035 as consented residential development on the Dumbarton Town Centre and Waterfront map.

8. Deleting proposed Dumbarton Proposal 2 Dumbarton Town Centre Conservation Area and substituting the following wording:

'The council will explore the possibility of developing a funding bid to Historic Environment

Scotland for a Conservation Area Regeneration Scheme (CARS) to enhance, restore and regenerate key features within the new conservation area.'

Issue 7	**Clydebank Town Centre**	
Development plan reference:	Delivering Our Places - Clydebank Town Centre (pages 34 to 36)	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

Scottish Natural Heritage (SNH) (PLDP/640/7)
Network Rail (PLDP/662/7)
SPT (PLDP/675/7)
SEPA (PLDP676/7) (Support)
The Salvation Army Trustee Company (PLDP/781)
Scottish Canals (PLDP/786/7)

Provision of the development plan to which the issue relates:	This issue relates to the Clydebank Town Centre section of the Plan, which sets out a Development Strategy and a series of place based policies and proposals for the development of the area.

Planning authority's summary of the representation(s):

The representations to this section of the Plan have been grouped under the following sub-headings: Clydebank Town Centre Supporting Text; Development Strategy; Clydebank Policy 1 - Clydebank Town Centre and Forth & Clyde Canal; Clydebank Policy 3 - Rosebery Place and Playdrome Redevelopment Opportunity Sites; and Clydebank Proposal 1 - Co-operative Building.

Clydebank Town Centre Supporting Text

SEPA (PLDP676/7) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these areas is Clydebank Town Centre.

Development Strategy

Network Rail (PLDP/662/7) broadly welcome the commitment by the Council to the creation of a transport interchange at Chalmers Street, Clydebank including improvements to the bus and train station to improve access, appearance and amenity. Due to the level challenges at the station requests early engagement with the Council and partners.

SPT (PLDP/675/7) welcome and support the Development Strategy for Clydebank.

The Salvation Army Trustee Company (PLDP/781) welcomes the support for the redevelopment of key sites, improvements to the public realm and for maintaining and revitalising the Town Centre retail offer. They also draw attention to the need for their premises to have appropriate parking and drop-off facilities to serve people using their worship and community centre.

Scottish Canals (PLDP/786/7) welcome the promotion of the canal side area for "Canalside Activity Opportunities", as shown on the Development Strategy Map. They also state that surrounding retail units should wherever possible be altered to provide active frontages onto the canalside.

Clydebank Policy 1 - Clydebank Town Centre and Forth & Clyde Canal

Scottish Canals (PLDP/786) state that additional wording should be added to the policy to ensure that proposals beside the canal provide an active frontage onto the canal or at least open up onto the canal wherever possible.

Clydebank Policy 3 - Rosebery Place and Playdrome Redevelopment Opportunity Sites

Scottish Natural Heritage (SNH) (PLDP/640/7) comment that they would welcome engagement on pre-consultation drafts of the guidance mentioned in relation to this policy.

Network Rail (PLDP/662/7) state that development of the former Playdrome site, and other key regeneration sites in the vicinity of the station, should consider appropriate contributions towards the construction of any new infrastructure required in line with Policy CON1.

SPT (PLDP/675/7) are supportive of this policy along with the requirement for development proposals to provide a strong frontage and relationship with canal. However they state that to support the Clydebank development strategy, careful consideration of the other boundaries is also required, especially at Chalmers Street and Argyll Road frontage to enhance the attractiveness of these roads.

The Salvation Army Trustee Company (PLDP/781) requests that site briefs include reference to enhancements and provision of suitable access for all users of the town centre, including patrons of the Salvation Army, in order to develop a sustainable and vibrant town centre for future decades.

Scottish Canals (PLDP/786/7) state that additional wording should be added to the policy to ensure that proposals beside the canal provide an active frontage onto the canal or at least open up onto the canal wherever possible.

Clydebank Proposal 1 - Co-operative Building

The Salvation Army Trustee Company (PLDP/781) welcome the support for the sensitive reuse and restoration of the listed Co-operative Building.

Modifications sought by those submitting representations:

Development Strategy

Network Rail (PLDP/662/7) seek that the following text (in italics) be inserted into bullet point seven in the Development Strategy on p34:

" through partnership working and developer contributions,* creating a transport interchange at Chalmers Street to support development and improve the accessibility of key sites in the town centre and at Queens Quay; and ".

Network Rail also seek a modification to the supporting text for policy CON1 on page 106, which relates to improvements to the Bus and Train Station within Clydebank Town Centre. They request that the following text (in italics) should be inserted at the end of the second paragraph on p106:

"are also supported. *Partnership working with public transport providers and use of pooled developer contributions will be necessary to realise these improvements.*"

Scottish Canals (PLDP/786/7) seek that in addition to the proposed Strategy, additional wording should be added to ensure that retail units should wherever possible be altered to provide active frontages onto the canalside.

Clydebank Policy 1 - Clydebank Town Centre and Forth & Clyde Canal

Scottish Canals (PLDP/786/7) seek that in addition to the proposed policy additional wording should be added to ensure that proposals beside the canal provide an active frontage onto the canal or at least open up onto the canal wherever possible.

Clydebank Policy 3 - Rosebery Place and Playdrome Redevelopment Opportunity Sites

Network Rail (PLDP/662/7) are seeking that development proposals for the former Playdrome site, and other key regeneration sites in the vicinity of the station, should make appropriate contributions towards the construction of any new infrastructure required in line with Policy CON1.

SPT (PLDP/675/7) seek that the following sentence is added after Policy FCC1, *"… and recognise the importance of the other boundaries to the quality of place in the town centre.."*

The Salvation Army Trustee Company (PLDP/781) requests that site briefs encompass the criteria for enhancement for all complementary users, including patrons of the Salvation Army.

Scottish Canals (PLDP/786/7) seek that in addition to the proposed policy additional wording should be added to ensure that new developments or redevelopments beside the canal provide an active frontage onto the canal or at least open up onto the canal wherever possible.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations to this section of the Plan have been grouped under the following sub-headings: Clydebank Town Centre Supporting Text; Development Strategy; Clydebank Policy 1 - Clydebank Town Centre and Forth & Clyde Canal; Clydebank Policy 3 - Rosebery Place and Playdrome Redevelopment Opportunity Sites; and Clydebank Proposal 1 - Co-operative Building.

Clydebank Town Centre Supporting Text

The comments of SEPA (PLDP676/7) are noted.

Development Strategy

In relation to Network Rail's (PLDP/662/7) proposed modifications, the Council is of the view that partnership working is essential and necessary in delivering transport improvements in Clydebank; therefore, it is not considered necessary to amend the Development Strategy as the project(s) will by default be partnership based.

However, the Council does not agree with the proposed reference to developer contributions, as it is considered that this would not be in conformity with the Scottish Government Planning Circular 3/2012 (CD 05) and could potentially make improvements to the transport network unviable where there are higher than usual site costs. This matter is considered more fully within the Council's response to Issue 21: Connectivity. As such, no modification to the Plan is considered necessary in this regard.

Network Rail also request a modification to the supporting text for Policy CON1 on page 106, to allow the use of pooled developer contributions to fund the train/bus station improvements. As is set out in the Council's response to Issue 21 Connectivity, the Council does not support this modification.

With regard to the representation from Scottish Canals (PLDP/786/7), the Council welcomes the support for promoting development that faces and enlivens the Canal-side area. However, it is considered that the Development Strategy already provides sufficient support for this aim, particularly through bullet-points 4 and 5 of the Strategy. As such, the Council considers that no modification to the Plan is considered necessary in this regard.

Clydebank Policy 1 - Clydebank Town Centre and Forth & Clyde Canal

In response to Scottish Canals (PLDP/786/7), the Council welcomes the support for promoting development beside the canal that provides an active frontage onto the canal or, at least, open up onto the canal wherever possible. The Council would, however, point out that Policy WD1: Waterfront Development already requires developments to *"present a frontage to the waterfront and contributes to the overlooking of it"* and that the Forth and Clyde Canal is one of these waterfronts referred to in the Policy.

Therefore, adding a specific reference in to Clydebank Policy 1 on the same terms would merely lead to duplication of the requirement of Policy WD1. Therefore, no modification to the Plan is required.

Clydebank Policy 3 - Rosebery Place and Playdrome Redevelopment Opportunity Sites

The Council notes the comments from SNH (PLDP/640/7) in relation to engagement on the design guidance mentioned in relation to this policy.

The Council notes Network Rail's (PLDP/662/7) request that development proposals at the Playdrome and other sites should make appropriate contributions towards any new infrastructure required in line with Policy CON1. As policy CON1 already provides a clear and appropriate basis for seeking any such contributions, it is considered that no further modifications to the Policy are required in this regard.

With regard to the representation by SPT (PLDP/675/7), the Council agrees that development proposals on the former Playdrome site should recognise the importance of the other site boundaries (other than the Canal frontage); however, it is considered that

these design issues will be addressed, in general terms, through Policy CP 1 of the Plan and the Creating Places Supplementary Guidance.

Furthermore, these issues will be addressed/or are already addressed in more detail within the Playdrome Site Brief and Clydebank Can Supplementary Guidance documents. The Clydebank Can Supplementary Guidance, which will be prepared in due course, will provide a design framework and masterplan for the Canal corridor within the Centre of Clydebank, which will outline design principles for the area and take on board the outcomes and relevant projects of the Clydebank Town Centre Charrette (2015) (CD 41) and Clydebank Can (2019 (once the report is approved by the Council)). The Council is therefore of the view that no modifications to the Policy are required in this regard.

The Council welcomes the comments of The Salvation Army Trustee Company (PLDP/781) regarding maintaining appropriate parking and access to the Salvation Army Centre on Sylvania Way as part of any redevelopment proposals. However, it is considered that detailed layout and access arrangements are considerations which are best addressed at the Development Management stage once a planning application for the Playdrome site is received. No modifications to the Policy are considered necessary in this regard.

In response to Scottish Canals (PLDP/786/7), the Council welcomes the support for ensuring that developments or redevelopments beside the canal provide an active frontage onto the canal or at least open up onto the canal wherever possible. However, the Council, would refer the Reporter to its response to Scottish Canals within Clydebank Policy 1 above, as it is of a similar nature to their representation to this Policy. No modifications to the Policy are therefore required in this regard.

Clydebank Proposal 1 - Co-operative Building

The Council welcomes the support of The Salvation Army Trustee Company (PLDP/781) for this proposal.

Reporter's conclusions:

Development Strategy

1. Implementation of the development strategy for Clydebank town centre will depend on a range of partnerships between public sector agencies, the private sector and the community. I do not consider that a specific reference to partnership working in relation to delivery of a transport interchange at Chalmers Street is required.

2. Network Rail's representation on developer contributions is dealt with below at Issue 21 Connectivity. In that part of the examination report, the reporter concludes that developer contributions can be pooled across sites to pay for improvements to infrastructure, provided it is possible to demonstrate a direct link to the proposed development in relation to each contributing site. The reporter also finds that it is not necessary to set out in the proposed plan jointly funded requirements specifically in relation to rail infrastructure as a similar approach may be appropriate in relation to bus and road infrastructure. Consequently, I do not consider it necessary to recommend that a reference to developer contributions is added to the development strategy in relation to the proposal for a transport interchange at Chalmers Street.

3. The fifth bullet point of the development strategy provides support for retail units that face the canal. The strategy does not restrict this support to new development. Therefore, I find that that the proposed plan, as worded, also provides support for any alteration or redevelopment of existing retail units so that they orient towards the canal. I do not consider it necessary to modify the wording of the strategy.

Clydebank Policy 1 Clydebank Town Centre and Forth and Clyde Canal

4. In its response above, the council draws attention to the wording of Policy WD1 Waterfront Development. Policy FCC1 Forth and Clyde Canal requires that development alongside the canal should enhance the green network and that development that would have an adverse impact on the canal or its setting will not be permitted. As I have noted at paragraph 3 above, the Clydebank Town Centre Development Strategy provides support for retail units that face the canal. Clydebank Policy 1 states that the council will encourage proposals that, amongst other things, would make the canal a focal point for activity in the town centre. Clydebank Policy 3 requires that development proposals on the Playdrome site integrate with and provide a strong frontage and relationship with the canal. Altogether, I find that these policy references provide sufficient guidance to ensure that, where possible, proposed development adjacent to the canal provides an active frontage to the waterway or, at least, addresses the canal in a positive way. I also note that the Clydebank Can supplementary guidance will provide a design framework and masterplan for the canal corridor within the town centre. I do not consider it necessary to modify the plan to address the representation by Scottish Canals.

Clydebank Policy 3 Rosebery Place and Playdrome Redevelopment Opportunity Sites

5. Proposed plan Policy CON1 Transportation Requirements for New Development indicates that, throughout West Dunbartonshire, where appropriate and necessary, developers will be required to provide transport infrastructure or public transport services directly related to a requirement arising from their proposed development, or to make appropriate financial contributions. I do not consider it necessary to reiterate this requirement in relation to the redevelopment opportunity sites in the town centre. I do not consider a modification to the plan is required on this point.

6. The proposed plan highlights that the Rosebery Place and Playdrome sites are key to improving connectivity, vibrancy and visual amenity in the town centre. To that end, Clydebank Policy 3 and the preamble to the policy stress the importance of making the most of the canal side frontage of both sites. Strathclyde Passenger Transport is also correct to point out the importance of improving key road frontages to the Playdrome site. I consider that the same point also applies to the Kilbowie Road frontage of the Rosebery Place site. Consequently, I have recommended a modification to the first paragraph of the preamble to highlight these opportunities. I recognise that proposed plan Policy CP1 Creating Places provides general guidance on these matters but the proposed modification will help to provide a specific, local framework for the site briefs to be prepared for these sites.

7. The Salvation Army's representation relates to site briefs so is not an issue requiring a modification to the plan. Rather, it is something that the council can consider at the time when the relevant briefs are prepared.

8. I consider that my conclusions at paragraphs 3 and 4 above also address the representation from Scottish Canals on Clydebank Policy 3. I do not consider it

necessary to modify the proposed plan in response to these comments.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Deleting the third sentence of the first paragraph of the preamble to Clydebank Policy 3 and substituting the following sentence:

'The sites are key to improving placemaking within the town centre and provide opportunities to improve the area in terms of design and vibrancy, as well as providing an active frontage to the canal and recognising the importance of those boundaries fronting onto the main town centre road network.'

Issue 8	**Alexandria Town Centre**	
Development plan reference:	Delivering Our Places - Alexandria Town Centre (pages 38 to 39)	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
SEPA (PLDP676/8) (Support) Vale of Leven Trust (PLDP/677/8)		
Provision of the development plan to which the issue relates:	This issue relates to the Alexandria Town Centre section of the Plan, which sets out a Development Strategy and a Town Centre Policy Statement which lists the projects and uses to guide development within the Town Centre.	
Planning authority's summary of the representation(s):		

The representations to this section of the Plan have been grouped under the following sub-headings: Alexandria Town Centre Supporting Text and Alexandria Town Centre Policy Statement - Key Projects and Uses.

Alexandria Town Centre Supporting Text

SEPA (PLDP676/8) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these areas is Alexandria Town Centre.

Alexandria Town Centre Policy Statement - Key Projects and Uses

Vale of Leven Trust (PLDP/677/8) are broadly supportive of the policy in relation to improvements to parking, access and public realm within the Town Centre. They also suggest that reference should be made to better signage for the car parks and walkways into the Main Street.

The Trust express disappointment that an area of land within the Town Centre has been leased for 125 years to a church group as they do not believe it is in the best interests of the current residents or businesses or provides any benefit to the town centre.

The Trust would like to see more consideration given to pedestrian access for the centre of Alexandria, particularly the pedestrian routes to and from Alexandria Station. They suggest the area around Bank Street Railway Bridge is currently well used, particularly with foot traffic from St Marys Primary School to the east of the railway bridge, but it is unsafe for pedestrians due to proximity to busy traffic, and this could be fully pedestrianised with the traffic rerouted along the Bridge Street route.

They express disappointment that the Plan does not recognise the importance of improved public toilets for the town that would especially be fit for people that find it more difficult to use conventional toilets.

Finally, the Trust expresses concern over the current parking issues in surrounding residential streets such as Wilson Street.

Modifications sought by those submitting representations:

Alexandria Town Centre Policy Statement - Key Projects and Uses

Vale of Leven Trust (VOLT) (PLDP/677/8) are seeking a modification to the Policy Statement to include reference to improving the signage for the car parks and walkways into the Main Street.

They are also seeking to include policy support for improvements to pedestrian routes from the town centre to Alexandria Railway Station and east along Bank Street under the railway bridge, to increase pedestrian safety and avoid crossing busy roads.

The Trust also seeks policy recognition of the importance of improved and accessible public toilets in the town.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations to this section of the Plan have been grouped under the following sub-headings: Alexandria Town Centre Supporting Text and Alexandria Town Centre Policy Statement: Key Projects and Uses.

Alexandria Town Centre Supporting Text

The comments of SEPA (PLDP676/8) are noted.

Alexandria Town Centre Policy Statement - Key Projects and Uses

The Vale of Leven Trust (PLDP/677/8) request that a change should be made to the Policy Statement to support improved signage for car parks and walkways into Main Street. The Policy Statement currently includes support for, *"Improvements to parking and access from the rear of Main Street*…" In addition the Alexandria Town Centre Development Strategy includes the aim*, "To enhance the attractiveness of the town centre through accessibility, public realm and transport improvements."* It is considered that these projects would logically include better signage as part of the parking, accessibility and public realm improvements, but the determining the precise nature of these projects is not a matter for Local Development Plan 2 itself to address. As such, the Council considers that no modifications to the Plan are required in this regard.

Similarly with regard to the Trust's request that reference be made to improvements to pedestrian access to the Railway Station and to Bank Street east of the railway. The Council welcomes these constructive comments, but would point out that the Policy Statement already includes support for such measures, within the final bullet point which supports: *"Improved multi-user and active travel linkages to the railway station and River Leven."* It is considered that specific pedestrian and road safety measures could be made as part of these improved linkages, but determining the precise requirements of this links is a detailed matter which is outwith the scope of the Plan. As such, the Council considers that no modifications to the Plan are therefore required.

With reference to the request for a modification to recognise the importance of improved

and accessible public toilets in the town, the Council would point out that there are no current proposals or strategies to develop new or enhanced public toilet facilities in Alexandria. The Council would point out that the modification suggested to the Plan, within Issue 36, in relation to Community Facilities, would allow the provision of new or upgraded toilets to occur within the Town Centre in the future.

The Council would also note that the sale or leasing of land in the town centre is not a planning matter for Local Development Plan 2 to address. However, any planning application for development of the land would be considered against the relevant policies of the Plan, including the Alexandria Town Centre Policy Statement: Key Projects and Uses.

Concerns over parking issues in streets outwith the Town Centre is not a matter that can be considered within the scope of this policy, and indeed is a matter for the Council's Roads Service, rather than the Plan, to address.

Reporter's conclusions:

Alexandria Town Centre Policy Statement – Key Projects and Uses

1. Bullet point five of the development strategy for Alexandria Town Centre states that is the council's intention to enhance the attractiveness of the town centre through accessibility, public realm and transport improvements. Paragraph four of the supporting text expands on what this enhancement might consist of. Specifically, the proposed plan refers to 'new and improved paving, lighting, planting and street furniture'. The addition of a reference to 'signage' to this list would be consistent with the level of detail already provided and would, in my view, address satisfactorily the representation sought by The Vale of Leven Trust on this point. As the council suggests, the precise nature of the signage (design, location and purpose) goes beyond what the local development plan is expected to achieve. I have recommended a form of words below.

2. The council is correct to point out that the tenure of land is not a matter for the proposed plan but that any development proposals for the site in question will be determined in the context of the town centre policy statement. I do not consider it appropriate to modify the plan to address this point.

3. Bullet point nine of the Alexandria Town Centre Policy Statement relates to 'improved multi-user and active travel linkages to the railway station and River Leven'. Read with bullet point five of the development strategy, which I refer to in paragraph 1 above, this provides a clear policy commitment to support improvements to pedestrian access to the station and in the direction of Bank Street east of the railway line, including St Mary's Primary School. The detail of specific proposals goes beyond the scope of the proposed plan. Consequently, I find that it is not necessary to modify the plan to address this part of the Trust's representation.

4. I have no evidence relating to either provision of or demand for toilet facilities in the town centre, including accessible toilets. I also note that the council has no current plans to develop new or enhanced toilet provision. On that basis, I conclude that no change to the plan is required. The matter of whether a new policy should be included in the plan regarding community facilities is discussed at Issue 36.

5. Issues of parking management in residential streets on the periphery of the town

centre are matters for the council as roads authority and Police Scotland rather than the council as planning authority. Consequently, I do not consider it appropriate to modify the plan to address issues of this nature.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Rewording the fourth sentence of paragraph four on page 38 to read as follows:

'These streets and the parking to the rear of properties on the west side of Main Street would benefit from a range of public realm improvements including new and improved paving, lighting, planting, signage and street furniture.'

Issue 9	**Bowling Basin**	
Development plan reference:	Bowling Basin (Pages 40 – 41)	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
Susan Dick (PLDP/175/9) Silverton and Overtoun Community Council (PLDP/182/9) (Support) SNH (PLDP/640/9) Woodland Trust Scotland (PLDP/646/9)	SEPA (PLDP/676/9) (Support) Bowling and Milton Community Council (PLDP/782/9) Scottish Canals (PLDP/786/9)	
Provision of the development plan to which the issue relates:	This issue relates to the Bowling Basin section of the Plan which sets out a Development Strategy and a series of place based policies and proposals for development of the area.	
Planning authority's summary of the representation(s):		

The representations received to this section of the Plan are grouped under the following sub-headings: Bowling Basin Introductory text; Bowling Basin - Development Strategy; Bowling Basin Policy 1 - Bowling Basin; Residential Development; Mixed Use Area; Paths, Natural Environment; and Forth and Clyde Canal.

Bowling Basin Introductory text

SNH (PLDP/640/9) request an amendment to paragraph 4 to be consistent with text used elsewhere in the Plan and to provide clarity regarding consideration of all potential threats to the SPA.

SEPA (PLDP676/9) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these sites is Bowling Basin.

Bowling Basin - Development Strategy

Silverton and Overtoun Community Council (PLDP/182/9) note their support for the Development Strategy, but express concern about the state of Bowling Harbour and the entrance to the Canal.

SNH (PLDP/640/9) state that an additional bullet point, in relation to the SPA and SSSI, requires to be inserted into the Strategy to accord with the wording of paragraphs 207 and 212 of SPP (CD 03).

Bowling Basin Policy 1 - Bowling Basin

Silverton and Overtoun Community Council (PLDP/182/9) note their support for the Policy.

Woodland Trust Scotland (PLDP/646/9) state that site allocation H2(6) is allocated on an area identified on the NWSS. Woodland loss could potentially occur should a planning application come forward at this site, therefore, it must be ensured that appropriate replacement planting is a requirement of any development proposals.

SNH (PLDP/640/9) state that an additional bullet point, in relation to the SPA and SSSi, requires to be inserted into the Policy to accord with the wording of paragraphs 207 and 212 of SPP (CD 03).

Residential Development

Susan Dick (PLDP/175/9) states that there should be no residential development along the Canal as it is close to the SPA. Also she is of the view that access to the site is impractical and any additional access would be detrimental to the area, landscape and surrounding natural habitats.

Bowling and Milton Community Council (PLDP/782/9) strongly object to any housing on either side of the Canal, west of the Upper Bowling Basin and state that they are aware that the Council recently pulled out of the proposed construction of 76 houses either side of the canal, and that a spokesman for Scottish Canal assessed that “the housing project is not feasible at the moment”.

The Community Council state that residential development within Bowling, including this site, would result in an unacceptable population influx and loss of the village’s current social character. It would result in the loss of the village’s unique identity due to coalescence with Old Kilpatrick and that the previous refusal to accept a Section 75 agreement on the number of housing units to be built on the Basin site has the potential to exacerbate these issues further.

The Community Council are also of the view that residential development on either side of the Canal may be a deterrent to many people and would result in fewer visitors, have a detrimental effect on the trade of current commercial outlets, and as a result of the latter would not provide employment opportunities for local residents.

Residential development, according to the Community Council, also ruins green network opportunities and connections and would destroy an invaluable wildlife corridor. They refer to a report from SWT which concluded that:
“housing would be damaging and inappropriate. There could be scope to preserve the special character of the basin as well as the wildlife value of the woodlands with a very limited development of existing buildings only. Our recommendation therefore is that woodland should be re-zoned, preferably as an LNR or LNCS but certainly as Greenbelt as a minimum.”

Scottish Canals (PLDP/786/9) state that site H2(6) allocation should remain. Whilst recognising that this is not going to be delivered immediately they still have ambitions to develop housing on this site as it will support the activities and uses at Bowling Basin. Scottish Canals and the Council continue to examine further the feasibility and delivery models for bringing forward housing on this site.

Mixed Use Area

Scottish Canals (PLDP/786/9) state that Bowling Basin remains a priority destination

which they are investing in along with others to create a visitor destination. This includes creation of a new food offer at the lower basin, visitor accommodation at Custom House and Bowling Viaduct Highline project.

The area of mixed use opportunity should be wider as shown in their attached scan – to reflect the approved masterplan for Bowling Basin (which is referred to in the Bowling Basin Policy). The Outer Harbour is also a long-term opportunity for additional moorings/ marina. Scottish Canal ask if these uses can be added as a designation/allocation in the Proposed Plan.

Paths

Susan Dick (PLDP/175/9) is concerned that when paths are mentioned they do not contain any reference to bridleways. Ms Dick is of the view that paths in this area should remain natural and grassed with maybe some ground reinforcement underneath such as ecogrid and is strongly of the view that no grey paths should be introduced within the area as these detract from the natural look of the area and will damage biodiversity during construction and afterwards.

Natural Environment

Susan Dick (PLDP/175/9) states that care must be taken not to upset the delicate balance of this area and to protect the natural open spaces contained within it and its current footpaths/bridleways. The cycle track provides the sanitised route so the other routes should be left naturalised. Also highlights that Bats are on the site and is of the view that development will have an impact upon the bats during construction. Ms Dick asks if any surveys/assessments have been carried out in this regard. Ms Dick also raises issues to do with newt ponds on the site and supports the safeguarding of these and the wildlife corridor and asks for further engagement with a range of stakeholders before development commences in this regard.

Ms Dick, when referring to Policies CP1 and CP2, supports the green infrastructure plans and habitat enhancement, but states that there should be no exceptions allowed in the aims of protecting nature conservation and species and that the site should be left to nature, as it is a valuable natural asset and should be retained as such.

Forth and Clyde Canal

Susan Dick (PLDP/175/9), referring to Policies FCC1 and BE1, is of the view that residential and more commercial development would have an impact on the Canal and its natural setting.

Modifications sought by those submitting representations:

Bowling Basin Introductory text

SNH (PLDP/640/6) recommend that the Paragraph 4 on Page 40 is amended to:
"Development at Bowling Basin must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one

overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development."

Bowling Basin - Development Strategy

SNH (PLDP/640/9) request that a new bullet point is inserted into the Strategy as follows:

"To ensure no adverse effect on the integrity of the Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI)."

Bowling Basin Policy 1 - Bowling Basin

Woodland Trust Scotland (PLDP/646/9) request that an additional bullet point is added to the Policy as follows:

"Any woodland loss should be mitigated for compensatory planting of native tree species appropriate to the site conditions."

SNH (PLDP/640/9) request that a new bullet point is inserted into the Policy as follows:

"To avoid any adverse effect on the integrity of the Inner Clyde Special Protection Area (SPA), or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI)."

Residential Development

Susan Dick (PLDP/175/9) does not specifying any modifications within the representation but it is inherent that Ms Dick does not wish to see residential development on this site and reference to it should be removed from this section of the Plan.

Bowling and Milton Community Council (PLDP/782/9) request that Site H2(6) Bowling is rezoned from Housing to Greenbelt, as well as, it being designated either as a Local Nature Reserve or Local Nature Conservation Site.

Mixed Use Area

Scottish Canals (PLDP/786/9) request that the Development Strategy Map is amended as detailed in their representation. They also request that the Plan includes a designation/ allocation that allows additional moorings/marina for the Outer Harbour.

Paths

Susan Dick (PLDP/175/9) does not specifying any modifications within the representation but it is inherent that Ms Dick wishes to see a reference to bridleways made within the text and a commitment to the natural construction of paths within the site.

Natural Environment

Susan Dick (PLDP/175/9) does not specifying any modifications within the representation but it is inherent that Ms Dick is against development within the area which would have an

impact on the natural environment should be removed.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations received to this section of the Plan are grouped under the following sub-headings: Bowling Basin Introductory text; Bowling Basin: Development Strategy; Bowling Basin Policy 1: Bowling Basin; Residential Development; Mixed Use Area; Paths, Natural Environment; and Forth and Clyde Canal.

Bowling Basin Introductory text

The Council has no objection to the proposed modification to Paragraph 4 on Page 40 as requested by SNH (PLDP/640/9), being made, should the Reporter wish to amend the paragraph.

The comments and support of SEPA (PLDP676/9) is welcomed.

Bowling Basin - Development Strategy

The Council has no objection to the proposed modification to Development Strategy as requested by SNH (PLDP/640/9), being made, should the Reporter wish to amend the Strategy.

The Council welcomes the support of Silverton and Overtoun Community Council (PLDP/182/9) for the Development Strategy and Policy 1.

Bowling Basin Policy 1 - Bowling Basin

In response to the representation from Woodland Trust Scotland (PLDP/646/9), the Council is of the view that the requirements of Policy ENV4: Forestry, Trees and Woodlands will ensure that that compensatory planting is undertaken should any of the woodland be lost as a result of development. The modification sought by Woodland Trust Scotland would just be duplicating the requirements of Policy ENV4 and, as a result, the Council is of the view that no modification to the Policy is required in this regard.

Residential Development

In relation to the representations from Susan Dick (PLDP/175/9) and Bowling and Milton Community Council (PLDP/782/9), the Council would point out that the site has Planning Permission in Principle consent (DC 15/270) (SI WDC10) for residential development in this location. The response from Scottish Canals indicates that they are still committed to bringing forward residential development on the site in accordance with the Planning Permission in Principle consent in the future.

The other issues raised by Ms Dick are considered to be matters to be addressed by Development Management when the detailed application is submitted. It should be noted that the developer will require to undertake a project level Habitats Regulations Appraisal and submit this to the Council should any new planning application come forward.
The clarification from Scottish Canals (PLDP/786/9) of their commitment to taking the site forward for housing is welcomed and that the site is required to support the continued regeneration of Bowling Basin as a visitor destination.

Mixed Use Area

An amendment to the Plan may be required in relation to the representation from Scottish Canals (PLDP/786/9) in relation to the Development Strategy Map and the mixed use area. The extent of the mixed use area is depicted on the Development Strategy Map appears to not fully reflect the approved masterplan for Bowling Basin (SI WDC11), which is a graphical error. Therefore, the Development Strategy Map requires to be amended to rectify this error. The Council suggests that Development Strategy Map is amended as suggested by Scottish Canals, should the Reporter wish to amend the Map.

In relation to the request from Scottish Canals (PLDP/786/9) that the Plan be amended to include a reference to additional moorings and/or a marina at the Outer Harbour being acceptable uses within the Plan, the Council would have no objection to amendment to the Plan being made. Should the Reporter wish to amend the Bowling Basin Policy 1, the Council would have no objection to the policy being changed and would suggest the following new paragraph is added to the end of the Policy:

"The Council will also support future proposals for the redevelopment of the Outer Harbour for related and compatible uses, such as additional moorings, a marina and associated facilities, to further establish Bowling Basin as tourist destination and also to help regenerate the River Clyde waterfront in conjunction with future development at Scott's Yard and the Esso City Deal Site."

Paths

In response to Susan Dick (PLDP/175/9), it would not be appropriate to specifically refer to bridleways for every use of the word 'path' in this section of the Plan. This is because the text is referring to specific paths/routes (i.e. Canal Towpath) and is not referring to all paths within the site. Also it is important to note that some types of paths within, or proposed to be within, the site may not be suitable for use as bridleways and the modification sought by Ms Dick may lead to inaccuracies within the text in this regard. The other issues raised are considered to be more detailed matters that are outwith the scope of the Plan. No modification to the plan is therefore required.

Natural Environment

The issues raised by Susan Dick (PLDP/175/9) in relation to the natural environment will be safeguarded by Bowling Basin Policy 1 and the other relevant policies within the Plan. The Planning Permission in Principle consent was accompanied by a number of studies (such as a Bat survey) (SI WDC12) and the conditions attached to this consent (SI WDC10) require revised surveys to be submitted as part of the detailed application. As the principle of development within the site has already been established, no modifications to the Plan are required in this regard.

Forth and Clyde Canal

In relation to representation from Susan Dick (PLDP/175/9), the site has Planning Permission in Principle consent and that the potential impacts on the Forth and Clyde Canal were considered at that point. Historic Environment Scotland will be consulted on the detailed application for the residential development but for information, they have not objected to this section of the Plan in regard to the potential impacts on the Scheduled Monument.

Reporter's conclusions:

Bowling Basin introductory text

1. Scottish Natural Heritage (SNH) has proposed a revision to the second sentence of the fourth paragraph of the introductory text as it relates to the Inner Clyde Special Protection Area. However, as the proposed plan text already refers to 'an expert assessment', it is not necessary to recommend a modification to the plan in this instance. In order to provide consistency with the modifications I have recommended in relation to Issue 3 Queen's Quay, Clydebank, Issue 5 Carless and Issue 6 Dumbarton Town Centre and Waterfront, I have recommended below a modification to provide a cross-reference in the supporting text to proposed Policy ENV1 Nature Conservation.

Bowling Basin Development Strategy

2. SNH suggests that an additional bullet point be added to the strategy in order to safeguard the Inner Clyde Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI). The council supports this change. SNH has suggested a similar change to proposed Bowling Policy 1. Rather than repeat the guidance in the development strategy and policy, I have I have endorsed below the modification to the policy recommended by SNH.

Bowling Basin Policy 1 Bowling Basin

3. Proposed plan Policy ENV4 Forestry, Trees and Woodland states that development proposals should seek to incorporate new trees and woodland planting and that developers are required to submit and implement a landscape management plan for all new developments. The second bullet point of the Bowling Basin Development Strategy indicates that the strategy seeks to create an exemplar of an integrated green infrastructure approach to development. The third bullet point of Bowling Basin Policy 1 states that development proposals will be required to minimise the impact on existing woodland and green infrastructure. I consider that these provisions enable the council both to protect site trees where appropriate and also to require that compensatory planting takes place where it agrees trees can be removed. Specific tree species can be determined through the development management process. I do not consider that the wording proposed by the Woodland Trust would materially strengthen the plan in this regard. I have not recommended a change to the plan on this point.

4. SNH suggests that an additional bullet point be added to the policy in order to safeguard the SPA and SSSI. I consider that this would be helpful in ensuring consistency with paragraph 207 of Scottish Planning Policy 2014 which seeks to ensure that the integrity of Natura 2000 sites is protected. The council supports this change. I have endorsed below the wording recommended by SNH.

Residential Development

5. The identification of an opportunity for housing development at Bowling Basin reflects the fact that planning permission in principle for a mixed use development, including housing, was granted for the site in 2016. Although this permission has now expired, the applicant, Scottish Canals, indicates that it remains committed to bringing forward a residential development in the future. Scottish Canals advises that this is required in order to support the continued regeneration of Bowling Basin. Although the planning

permission has expired, the process of determining the application has enabled the council to weigh up the pros and cons of development and, in ultimately approving the application, set out in conditions the additional, detailed information required to be approved before development can proceed. I consider it reasonable that the proposed plan reflects this relatively recent process and do not propose a modification to the plan to delete the housing opportunity. I note that when the proposed plan was prepared, the planning permission in principle was still extant.

6. The principle of vehicular access to the site has been established through the processing of the 2016 planning application. Detailed access arrangements can, similarly, be determined through the development management process in the context of proposed plan Policy CON1 Transportation Requirements for New Development. I do not consider it necessary to modify the plan on this point.

7. I consider that the proposed plan, as modified by recommendations 1 and 2 below, will provide sufficient protection for the Special Protection Area and Site of Special Scientific Interest. The third bullet point of Bowling Basin Policy 1 requires that development has a minimal impact on existing woodland and green infrastructure. The provisions of Policy ENV1 Nature Conservation will also apply. I am satisfied that these policies will enable the council to provide adequate protection to biodiversity interests on and in the vicinity of the site in the event that housing development takes place. I do not find it necessary to modify the plan to address representations on matters of wildlife.

Mixed Use Area

8. The council advises that the mismatch between the Bowling Basin masterplan and the Bowling Basin Strategy Map in the proposed plan highlighted by Scottish Canals is a graphical error. On that basis, I have recommended below that the strategy map be modified to reflect the masterplan in line with the drawing which accompanied Scottish Canals' representation.

9. The masterplan identifies a potential future project to improve the amenity of the outer harbour. Scottish Canals' request to recognise this aspiration in the proposed plan is supported by the council. This appears to be a beneficial proposal so I have endorsed below the modification to Bowling Basin Policy 1 suggested by the council.

Paths

10. Scottish Government Circular 6/2013 Development Planning makes it clear that Scottish Ministers expect local development plans to be succinct and visionary. Therefore, I do not consider the proposed plan is the right place to set out standards for path construction. As the preamble to Policy CON3 Core Paths and Natural Routes indicates, the Green Infrastructure Supplementary Guidance provides design criteria for access networks. This approach is consistent with Circular 6/2013. I consider it sufficient that the proposed plan identifies the key access routes within the site. At Bowling Basin, these are the existing core paths and national cycle network and the proposed harbour path. I do not consider it appropriate to recommend a modification to the plan in response to the representation on this matter.

Natural Environment

11. My conclusion at paragraph 10 above addresses the further representation about

access. I note that condition 14 of the 2016 planning permission in principle for the site required the prospective developer to carry out a bat survey, condition 15 required an Extended Phase 1 Habitat Survey to be carried out of canal-side vegetation and condition 16 was designed to protect nesting birds. I would expect any future planning permission to incorporate similar safeguards to protect wildlife, all in line with proposed plan Policy ENV1 Nature Conservation, requirement c) of Policy CP1 Creating Places relating to green infrastructure and requirement e) of Policy CP2 Green Infrastructure which relates to habitat enhancement.

12. With specific reference to the potential presence of newts on site, I note that Policy ENV1 requires development proposals to have regard to safeguarding features of nature conservation value including ponds, watercourses and wetlands. The policy also states that development that harms protected species will only be permitted where it accords with relevant legislation and all relevant licensing tests are passed. The policy also requires that all new development should enhance biodiversity.

13. I conclude that the proposed plan provides sufficient policy protection for the natural environment whilst allowing for the continued enhancement of the site through development. I do not consider it necessary to modify the plan on this matter. My conclusion at paragraph 7 above is also relevant in addressing concerns about protecting the biodiversity value of the site and its environs.

Forth and Clyde Canal

14. Proposed plan Policy FCC1 Forth and Clyde Canal requires that development alongside the canal should enhance this part of the green network. It also states that development which would have an adverse impact on the canal or its setting will not be permitted. Policy BE1 Scheduled Monuments and Archaeological Sites states that development that would adversely affect a scheduled monument, such as the canal, or its setting, will not be permitted. Housing and mixed use development will impact on the canal and its setting but neither policy prohibits development in the vicinity of the canal. The key requirement is that there is no adverse effect. My conclusion at paragraph 5 above on the proposed housing opportunity is relevant here and applies equally to the mixed-use development opportunity. I am satisfied that the proposed plan incorporates sufficient safeguards that development could take place without detriment to the canal either as an ancient monument or as part of the green network and, indeed, has the potential to enhance the canal as an asset to West Dunbartonshire. I note that Historic Environment Scotland did not submit a representation on the Bowling Basin section of the plan.

15. I do not consider it necessary to modify the plan in relation to concerns about impacts on the Forth and Clyde Canal.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Deleting the final sentence of the proposed fifth paragraph of the supporting text on page 40 and substituting a new sentence, to read as follows:

'Development which could harm an internationally important site will only be approved in the exceptional circumstances detailed within Policy ENV1 Nature Conservation.'

2. Adding a third bullet point to Bowling Basin Policy 1, as follows:

- ‘to avoid any adverse effect on the integrity of the Inner Clyde Special Protection Area (SPA) or on the objectives of designation and the overall integrity of the Site of Special Scientific Interest (SSSI).’

Deleting the word ‘and’ from the end of the second bullet point and adding the word ‘and’ at the end of the third bullet point.

3. Revising the Bowling Basin strategy map on page 41 of the proposed plan to show the mixed-use opportunity as represented on the drawing which accompanied Scottish Canals’ representation on the local development plan (PLDP/786/9).

4. Adding an additional paragraph to Bowling Basin Policy 1 to read as follows:

‘The council will also support future proposals for the redevelopment of the Outer Harbour for related and compatible uses, such as additional moorings, a marina and associated facilities, further to establish Bowling Basin as a tourist destination and also to help regenerate the River Clyde Waterfront in conjunction with future development at Scott’s Yard and the Esso City Deal site.’

Issue 10	**Lomondgate Business Park**	
Development plan reference:	Delivering our Places: Lomondgate (Pages 42 - 44)	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
John Handley Associates on behalf of client (PLDP/166) Strathleven Regeneration CIC (PLDP/178) SNH (PLDP/640/10) SEPA (PLDP676/10) (Support) Vale of Leven Trust (PLDP/677/10)		
Provision of the development plan to which the issue relates:	This issue relates to the Lomondgate section of the Plan which sets out a Development Strategy and a series of place based policies for development of the Business Park and Roadside Services Area.	
Planning authority's summary of the representation(s):		
John Handley Associates (PLDP/166) requests that the mix of uses on the Lomondgate Business Park is widened even further to include tourism and visitor related uses, including restaurants; play areas and visitor related retail development. The respondent states that this will increased market interest in the site, result in its successful development, help to deliver further investment in the area and deliver a greater number and wider range of employment opportunities. The respondent indicates that the business park has been marketed continuously for a number of years and has failed to attract any viable interest or investment. It is therefore unrealistic for the Council to continue to restrict development at Lomondgate to classes 4, 5 and 6 on the site. Strathleven Regeneration CIC (PLDP/178) seeks the same changes to the Plan as John Handley Associates (PLDP/166) above. Strathleven Regeneration CIC also state that there is a minor inconsistency in the way the site is described in different parts of the document. The proposals map does not reflect the new mixed-use allocation defined on the Lomondgate Development Strategy Map on page 43. The Proposed Plan Proposals Map still includes the site as an "industrial/ business opportunity", and this should be amended. SNH (PLDP/640/10) seek amendments to Lomondgate Policy 1: Lomondgate Business Park to ensure integration of the landscape and to provide for employment active travel connections and opportunities. SEPA (PLDP676/10) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these sites is Lomondgate.		

Vale of Leven Trust (PLDP/677/10) support the flexible approach in potential business and industrial development at Lomondgate Business Park but state that future proposals on the Business Park should not adversely affect the vitality and viability of the Town Centres of Alexandria and Dumbarton. The Trust are of the view that a hotel, restaurant, garden centre are likely to significantly impact on local businesses or existing uses in the Town Centres and will not have an economic benefit to the local economy.

The Trust state they are concerned about the proposed '*Appropriate and compatible commercial leisure and tourist uses*;' and are of the view these proposed uses are extremely vague. These should not be the same types of uses within the Business Park as there are within Alexandria and Dumbarton Town Centres. They also state the Council should actively engage in proposals that attract people to the area, as well as, the provision of wet weather activity centres within the area and super-fast-free wifi areas.

The Trust believes that the proposed uses on the Business Park are likely to generate significant amount of traffic as there is already congestion and traffic issues associated with Lomondgate; therefore, it would be beneficial to try and reduce/resolve these issues before adding to them with additional businesses.

The Trust also raise concerns in relation to site E1(5) Lomondgate, specifically noting the potential impact of flooding on local road infrastructure as well as potential impact that non-industry and business uses might have on local towns.

Modifications sought by those submitting representations:

John Handley Associates (PLDP/166) and Strathleven Regeneration CIC (PLDP/178) seek the following changes to Lomondgate Policy 1 - Lomondgate Business Park (proposed modifications in bold; deletions in ~~italics~~)) and the Dumbarton Proposals Map:

Lomondgate Policy 1 - Lomondgate Business

Proposals for development within this area will only be acceptable to the Council where they meet the following criteria:

- A Masterplan for the site has been developed;
- ~~*At least 50% of the site*~~ **Part of the site** should be developed for Class 4, 5 or 6 business and industrial use, including storage and distribution use**;**
- Proposals for commercial, leisure and tourism uses within the Business Park are restricted to uses such as a garden centre, hotel, gym**, children's play areas, restaurants and other tourist related facilities, including visitor related retail uses**; and
- Landscaping within the site is required to help strengthen the local landscape character and green network within and through the site. Proposals should strengthen the landscape setting of Lomondgate and enhance linkages with the Local Nature Conservation Site associated with the River Leven and adjoining Vale of Leven Industrial Estate green network.

Proposals for Retail and Housing development on the Mixed-Use Part of the site, as identified on the Development Strategy Map above, will not be supported by the Council**, with the exception of tourist or visitor related retail uses which will be supported by the Council within the site where it can be demonstrated that they do not have an adverse impact on the vitality and viability of Dumbarton Town Centre.**

The Dumbarton Proposals Map should also be updated to reflect the allocation of the Lomondgate Business Park as a mixed use development site.

SNH (PLDP/640/10) request that two new bullets points are added to Lomondgate Policy 1 - Lomondgate Business Park as follows:

- Proposals should successfully integrate development within wider views. The massing and scale of development and finished materials and colours should be set out; and
- Active travel connections and route requirements to improve access to employment opportunities should be incorporated, demonstrating connectivity with the wider network.

Although Vale of Leven Trust (PLDP/677/10) does not request any specific changes, it is inherent in their response that they wish to see wet weather activity centres and super-fast wifi areas added to the Lomondgate Policies.

Summary of responses (including reasons) by planning authority:

With regard to the representations by John Handley Associates (PLDP/166) and Strathleven Regeneration CIC (PLDP/178), the introduction of the proposed additional non-business and industrial uses within the Lomondgate Business Park could have a detrimental impact on the vitality and viability of Dumbarton and Alexandria Town Centres and also on the existing Roadside Services Area at Lomondgate. Restaurants and tourist related retail should be directed towards the Roadside Services area and are not acceptable on the Business Park itself.

The Council appreciates the difficulties that Strathleven Regeneration CIC (PLDP/178) has encountered in trying to deliver the site and attract investment to it; hence, the changes the Council has made to the designation of the Lomondgate Business Park to allow a wider range of compatible non-business and industrial uses to be developed within it. These uses specified within Lomondgate Policy 1 will help to attract investment to the business park site whilst safeguarding the majority of the site for business and industrial development.

Business and industrial development should still be the primary use of the site and this is supported by the Business and Industrial Land 2018 Report (CD 22) and that the allocated, marketable employment land supply which is currently identified should continue to be maintained and promoted. Lomondgate scored very highly on the site assessment results of the Report which indicates that it is an strategically important location for business and industry. The Report did not support any deallocations of business and industrial land for other uses.

Therefore, the Council does not agree that only part of the site should be developed for Business and Industrial use and that business and industrial development on the site should be no less than 50% of the site area.

No modifications to the Plan are required in relation to these particular points of representation.

In relation to the points raised by John Handley Associates (PLDP/166) and Strathleven Regeneration CIC (PLDP/178) with regard to the Dumbarton Proposals Map, the site area

was maintained as business and industrial as it is still safeguarded for business and industry. The requirement of Lomondgate Policy 1 is that 50% of the site should be used for business and industrial purposes; therefore, the Council is of the view that the business and industrial designation on the proposals map should remain to ensure that business and industrial uses are still the primary use on the site. The policy will then give the flexibility for other uses to come forward on the site.

The Council would have no objection to the proposed modification to Lomondgate Policy 1 on page 44 being made, as requested by SNH (PLDP/640/10), and would suggest that the policy is amended as follows (proposed amendments are in bold).

Lomondgate Policy 1

Lomondgate Business Park

Proposals for development within this area will only be acceptable to the Council where they meet all of the following criteria:

- *A Masterplan for the site has been developed,* ***which demonstrates that the site successfully integrates within the landscape and provides details of the massing, scale of development, finished materials and colours, which must not have an adverse impact on the wider landscape character of the area****;*
- *At least 50% of the site is developed for Class 4, 5 or 6 business and industrial development;*
- *Proposals for commercial, leisure and tourism uses within the Business Park are restricted to uses such as a garden centre, hotel or gym;*
- *Landscaping within the site is required to help strengthen the local landscape character and green network within and through the site. Proposals should strengthen the landscape setting of Lomondgate and enhance linkages with the Local Nature Conservation Site associated with the River Leven and adjoining Vale of Leven Industrial Estate green network;*
- ***Proposals are required to incorporate access and route improvements, as well as, active travel connections in order to maximise access for employment opportunities to the Business Park and must demonstrate how they integrate and connect with the wider road and path networks within the surrounding area and to existing public transport stops.***

Proposals for Retail and Housing development on the Mixed-Use Part of the site, as identified on the Development Strategy Map over, will not be supported by the Council.

The comments of SEPA (PLDP676/10) on the purpose of the development strategy and policies within the section are acknowledged.

With regard to the representation from Vale of Leven Trust (PLDP/677/10), the Council is of the view that Development Strategy for Lomondgate in relation to '*appropriate and compatible commercial leisure and tourism uses'* is not vague and that the requirements for the Business Park and Roadside Services Area give significant protection to the viability and vitality of Dumbarton Town Centre. It is not considered that the proposed uses would have a significant and detrimental impact on the vitality and viability of Alexandria Town Centre.

The Council is also of the view that the proposed non-business and industrial uses

considered to be appropriate for the site will encourage investment into the area and will not have an adverse impact on local businesses and existing facilities within the area. The existing hotel at Lomondgate has not had an detrimental impact on the hotel facilities within Dumbarton since it has been in operation and the addition of another hotel will add to the range and choice of visitor facilities within the area.

The Council is also of the view that wet weather activity centres are covered within the term 'commercial leisure and tourism uses' and that a specific reference to them is not required. The Council is similarly of a view that there would be no benefit from adding a requirement for super-fast Wi-Fi locations to the Policy's requirements, as this is something the Council cannot insist upon being provided. Policy CON 4 of the Plan requires new developments to provide superfast broadband within them and it would then be up to individual end users whether or not they wished to provide Wi-Fi within their premises or the area itself.

With regards to the potential impact that development of E1(5) Lomondgate might have with regards to flooding and roads infrastructure, it is considered that assessment of potential flood impacts would be considered during the planning application process once specific proposals are available. Other policies of the plan would ensure that that this requirement would be met and it should be noted that SEPA have not objected to this site on the grounds of flood risk.

The Council is therefore of the view that no modifications are required in relation to this particular representation.

Reporter's conclusions:

1. Dumbarton is the strategic town centre most likely to be affected by any change to Lomondgate Policy 1 in order to accommodate tourism or visitor related retail uses at employment site E1(5). Chapter 6 of the Clydeplan Strategic Development Plan 2017 records that Dumbarton faces a number of challenges. These are listed as: vacancy issues, competition from other retail locations, low business/pedestrian activity, connectivity issues and flood risk in parts of the area. The Dumbarton Town Centre and Waterfront chapter of the local development plan notes that Dumbarton, like other town centres, has been affected by a change in shopping habits which has reduced the level of footfall, resulting in vacancies and a narrower range of shops. Dumbarton Policies 1 to 4 of the plan provide policy support for improvements to the town centre. Paragraph 68 of Scottish Planning Policy 2014 requires development plans to adopt a sequential town centre first approach when planning for uses which generate significant footfall.

2. In this context, I consider that widening the range of uses supported through Lomondgate Policy 1 would be incompatible generally with Scottish Government policy to put town centres first and, specifically, development plan policy which supports the regeneration of Dumbarton town centre. In coming to this conclusion, I note that Lomondgate Policy 1 would already allow uses such as a garden centre, gym or hotel. This provides flexibility beyond the core proposed uses for business and industrial development.

3. I also note that Lomondgate Policy 2 for the adjacent roadside services area provides support for tourist, retail and food and drink uses, provided they do not have an adverse impact on Dumbarton Town Centre. This provides an additional degree of flexibility in the wider strategic economic investment location. There would also be a risk that, were I to

support the changes sought on site E1(5), this would simply delay progress on the roadside services site, providing no net gain overall in terms of implementing the development strategy for Lomondgate.

4. Were the policy to be changed as requested, it may cause less conflict with Alexandria town centre than Dumbarton town centre Nonetheless, I consider there could be a conflict between any such change and the aim of the local development plan development strategy to strengthen the retail offer in the town centre.

5. Paragraph 102 of Scottish Planning Policy 2014 requires local authorities to carry out regular business land audits to inform reviews of development plans. In 2018, the council commissioned Ryden to prepare an Industrial and Business Land Review for West Dunbartonshire. This includes a marketable land supply site assessment of proposed plan sites. From a maximum score of 30 points, the Lomondgate site scored 23 points. This placed it joint second, with six other sites, in the West Dunbartonshire site hierarchy, behind three sites which scored 24 points. At paragraph 5.18 of the review, Ryden comment that 'the sites at the top of the hierarchy are those sites within well-established locations with existing infrastructure and nearby development'. Lomondgate is recorded as falling within this group of sites. This does not suggest a pressing need to review the potential future use of the site. In particular, in my view, it does not support the suggested change to the proposed policy to allow les than half of the site to be developed for business, industrial and storage and distribution uses.

6. Furthermore, in the event that a prospective developer of tourist or visitor related retail uses on site E1(5) can satisfy the terms of Policy SC1 Sequential Approach, they will find support in the proposed plan.

7. I do not consider it appropriate to recommend a modification to the plan on this matter.

8. Lomondgate is shown as a mixed-use opportunity on the development strategy map and as an industrial/business opportunity on the Dumbarton proposals map. I consider that the former designation provides the better representation of proposed Lomondgate Policy 1. Consequently, I have recommended below a modification to the Dumbarton proposals map to show the site as a mixed-use opportunity.

9. The council is supportive of Scottish Natural Heritage's suggestion that Lomondgate Policy 1 be amended to ensure that future development would be integrated into the landscape and would also provide active travel connections. This is consistent with proposed plan Policy CP1 Creating Places which, amongst other things, requires new development to retain, reinforce and respond to natural features and Policy CP2 Green Infrastructure as it relates to access networks. I have recommended below a modification to proposed Lomondgate Policy 1 which draws on the revisions suggested by the council. John Handley Associates and Strathleven Regeneration CIC have indicated their support for the proposed modification.

10. The second bullet point of the development strategy for Lomondgate requires that the business park and roadside service area seek to deliver 'appropriate and compatible commercial leisure and tourism uses'. Lomondgate Policy 1 defines appropriate and compatible uses as uses such as a garden centre, hotel or gym. The preamble to the development strategy states that the development plots available at the roadside services area would be suitable for tourist, retail and food and drink uses. Given this clarification in

associated parts of the proposed plan, I do not consider that the second bullet point of the strategy is vague. Therefore, I do not find it necessary to recommend a modification to the plan on this point.

11. The commercial, leisure and tourism uses allowed by Lomondgate Policy 1 are uses which are less likely to seek a town centre location, particularly a 'high street' frontage location. I have set out at paragraphs 2 to 4 above why I do not consider widening the range of acceptable uses to include retail uses would be appropriate. I consider that the proposed policy strikes a reasonable compromise between a desire to stimulate economic development at the site and to protect neighbouring town centres. Tourist, retail and food and drink uses at the roadside services area would be permitted by Lomondgate Policy 2 but this is a significantly smaller site than the business park and the policy is caveated by a requirement that any such uses do not impact on the vitality and viability of Dumbarton town centre. I consider that a modification to provide similar protection for Alexandria town centre should be made to Lomondgate Policy 2. I have recommended revised wording below.

12. I consider that stipulating the specific inclusion of wet weather activity centres at the development sites goes beyond the level of detail it is appropriate to include in the proposed plan. It is likely that the development criteria referred to at paragraph 10 above would, in any event, accommodate uses of this nature. I note the council's advice that Policy CON4 Installation of Superfast Broadband for New Developments requires business and industrial developments to install the necessary infrastructure to enable all new premises to be connected to full fibre optical networks. This is consistent with the requirement of paragraph 297 of Scottish Planning Policy 2014. I agree with the council that it is then for the site users to decide whether to provide wi-fi access. I do not consider it necessary to modify the plan on either count.

13. Proposed plan Policy ENV6 Flooding requires that development will not be supported on the functional flood plain or where it would have a significant probability of being affected by flooding or increasing the probability of flooding elsewhere. I also note the council's advice that the Scottish Environment Protection Agency did not object to the inclusion of the Lomondgate sites in the plan on the grounds of flood risk. Proposed plan Policy CON1 Transportation Requirements for New Development requires development proposals to accord with national roads development guidelines and regional and local transport strategies. Together, I consider that these policies enable the council to ensure that, in dealing with planning applications for the business park, it can ensure there is no significant adverse impact on flooding or the local road network. I do not consider it necessary to modify the plan in relation to potential issues of either flooding or transportation impact at Lomondgate.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Showing Lomondgate Business Park (site E1(5)) as a mixed-use opportunity on the Dumbarton proposals map rather than an industrial/business opportunity.

2. Deleting the fourth bullet point of Lomondgate Policy 1 Lomondgate Business Park and substituting the following wording:

- 'Landscaping is required to help strengthen the local landscape character and

green network within and through the site. The masterplan must demonstrate that the proposed development will integrate successfully within the landscape. The masterplan must also provide details of the massing, scale, finished materials and colours of the proposed development, which must not have an adverse impact on the wider landscape character of the area; and'

Deleting the word 'and' from the end of the existing third bullet point.

3. Adding an additional fifth bullet point to Lomondgate Policy 1 Lomondgate Business Park, as follows:

- 'Proposals are required to incorporate access and route improvements and active travel connections in order to maximise access to employment opportunities in the business park, including a demonstration of how these integrate and connect with the wider road and path networks in the surrounding area and to existing public transport stops.'

4. Deleting the existing wording of Lomondgate Policy 2 Roadside Services Area and substituting the following sentence:

'Development of further tourist related facilities and Class 3 (food and drink) uses will be supported by the council within the site where they do not have an adverse impact on the vitality and viability of Alexandria and Dumbarton town centres.'

Issue 11	**Vale of Leven Industrial Estate**	
Development plan reference:	Vale of Leven Industrial Estate (Pages 46 - 48)	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

Woodland Trust Scotland (PDLP/646/11)
Clydebelt (PLDP/673/11)
SEPA (PLDP/676/11) (Support)
Vale of Leven Trust (PLDP/677/11)
Bonhill and Dalmonach Community Council (PLDP/780)

Provision of the development plan to which the issue relates:	This issue relates to the Vale of Leven Industrial Estate section of the Plan which sets out a Development Strategy and a series of place based policies and proposals for development of the area.

Planning authority's summary of the representation(s):

The representations contained within this issue relate solely to the Vale of Leven Industrial Estate section of the Plan. Representations relating to Business and Industrial sites within the Industrial Estate are considered within Issue 16 Revitalising our Economy where they do not have wider impacts on the Industrial Estate.

The representations have been grouped under the following sub-headings: Vale of Leven Industrial Estate Supporting Text; Vale of Leven Industrial Estate Proposal 1 - Trees; Built and Natural Environment; and Footpaths, Rights of Way and Cycle Paths.

Vale of Leven Industrial Estate Supporting Text

SEPA (PLDP676/11) recognises that a number of strategies and policies, contained within the Plan, will be in place to implement the spatial strategy and these will focus on ensuring the delivery of these key places and will be, where required, supported by the use of detailed place-based strategies and policies. This strategy is the primary mechanism for the delivery of the key locations and it is anticipated these will be delivered over the next 5 to 10 years. One of these sites is the Vale of Leven Industrial Estate.

Vale of Leven Trust (PLDP/677/11) continues to express concern that MacPhersons Transport Hub will result in adverse impacts in relation to traffic, air pollution and contamination of land.

Vale of Leven Industrial Estate Proposal 1 - Trees

Woodland Trust Scotland (PDLP/646/11) supports this proposal to explore a TPO for the trees at this site. In addition to this, it should be specified that additional planting with native trees should take place as compensatory planting, in instances where tree removal is required. Any veteran and ancient trees at this site should be protected from any adverse impacts which may occur. A tree survey should be requested by the Council in order to identify any such trees.

Built and Natural Environment

Clydebelt (PLDP/673/11) object to the allocation of Sites E1(1), E1(2) and E1(4) as these sites were once part of a designed landscape adjacent to a listed building and an new housing estate. These areas contain some valuable mature woodland and provide a landscape setting to Strathleven House. Clydebelt are of the view that the allocation of these sites are in complete contradiction to Vale of Leven Industrial Estate Policy 3 and Proposal 1, as well as, Policy ENV2. The industrial estate is struggling and there is plenty of vacant potential industrial development land at Lomondgate without the need to develop these sites.

Vale of Leven Trust (PLDP/677/11) believes that the setting of Vale of Leven Industrial Estate amongst a Greenbelt area and a Local Nature Conservation Site needs to be given significant protection. In particular suggest consideration in relation to strengthening waste management to ensure no seepage into the River Leven/water courses with a long term consequence on the river/Loch Lomond and Endrick Waters.

The Trust state that they would not support any further incursion into the Green Belt outlined in this Proposal and are concerned that the River Leven is the main outflow for Loch Lomond and acts as a critical wildlife corridor for wild salmon running and other general wildlife.

Bonhill and Dalmonach Community Council (PLDP/780) want site E1(2) designated as greenspace and as the remainder of the site is the most attractive part of Strathleven House and it would be unfortunate to let industry encroach here. The Community Council also state that their proposed Bonhill to Dumbarton cycle route crosses this site and they cannot envisage how the route would work otherwise. They also point out that the site abuts the Strathleven residential estate and question development of this type in close proximity to housing.

Footpaths, Rights of Way and Cycle Paths

Clydebelt (PLDP/673/11) state that their previous suggestion for an off-road footpath/cycle path along the dangerous A 813 also seems to have been ignored and yet the Plan claims that....."the Council is seeking to further enhance the Green Network in the Industrial Estate in order to boost the attractiveness of its location and also to encourage workers within the estate to use the green network assets for leisure and recreation…."; and perhaps just be able to walk or cycle safely to work.

Vale of Leven Trust (PLDP/677/11) believes that there should be improved infrastructure to result in safe cycle & pedestrian pathways with investment in lighting. The Trust question Vale of Leven Industrial Estate Policy 3 and the Council's commitment to this when the path from Bonhill to the Vale of Leven Industrial Estate is inherently dangerous. The Trust ask that the Council considers a commuter pedestrian/cycle route from Bonhill reaching out to Alexandria and Dumbarton. The Trust also note that the right of way path in E1(2) across the green belt has been lost in the proposed change of status.

Vale of Leven Trust (PLDP/677/11) state that they require the reinstatement of the Right of Way around the Kilmalid Extension Boundary: Site E1(12) and would also require the Right of Way to be maintained.

Modifications sought by those submitting representations:

Vale of Leven Industrial Estate Proposal 1 - Trees

Woodland Trust Scotland (PDLP/646/11) request that the following sentence is added to the proposal:

"A tree survey will be required, and any ancient and veteran trees which are of high nature value should be protected from adverse impacts resulting from development at this site. Any tree loss should be mitigated for with compensatory native tree planting appropriate for this site."

Built and Natural Environment

Clydebelt (PLDP/673/11) seek the removal of sites E1(1), E1(2) and E1(4) as potential development sites.

Vale of Leven Trust (PLDP/677/11) wishes the Plan to state that there should be no seepage into the River Leven/water courses with a long term consequence on the river/ Loch Lomond and Endrick Waters as a result of development in this area.

Bonhill and Dalmonach Community Council (PLDP/780) re-designate Site E1(2) from business and industrial to greenspace.

Footpaths, Rights of Way and Cycle Paths

Clydebelt (PLDP/673/11), Vale of Leven Trust (PLDP/677/11) and Bonhill and Dalmonach Community Council (PLDP/780) wish the Plan to indicate a potential foot/cycle path south of the A813 to link the Vale of Leven Industrial Estate and Dumbarton to Bonhill.

Although not specifically requesting a modification to the Plan, it is inherent in the Vale of Leven Trust (PLDP/677/11) that they wish to see the Right of Way within Site E1(2) remain.

Vale of Leven Trust (PLDP/677/11) state that the Plan should reinstate the Right of Way around the Kilmalid Extension Boundary: Site E1(12) and that a commitment to maintaining this Right of Way should be made within the Plan.

Summary of responses (including reasons) by planning authority:

The Councils responses to the representations received have been grouped under the following sub-headings: Vale of Leven Industrial Estate Supporting Text; Vale of Leven Industrial Estate Proposal 1: Trees; Built and Natural Environment; and Footpaths, Rights of Way and Cycle Paths.

Vale of Leven Industrial Estate Supporting Text

The comments and support of SEPA (PLDP676/11) is noted.

In response to the representation for the Vale of Leven Trust (PLDP/677/11), the Council would point out that MacPhersons Transport Hub has planning consent for this use and that the issues raised by the Trust where considered during the planning application.

Therefore, the points raised by the Trust are not relevant to the consideration of this section of the Plan.

Vale of Leven Industrial Estate Proposal 1 - Trees

The support of the Woodland Trust Scotland (PDLP/646/11) for a Tree Preservation Order within the site is welcomed. The protection of ancient woodland and veteran trees requested by the Trust is provided by Policy ENV4 Forestry, Trees and Woodland, which requires compensatory planting to be provided should there be any loss of woodland within the site, regardless of their being a TPO in place or not. The type of compensatory planting to be provided, including species, is considered to be a detailed matter for the development management process to address as is the request for a tree survey to be provided. As a result, the Council is of the view that no modification to the proposal is required.

Built and Natural Environment

In response to the representation from Clydebelt (PLDP/673/11), the Council does not agree that Sites E1(1), E1(2) and E1(4) should be deleted from the Plan due to the impact on the setting of Strathleven House and the wider natural environment. Scottish Planning Policy (CD 03) requires Local Development Plan 2 to allocate sites that meet the diverse needs of different sizes of businesses and to allow new economic development opportunities. The Council's Business and Industry Review (April 2018) (CD 22) undertook a review of these sites and they scored highly in the assessment. The review also did not propose any de-allocation of these sites from the business and industrial land supply. The sites have been allocated for business and industrial use within the Adopted Local Plan (2010) (CD 10) and the Local Development Plan: Proposed Plan (2016) (CD 13) and form an important part of the marketable business and industrial land supply for the Plan. However, the Council would expect that future proposals for development of these sites should take into account the impact on Strathleven House and where an adverse impact arises, mitigation measures are put in place to ameliorate or avoid the impact.

Any loss of woodland etc will require compensatory planting to be provided via the provisions of Policy ENV4 - Forestry, Trees and Woodland. Moreover, the Council is of the view that the provisions of the Vale of Leven Industrial Estate Policies 2 and 3, in conjunction with Creating Places Policies 1 and 2; Policy ENV2 - Landscape Character and Policy BE2 - Listed Buildings of the Plan, will help to protect the setting of Strathleven House and the wider landscape of the area. However, these matters would be addressed by any future planning application(s) for the sites.

As a result no modification to the Plan is therefore required.

With regard to the representation from the Vale of Leven Trust (PLDP/677/11), the Council is of the view that the policies within the Vale of Leven Industrial Estate section of the plan; Policy GB1 - Greenbelt and Countryside; and Policy ENV1 - Nature Conservation provides significant protection to the natural environment of the Industrial Estate. The Council would also point out that Policy ENV5 - Water Environment will ensure that the watercourses mentioned by the Vale of Leven Trust are protected from any pollution. No modifications to the Plan are therefore required in this regard.

In relation to representation to site E1(2) from Bonhill and Dalmonach Community Council (PLDP/780), the Council do not anticipate any adverse impact on the existing residential

use and that the Creating Places and other policies within the Plan will ensure that there is no adverse impacts on the amenity of the residential area. Also, the proposed cycle route, mentioned by the Community Council, could be designed and integrated into the site layout by the developer and connected into the Council's proposed footpath/cyclepath – see response on this issue in the subheading below - should the ownership issues be addressed and funding be obtained for the whole route. However, all of these matters are considered to be detailed issues to be addressed at the Development Management stage.

Footpaths, Rights of Way and Cycle Paths

In response to the representations from Clydebelt (PLDP/673/11), Vale of Leven Trust (PLDP/677/11) and Bonhill and Dalmonach Community Council (PLDP/780) seeking a proposed off-road footpath/cycle path linking the Vale of Leven Industrial Estate and Dumbarton to Bonhill and beyond, the Council has been looking to upgrade a section of the route which is within Council ownership (between the Industrial Estate and Strathleven Drive) and a number of options have been investigated on how this can be delivered when funding becomes available. However, a section of the proposed route is outwith the ownership of the Council. As a result of funding not being available and the proposed route not being fully within the control/ownership of the Council, it would not be appropriate to include a reference to the proposed footpath/cycle path within the Plan as it cannot be implemented at this time. No modification to the Plan is therefore required.

With regard to the representation from Vale of Leven Trust (PLDP/677/11) regarding the Right of Way bisecting Site E1(2) being lost in the proposed change of status, the Council would point out that the information for Rights of Way on the Council's GIS system, which comes from Scotways, does not show a Right of Way through this site. However, there is a Core Path bisecting the site (ref Core Path 46) and this Path is given protection under Policy CON3: Core Paths and Natural Routes. The route is shown on the Development Strategy Map. No modification to the Plan is therefore required.

Regarding the representation seeking the reinstatement of a Right of Way within site E1(12) by the Vale of Leven Trust (PLDP/677/11), the Trust are correct that there is a Right of Way running within the site which is further north than the Core Path, which runs alongside the western boundary of the site as depicted on the Development Strategy Map. The route is not lost, it is just not shown on the Development Strategy Map. The Council is of the view that incorporating every environmental designation on the Development Strategy Maps within the Delivering our Places section of the Plan would make the maps incomprehensible and difficult to navigate. No modifications to the Plan are therefore required in this regard.

If a Right of Way is within Council ownership then the responsibility for maintenance is that of the Council. However, the land in question is not within the ownership of the Council and, as such, responsibility for the maintenance of this Right of Way lies with the landowner. However, there is no duty within legislation that requires the landowner to maintain the Right of Way or for the Council to enforce this. The only responsibility the Council has with these types of paths is that we have a duty to ensure that access to these routes is open at all times and to keep the routes free of any man-made obstruction such as a fence, wall, hedge, locked gate, etc that would restrict access to the Right of Way.

No modifications to the Plan should be made in this regard.

Reporter's conclusions:

Vale of Leven Industrial Estate Supporting Text

1. The second paragraph of the supporting text indicates that planning permission has been granted for the McPherson's site, located to the south of Burroughs Way. The council advises that potential issues in relation to air pollution, contamination and traffic were considered in the processing of the planning application. Consequently, it is appropriate that the site is shown as an existing business and industrial area on the industrial estate development strategy map. I do not consider it appropriate to recommend any modification to the plan to address the points made by the Vale of Leven Trust.

Vale of Leven Industrial Estate Proposal 1 - Trees

2. Proposed plan Policy ENV4 Forestry, Trees and Woodland states that developments involving the loss or fragmentation of long-established woodland, woodland of high-conservation value and woodland covered by a tree preservation order will only be supported in specific circumstances. The supporting text for Policy ENV4 states that proposals potentially involving the loss of trees should be accompanied by a tree survey and replanting proposals. Vale of Leven Industrial Estate Policy 1 provides specific support for retention of land within the green network on the industrial estate, some of which contains significant trees and woodland. Vale of Leven Industrial Estate Policy 3 provides support for enhancement of green belt, green network and local nature conservation sites through development.

3. I consider that, taking these policy provisions together, the proposed plan provides appropriate support for the protection of trees and woodland on the industrial estate and makes suitable provision for new and replacement planting, where required. I consider that specification of native tree species is a level of detail that would be addressed more appropriately through the development management process. I do not consider it necessary to modify the proposed plan in response to the representation on this matter.

Built and Natural Environment

4. Site E1(1), as site LE1(6), was allocated in the 2010 local plan, which was the adopted forerunner of the proposed plan. Similarly, site E1(2) was allocated in the 2010 plan as site LE1(7) and site E1(4) was allocated as site LE1(14). I have not been made aware of any circumstances that have changed significantly since 2010 such that the status of these sites should be reviewed. Furthermore, this period has coincided with a significant downturn in the national economy and it would be hoped that the prospect for attracting employment uses to the sites will improve during the plan period.

5. I note that sites E1(1), E1(2), E1(3) and E1(4) were assessed by Ryden (with site references GE1(2), GE1(3), GE1(4) and GE1(5) respectively) in the Business and Industrial Land and Property Review, as scoring joint second, with three other sites, in an assessment of all sites in West Dunbartonshire. This review was carried out for the council as recently as 2018 and suggests reasonable prospects of development in the plan period. This approach is consistent with paragraph 102 of Scottish Planning Policy 2014 which encourages councils to undertake regular business audits to inform reviews of development plans.

6. There is vacant employment land at the adjoining Lomondgate strategic economic investment location but paragraph 101 of Scottish Planning Policy 2014 requires local development plans to allocate a range of sites for business. The Ryden review did not recommend proposed plan sites E1(1), E1(2) and E1(4) be deleted from the proposed plan. I find there is no reason in principle to modify the plan to remove or re-designate the three sites in question.

7. The immediate environs of Strathleven House are protected by proposed Vale of Leven Industrial Estate Policy 2 and proposed Policy BE2 Listed Buildings. However, development on the adjoining employment sites would also be required to comply with Policy BE2 which states that development that would adversely affect the setting of a listed building will not be permitted. I find that this provides an appropriate level of protection to the listed building and do not consider that any adjustment to the proposed Vale of Leven Industrial Estate policies is required.

8. Proposed plan sites E1(1) and E1(2) adjoin an existing housing area at Strathleven Drive. It is possible that, if such uses are located a sufficient distance from housing areas and appropriate structural landscaping is provided, that Class 5 and 6 employment uses could be developed on these sites without impacting on the residential amenity of residents in neighbouring houses. I also note the council's observation that proposed Policy CP1 Creating Places requires that proposed development should protect and enhance the amenity of existing communities. However, I consider that it would be prudent to introduce a safeguard into Vale of Leven Industrial Estate Policy 1 to restrict development to Class 4 business use where the council considers that Class 5 and 6 development could detract from residential amenity. I have recommended below a modification to this effect.

9. I have dealt with issues concerning trees and woodland at paragraphs 2 and 3 above.

10. The Vale of Leven Industrial Estate development strategy map on page 47 of the proposed plan and the Vale of Leven Proposals Map show that allocated sites on the industrial estate are not located in the green belt. Therefore, the provisions of proposed Policy GB1 Green Belt and Countryside do not apply to these areas. I do not consider any modification to the plan is required to address concern about encroachment into the green belt.

11. The development strategy for the industrial estate seeks the protection and enhancement of the River Leven Corridor local nature conservation site. Vale of Leven Industrial Site Policy 3 provides support for development proposals associated with improvement or enhancement to local nature conservation sites. Proposed Policy ENV1 Nature Conservation requires that development proposals should conserve and enhance onsite biodiversity and habitat networks within and adjacent to sites of special designation. Policy ENV 1 also states that development that adversely affects the integrity of local nature conservation sites will not be permitted except where adverse effects are offset or compensated for in a way that adequately maintains the integrity of the interests affected and maintains the involvement of people. Proposed Policy ENV5 Water Environment sets out a framework to ensure that waterbodies are not polluted by new development. I find that these existing policy provisions of the proposed plan enable the council to ensure that neither biodiversity nor water quality is affected detrimentally by proposed development on the estate. I do not consider it necessary to recommend a modification to the plan in this regard.

12. I do not have evidence to suggest that the proposed Bonhill to Dumbarton cycle route is an approved and funded project. As such, I find that it is not appropriate to make a specific reference to the cycleway in the plan. However, Vale of Leven Industrial Estate Policy 3 provides policy support for proposals which encourage active recreational activity within the estate, including cycling. Should details be finalised by the time development proposals come forward, I consider that Policy 3 would enable the council to address the proposals through the development management process. I do not consider it necessary to modify the proposed plan in relation to the representation on this matter.

Footpaths, Rights of Way and Cycle Paths

13. I have dealt with the issue regarding the proposed Dumbarton to Bonhill cycle path at paragraph 12 above.

14. The council advises that its records do not show a right of way on Site E1(2). I have no evidence to contradict this view. However, the development strategy map shows a core path running approximately west to east through the site. Proposed Policy CON3 Core Paths and Natural Resources states that the council will not support development which disrupts or adversely impacts on a core path. If disruption or impact is shown to be unavoidable, the council will require the developer to make appropriate alternative provision. I consider that the proposed plan provides an appropriate level of protection for the core path. I do not consider that any modification to the plan is required to address the representation on this point.

15. The council acknowledges that, in addition to the core path which flanks the eastern boundary of Site E1(12), a right of way runs through the site. The council advises that it elected not to show rights of way as well as core paths on the development strategy maps. In the interest of clarity, I consider that avoiding such non-essential detail is a reasonable approach. Proposed Policy CON3 provides the same degree of protection to rights of way as that summarised in relation to core paths at paragraph 14 above and the council will be required to take this into account in considering any planning applications for the site. I also note that Vale of Leven Industrial Estate Policy 3 states the council's support for development proposals which encourage recreational activities such as walking, running or cycling within the estate. I do not consider it necessary to modify the plan in relation to this point.

16. I consider that the council has provided a reasonable summary of the responsibilities of landowners and the council for rights of way. However, these are not matters for the local development plan. I do not consider it appropriate to recommend a modification to the plan on the matter of maintenance of the right of way on Site E1(12).

Reporter's recommendations:

I recommend that the proposed plan is modified by:

1. Deleting the first sentence of Vale of Leven Industrial Estate Policy 1 and substituting the following two sentences:

'Class 5 and 6 employment uses within the Vale of Leven Industrial Estate will be supported, except in locations where the council considers proposed development would detract to an unacceptable degree from the residential amenity of adjoining housing areas. In these locations, only Class 4 business use will be supported.'

Issue 12	**Our Key Assets**	
Development plan reference:	Our Key Assets – Pages 52 - 65	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Sportscotland (PLDP/026/12) (Support)
Malin Group (PLDP/177/12)
Silverton and Overtoun Community Council (PLDP/182/12)
SNH (PLDP/640/12)
Woodland Trust Scotland (PLDP/646/12)
RSPB (PLDP/649/12) (Support)
Clydebelt (PLDP/673/12)
SEPA (PLDP/676/12)
Vale of Leven Trust (PLDP/677/12)
Scottish Canals (PLDP/786/12)

Provision of the development plan to which the issue relates:	This issue relates the key built and natural environment assets within West Dunbartonshire. Each key asset has either a policy or strategy, which seeks to protect each of these assets through identifying which types of development may be appropriate or the criteria that development will have to accord with.

Planning authority's summary of the representation(s):

The representations made to this section have been grouped under the following sub-headings: General, Greenbelt and Countryside, Our Waterfront, Kilpatrick Hills, Strategic Green Network, and Forth and Clyde Canal.

<u>General</u>

SEPA (PLDP/676/12) are supportive of this section of the Plan and welcome the use of the proposal maps as use of proposal maps as a measure for providing an initial overview of the location of the key assets and that the water environment is integral to some of these assets.

<u>Greenbelt & Countryside</u>

Sportscotland (PLDP/026/12) support the flexibility of the policy which states that leisure and tourism related development may be acceptable beyond the urban area and it is presumed this includes for recreational and sporting use which may have such specific locational need.

Silverton and Overtoun Community Council (PLDP/182/12) support Policy GB1 and the proposed restrictions on development. In relation to the support give to the non-allocation of Young's Farm, Dumbarton, this is addressed in Issue 31 which relates to that particular site.

Clydebelt (PLDP/673/12) support Policy GB1, in particular, the continued efforts to direct new housing to brownfield sites.

Our Waterfront

Sportscotland (PLDP/026/12) welcome the Policy approach in this section which seeks to protect and enhance access and recreational opportunities.

Malin Group (PLDP/177/12) broadly supports Policy WD1 and criterion (c). However, they are of the view that the criterion does not provide a fully objective and transparent policy test to determine the acceptability of development proposals which may restrict public access to the waterfront edge. The criterion also does not recognise the potential for increased public access along the River Clyde foreshore to result in disturbance effects on the qualifying interests of the Inner Clyde SPA and SSSI. In this regard, public access should actually be restricted rather than encouraged. The criterion should therefore be amended for clarity, objectivity and in the interests of providing robust protection for ecological interests.

Silverton and Overtoun Community Council (PLDP/182/12) support Policy WD1 in principle, but raise points in relation to the Carless site. These points are addressed within Issue 5 in relation to Carless.

SNH (PLDP/640/12) are of the view that the third paragraph of the text needs to be amended to account for the River Leven which is a tributary to the Endrick Water Special Area of Conservation (SAC) and to reflect our previous comments made in respect of wording used elsewhere in the Plan and HRA (CD 21) to protect Natura sites.

They also advise that it may be useful to have associated Planning Guidance for Developers advising that any designs to increase levels of recreational access along the foreshore will need to be accompanied by proposals to try to minimise disturbance to sensitive and important feeding waders during the winter months. This could include for example, simple measures like signage explaining the situation with mitigation to address the matter or other measures incorporated into the design.

RSPB (PLDP/649/12) welcome the recognition that recreational usage can have adverse impacts on natural heritage sites and that there is a need to ensure that this is avoided.

Scottish Canals (PLDP/786/12) would recommend that policy WD1 should apply to canal-side development opportunities.

Kilpatrick Hills

Sportscotland (PLDP/026/12) welcome the Policy approach in this section which seeks to protect and enhance access and recreational opportunities.

Silverton and Overtoun Community Council (PLDP/182/12) support Policy KH1. However, they would oppose any large-scale renewable energy applications or any recreational projects which are not consistent with this Policy. Further opportunities to improve the Kilpatrick Hills are suggested.

Woodland Trust Scotland (PLDP/646/12) are pleased to see areas of woodland represented on the map and this is an excellent first step in protection of these areas. Ancient woodland is a key asset and should be protected and enhanced. These areas of woodland appear to be fragmented and that the local authority can play an important role in enhancing these areas. However, they wish the Policy to be strengthened in relation to

protected Ancient Woodland within the Kilpatrick Hills.

Clydebelt (PLDP/673/12) is supportive of Policy KH1 but states they are concerned by the potential for wind farm development and its impact on the remoteness and landscape of the Kilpatrick Hills. Also wish to be assured that the various waterbodies within the area will not be completely drained so they no longer be used as a water supply as they are extremely important for biodiversity and in terms of landscape character. Also concerned that the Kilpatrick Hills have been degraded by unauthorized quarrying and other commercial activities at former farms which should not be permitted in green belt . They are of the view that Policies GB1 and MIN1 need more policing.

Strategic Green Network and Strategic Green Network Projects

Sportscotland (PLDP/026/12) are supportive of the approach within this section of the Plan which seeks to protect and enhance access and recreational opportunities.

Malin Group (PLDP/177/12) is of the view that reference to Supplementary Guidance on Green Infrastructure within this section of the Plan is not clear and should be clarified. In relation to the Strategic Green Network Projects map on Page 61 of the Plan, indicates that open space is in dark green but is not clearly labelled as such on the map. Whilst open spaces are shown clearly on the separate map on page 59, the inclusion of additional dark green circles on the map on page 61 (presumably to denote habitat / green corridors) without a separate entry on the key means it is difficult to interpret this map.

Silverton and Overtoun Community Council (PLDP/182/12) support the Green Network Strategy.

Silverton and Overtoun Community Council (PLDP/182/12) support the all the aspirations within the Green Network Projects and the opportunities to enhance cross boundary access.

SEPA (PLDP/676/12) recommend the same level of safeguarding given to green infrastructure should exist for all waterbodies and their associated habitats and, in particular, for those associated within the key assets section of the Plan. The inclusion of text recognising the protection of the water environment and the provision of blue/green networks should be incorporated into the Green Network Strategy thus strengthening the aims of this policy.

Vale of Leven Trust (PLDP/677/12) support the strategy to safeguard the Green Network but request that better commuter cycle and pedestrian paths to be built within road infrastructure to enable less reliance on cars. There is support rebuilding Alexandria footbridge across River Leven.

Scottish Canals (PLDP/786/12) is of the view that the requirements of Policy WD 1 should be expressly referenced in relation to a number of sites within the Plan and that the Policy should be amended to add that canal-side development sites should utilising the Canal as a receptor for surface water.

Forth and Clyde Canal

The representation from Silverton and Overtoun Community Council (PLDP/182/12) mentions the Canal in relation to Bowling Basin and Scott's Yard. However, the respondent

doesn't raise any specific points in relation to text of the section or Policy FCC1, other than provide their comments under the Policy reference.

Scottish Canals (PLDP/786/12) support the recognition of the Forth & Clyde Canal as a Key Asset. They state that the Policy should reference the fact that third party works procedures will be applicable for any development or works affecting the Forth and Clyde Canal and that they should be consulted on all planning applications affecting the Canal

Modifications sought by those submitting representations:

Our Waterfront

Malin Group (PLDP/177/12) requests that Criterion (c) of Policy WD1 – Waterfront Development is modified as follows:

"*Access to and along the water's edge shall be provided, protected or enhanced where appropriate. Public access to the water's edge should normally be facilitated, except where restrictions may be required for reasons of public safety, to protect the qualifying interests of statutory ecological designations or to avoid land use conflicts. Development proposals which restrict access to the water's edge should demonstrate a specific locational need for the proposal and provide sufficient justification for the restrictions in environmental and amenity terms*".

SNH (PLDP/640/12) seek the following amendment to paragraphs 2 and 3:

"Proposals for development which promote recreational access on or adjacent to the Inner Clyde Special Protection Area (SPA), for which redshank are the qualifying interest, and/or including the River Leven which is a tributary to the Endrick Water Special Area for Conservation (SAC), where Atlantic salmon, Brook lamprey and River lamprey are the qualifying interest, must not have an adverse effect on any Natura Site. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA).This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development".

Scottish Canals (PLDP/786/12) request that the requirements of Policy WD 1 is expressly referenced in relation to a number to housing sites H2: (13), (14), (33), (39), (41) and (53) within the Plan and that the Policy should be amended to add that canal-side development sites should utilising the Canal as a receptor for surface water.

Kilpatrick Hills

Woodland Trust Scotland (PLDP/646/12) seek the following wording included within Policy KH1:

'*Any development likely to negatively impact on ancient woodland should be located away from these sites. The areas of ancient woodland should also be enhanced through additional native tree planting where this is appropriate to ensure they are better connected.'*

Strategic Green Network

Malin Group (PLDP/177/12) request the following modifications are made to the Strategic Green Network section of the Plan:

- Green Network Strategy supporting text on page 58: Remove the first sentence of the second paragraph of the Strategic Green Network section (supporting text);
- Green Network Map – Page 59: remove green 'open space' designation from the playing fields land to the north of Dalmuir Bonded warehousing, for the reasons cited in Section 5 of the respondents representation.
- Strategic Green Network Projects Map – Page 61: Amend colouring/notation to distinguish between designated open spaces and other green network features.

SEPA (PLDP/676/12) seek the inclusion of text within this section recognising the protection of the water environment and the provision of blue/green networks.

Vale of Leven Trust (PLDP/677/12) although not specifically requesting a modification to the Plan, wish to see the list of Strategic Green Network Projects to be expanded to include enhancements/improvements to the NR7 Cycle Route.

Forth and Clyde Canal

Scottish Canals (PLDP/786/12) state that the Policy should reference the fact that third party works procedures will be applicable for any development or works affecting the Forth and Clyde Canal and that they should be consulted on all planning applications affecting the Canal

Summary of responses (including reasons) by planning authority:

As detailed above, the representations made to this section have been grouped under the following sub-headings: General, Greenbelt and Countryside, Our Waterfront, Kilpatrick Hills, Strategic Green Network, and Forth and Clyde Canal. Where sections identified above only contain support for the Strategy and/or Policy they have not been replicated below.

General

The support of SEPA (PLDP/676/12) is welcomed.

Greenbelt & Countryside

The support of Sportscotland (PLDP/026/12) and Silverton and Overtoun Community Council (PLDP/182/12) is welcomed.

Our Waterfront

The support of Sportscotland (PLDP/026/12) is welcomed.

With regard to the representation from Malin Group (PLDP/177/12), the Council does not agree that the criterion does not provide an objective and transparent policy test or that the criterion does not recognise the potential impacts on Natura 2000 sites. The intention of the criterion is to reconnect people with their watercourses and ensure that new

development incorporates or fronts onto them wherever possible whilst protecting the water environment at all times. The text within the section clearly notes that there may be impacts of this Policy on Natura 2000 sites and an Habitats Regulation Appraisal of the Policy has been undertaken. It should be noted that criterion D of the Policy states that proposals that promote recreation use on or adjacent to a watercourse should have no adverse impact on a Nature 2000 site or the Forth and Clyde Canal.

Therefore, the modifications to the criterion sought by the respondent would, in the Councils view, complicate and duplicate what is already contained within the criterion or within other Policies in Plan, for example Policy ENV1 which deals with nature conservation. It should also be noted that SNH have not objected to the criterion or suggested any amendments to it in relation to Natura 2000 sites and neither have Historic Environment Scotland or Scottish Canals objected in relation to the Forth and Clyde Canal. No modification is therefore required.

The issue raised by Silverton and Overtoun Community Council (PLDP/182/12) in relation to this section of the Plan is referring to the representations they raise to Carless. Therefore, the Councils response to the Community Councils representation is best dealt with within Issue 5.

The Council would have no objection to the proposed modification to Paragraphs 2 and 3 being made, as requested by SNH (PLDP/640/12), should the Reporter wish to amend the paragraphs. In relation to the comments on Planning Guidance for developers, the Council intend to provide this as part of the Creating Places and Green Infrastructure Supplementary Guidance documents. The comments of the respondent will be therefore taken on board when preparing these documents.

In relation to the representation from Scottish Canals (PLDP/786/12), the Council would point out that the Policy is applicable to all development sites fronting a watercourse. The Council does not agree that Policy should be amended to make reference to the Canal being used as a conduit for surface water drainage as this is a detailed requirement that should to be investigated through the masterplan process and at the development management stage. No changes to the Plan are therefore required.

Kilpatrick Hills

The support of Sportscotland (PLDP/026/12) is welcomed.

In relation to the opportunities to further improve the Kilpatrick Hills raised by Silverton and Overtoun Community Council (PLDP/182/12), the Council is of the view that, subject to more detail being provided, these suggestions have the potential to be Green Infrastructure projects that could be funded through Developer Contributions as long as they meet with Policy GI4; are in line with the types of Green Infrastructure Projects set out in Table 7 and meet the developer contributions tests. No modification to the Plan is considered necessary in this regard.

The Council does not agree with Woodland Trust Scotland (PLDP/646/12) that the Policy requires to be modified to specifically refer to and protect Ancient Woodland within the Kilpatrick Hills. This is because it would be a duplication of Policy ENV4 which already offers this protection and sets out the Policy requirements where development would result in a loss or fragmentation of this resource.

In relation to the issues raised by Clydebelt (PLDP/673/12), the Council would point out that Policy KH1 and Policy ENV2 seek to protect the landscape character of the Kilpatrick Hills and West Dunbartonshire respectively. There are clear policy requirements within Paragraph 169 of SPP (CD 03) for wind energy proposals to demonstrate and provide evidence that the landscape can accommodate these types of development without any significant adverse impact on the landscape character. The Council would also point out that Policy ENV5 relating to Waterbodies will provide protection to these resources within the Kilpatrick Hills.

In relation to the other issues raised by the respondent, these are considered to be enforcement issues and where there respondent has evidence of these alleged incidents occurring, then they should contact the Council's Compliance Officer directly as this is not a matter that the Plan can address.

Strategic Green Network

The support of Sportscotland (PLDP/026/12) is welcomed.

The Council is of the view that the purpose of the Supplementary Guidance on Green Infrastructure is clear and does not require any further clarification as suggested by Malin Group (PLDP/177/12). No modifications to the text are therefore required.

In relation to the issue raised by Malin Group (PLDP/177/12) regarding the Green Network Map, this particular request should be viewed in the context of the respondents overall representation to Issue 5 Carless and the request that this site be allocated for residential. The Council's response to this particular issue is addressed in detail within Issue 5; but for completeness within this section, the Council does not agree that the Open Space designation should be removed from the playing fields to the north of the Dalmuir Bonded Warehouse nor should they be allocated for residential use.

However, it is accepted that the green colouring used to detail various parts of the green network needs to be changed to different colours to add clarity to the map and consequential changes will be needed to the key in this regard. The Council does, however, regard these as non-notifiable changes of a technical nature but would have no objection if the Reporter is of a different opinion and is of the view that the Strategic Green Network Projects Map should be modified as suggested above.

Although the points raised by SEPA (PLDP/676/12) are understood, the text on Page 100 of the Plan in relation to the Water Environment and Policy ENV 5 of the Plan gives sufficient protection to waterbodies. The suggested modification of the text within the Strategic Green Network section of the Plan would just be repeating and duplicating what is already in the Plan. The terms 'green infrastructure' and 'green network' incorporate blue networks and the Glossary on Page 132 of the plan in relation to these elements clearly points this out. However, the Supplementary Guidance on Green Infrastructure will provide more detail on the elements that make up both of these resources. The Council is of the view that the text within the section does not require to be modified.

In relation to the suggestion by Vale of Leven Trust (PLDP/677/12) that better cycle and pedestrian paths be built, the Plan sets out Policies which should achieve this aim, specifically Policy CP1 in relation to creating places. The Council will explore the possibilities of making these improvements with relevant stakeholders, with regard to the enhancements/improvements to the NR7 national cycle route. However, the Council does

not view improvements/enhancements to the NR7 as a Strategic Green Network Project as it is more to do with cycle safety. No modifications to this section of the Plan are therefore required.

Forth and Clyde Canal

The points raised by Silverton and Overtoun Community Council (PLDP/182/12) in relation to Scott's Yard and Bowling Basin and the potential impacts on the Canal are addressed within Issues 4 and 9 respectively.

The support from Scottish Canals (PLDP/786/12) in relation to the Forth and Clyde Canal being recognised as a key asset is welcomed. The Council is also of a view that that it may be appropriate to modify Policy FCC1 to implicitly state that Scottish Canals third party works procedures will be applicable for any development or works affecting the Forth and Clyde Canal. The Council is also of the view that paragraph 3 of the introductory text may require to be amended to state that Scottish Canals are required to be consulted on any planning applications.

Should the Reporter be agreeable to the amendments proposed above, then the Council suggests that the following modifications to the Plan are made (the proposed amendment is in bold):

Insert new sentence within paragraph 2 on Page 64 of the Plan after 'Scheduled Monument Consent' and before 'The Clydebank' as follows:

'Scottish Canals and Historic Environment Scotland should be consulted at an early stage in any planning proposals which may affect the Forth and Clyde Canal and also when a planning application is lodged.'

Insert new second paragraph within Policy FCC1 as follows:

Where development and/or works affect the Canal, they will be required to accord with Scottish Canal's Third Party Works procedures.

Reporter's conclusions:

Our Waterfront

1. The objective of criterion (c) of Policy WD1 to, where appropriate, provide, protect and enhance access to and along the water's edge is laudable. This criterion also acknowledges that there may be justifiable reasons why access might need to be restricted in some cases. However the criterion does not give any guidance as to what these cases might be or how they would be assessed. Criterion (d) refers to effects on Natura 2000 sites and the Forth and Clyde Canal Scheduled Monument, but only in relation to recreational use. In any event, as highlighted in the Malin Group's representation, there may be other relevant factors, including public safety and conflict with other land uses.

2. I consider that criterion (c) fails to give useful policy guidance as to the circumstances where restrictions to public access to waterfronts could be justified. The alternative wording suggested by the Malin Group provides such policy tests while maintaining a clear presumption in favour of providing access unless there are good reasons why this should

be denied. I consider this alternative wording to be well-balanced, and to provide more useful policy guidance than the proposed policy. It does not appear to run counter to what the council is seeking to achieve in the plan. I therefore recommend that criterion (c) should be modified along the lines suggested.

3. The third paragraph on page 54 of the Proposed Plan refers to development which promotes access to the Endrick Water Special Area for Conservation. My understanding is that the Endrick Water flows into Loch Lomond within the Loch Lomond and the Trossachs National Park, and that no part of the watercourse is located in the plan area. The relevance of the Endrick Water to the plan area is that the Atlantic salmon and river and brook lamprey which are the qualifying interests of this Special Area for Conservation may migrate through the plan area along the River Leven.

4. In this context it is not logical for the plan to discuss access to the Endrick Water itself. Rather, the plan should be referring at this point to the potential impact of recreational access to the River Leven on the qualifying interests of the Endrick Water Special Area for Conservation. The modification proposed by Scottish Natural Heritage makes these matters clear, and is not opposed by the council. I therefore recommend the inclusion of the majority of this text below.

5. Scottish Natural Heritage also comments on the need for further planning guidance on this topic outside the local development plan itself. The content of such guidance is not a matter for this examination.

6. The concerns of Silverton and Overtoun Community Council relating to the height of development at Carless are addressed at Issue 5.

7. A number of housing proposals in the plan are in waterfront locations, including canal-side locations. The plan is to be read as a whole, and Policy WD1 would apply to all these sites. It is therefore unnecessary to either list all the relevant sites at Policy WD1, or to reference Policy WD1 in the context of each of these sites.

Kilpatrick Hills

8. The matters raised in relation to ancient woodland do not appear to be particular to the Kilpatrick Hills, but to relate to woodland throughout the plan area. Proposed Policy ENV4 would apply across the plan area, and already captures many of the provisions sought by the Woodland Trust. These include support for woodland expansion, and protection for long-established woodland and woodland of high conservation value.

9. I consider Policy ENV4 is the best place to address the area-wide concerns relating to woodland raised by the Woodland Trust. The Trust has commented separately on this policy, and these comments are considered at Issue 20.

10. I note the representations made in support of Policy KH1, hoping it will be used to resist certain types of development, and making various suggestions for the future management of the hills. These representations do not seek any change to be made to the text of the plan, and so require little further comment from me.

11. Regarding wind farms in the Kilpatrick Hills, these would be assessed in the light of Policy KH1 alongside Policy RE2 (Spatial Framework for Wind Energy). Policy RE2 references the development management considerations for energy infrastructure listed in

Scottish Planning Policy, which in turn include landscape and visual impacts. Additional visitor facilities in the hills could receive support from Policy KH1 as proposed, which seeks the enhancement of the Hills as an accessible recreation resource, provided the landscape and habitats provisions of the policy are also met. Development affecting lochs or reservoirs would have to comply with Policy ENV5, which seeks to maintain water quality and improve water bodies' role as wildlife corridors. I therefore consider the matters raised to be already adequately covered in the proposed plan, and no changes are required.

12. Unauthorised development in the Kilpatrick Hills is a matter for the planning authority's enforcement function to address.

Strategic Green Network

13. The first sentence of the second paragraph on page 58 of the Proposed Plan refers to 'Supplementary Guidance on Green Infrastructure', which is said to identify green network assets and opportunities for improvements. As pointed out by the Malin Group, this appears in fact to be a reference to the 'Our Green Network Planning Guidance (2015)', submitted by the council as core document 26, which meets the description given in the plan.

14. I agree there is some confusion here, which is compounded by a separate reference later in the paragraph to the 'Creating Places and Green Infrastructure Supplementary Guidance'. It appears that this latter document may be intended in due course to replace the 2015 guidance. I therefore recommend a change so that the plan includes the correct title for the existing guidance.

15. The open space designation north of the Dalmuir bonded warehousing is addressed at Issue 5 of the report, where it is recommended that this area of open space be retained in the local development plan.

16. Various designations and indicative routes are shown on the map on page 61 of the Proposed Plan using various shades of green. The strategic green network projects and cross-boundary access opportunities are listed on the map, but the symbols used to identify these features have not been included in a key. Overall the map appears slightly confusing and is difficult to interpret. For instance, it is unclear if the 'Strathleven Corridor' in the key is represented on the map by the 'Strategic Access and Habitat Corridor' or by the hatched oval around Alexandria.

17. Above, the council accepts that changes to improve the clarity of the map and key are required. The council's power to make such changes after this examination are limited, so for the avoidance of doubt I prefer to recommend the necessary changes in this report. These encompass showing the existing open space network in a more clearly different shade of green from the green network projects, and including the symbols used for the various green network projects and cross-boundary access opportunities in the map key.

18. It is clear from the glossary on page 132 that, in the terms of the Proposed Plan, watercourses are considered to form a part of the wider green network. The section of the plan dealing specifically with the water environment also makes the point on page 100 that the River Clyde and the River Leven and their tributaries all form a part of the green network. It might have been helpful for this link also to have made in the Strategic Green

Network section itself, but the plan is to be read as a whole, and so I do not find this to be essential. I am not tasked with making the plan as good as it can be, but with modifying only those parts that are clearly inappropriate or insufficient. On these grounds I find it unnecessary to add further references to watercourses in to this part of the plan.

19. National cycle route 7 runs close to the River Leven from Dumbarton to Balloch. There may be opportunities for its improvement, as highlighted by the Vale of Leven Trust, and the council has agreed to explore these above. However, unless these improvements were to be tied in some way to new development, it does not seem to me that this is a matter for the planning system, or this local development plan, to take a lead on. As it stands, the route is shown as part of the existing strategic green network on page 59 of the Proposed Plan, and its broad route falls within the Strategic Access and Habitat Corridor as illustrated on page 61. Given the limited role of the planning system, I consider these references to be adequate.

Forth and Clyde Canal

20. The matters raised by Silverton and Overtoun Community Council in relation to Bowling Basin, Bowling Harbour and Scott's Yard are addressed at Issues 4 and 9.

21. Scottish Canals point out that its third party works procedures would apply to any development affecting the canal, and that it should be consulted on any planning applications affecting the canal. These are essentially procedural points, but I agree that it would be useful to users of the plans for these facts to be made clear in the text. The council is content for additions to the text to be made, and suggests a form of words above which, for completeness, also refers to the need to consult Historic Environment Scotland. I agree that these insertions are suitable, and consequently recommend these as modifications below.

22. Scottish Canals also seek a reference to the canal being used as a receptor for surface water from canal-side developments. While I can appreciate this might be good practice in many situations, I am not convinced that introducing this as a blanket policy requirement is either necessary or sensible. Rather, it seems to me that this is a matter of site specific detail that is best considered on a case-by-case basis at the development management stage. I therefore recommend no change be made to the plan in relation to this matter

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Amending the third paragraph of page 54 to read:

"Proposals for development which promote recreational access on or adjacent to the Inner Clyde Special Protection Area (SPA), for which redshank are the qualifying interest, and/ or including the River Leven which is a tributary to the Endrick Water Special Area for Conservation (SAC), where Atlantic salmon, brook lamprey and river lamprey are the qualifying interest, must not have an adverse effect on any Natura Site. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA)."

2. Amending criterion (c) of Policy WD1 to read:

"Access to and along the water's edge shall be provided, protected or enhanced where appropriate. Public access to the water's edge should normally be facilitated, except where restrictions may be required for reasons of public safety, to protect the qualifying interests of statutory ecological designations or to avoid land use conflicts. Development proposals which restrict access to the water's edge should demonstrate a specific locational need for the proposal and provide sufficient justification for the restrictions in environmental and amenity terms".

3. Amending the first sentence of the second paragraph on page 58 to read:

"The 'Our Green Network' planning guidance (2015) identifies the principal green network assets in West Dunbartonshire and specific opportunities for improvements."

4. Amending the map on page 61 to (a) show the existing open space network and the strategic green network projects in clearly different shades of green, and (b) include the symbols used for the various green network projects and cross-boundary access opportunities in the map key.

5. Adding the following new sentence after the existing first sentence of the third paragraph of supporting text on page 64:

"Scottish Canals and Historic Environment Scotland should be consulted at an early stage in any planning proposals which may affect the Forth and Clyde Canal and also when a planning application is lodged."

6. Inserting a new second paragraph within Policy FCC1 as follows:

"Where development and/or works affect the Canal, they will be required to accord with Scottish Canal's Third Party Works procedures."

Issue 13	**Communities and Place**	
Development plan reference:	Communities and Place (Pages 68 - 69)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Silverton and Overtoun Community Council (PLDP/182/13)
Homes for Scotland (PLDP/669/13)
Network Rail (PLDP/662/13)
Vale of Leven Trust (PLDP/677/13)

Provision of the development plan to which the issue relates:	This issue relates to Council's aim to give Communities a greater say in how their place is developed through Locality Place Plans being adopted as Supplementary Guidance where they accord with the Policy Framework. This section of the Plan also sets out when, where and how these Plans are to be considered by developers.

Planning authority's summary of the representation(s):

Silverton and Overtoun Community Council (PLDP/182/13) seeks clarification on the timescales for these projects to be developed and implemented; and clarification of the envisaged role of Community Councils related to this. The respondent also proposed that Local Development Plan 2 explicitly endorses/embodies the National Standards for Community Engagement (CD 42) and West Dunbartonshire Council's Engaging Communities Framework (CD 43) to underpin Locality Place Planning, and the design and implementation of Neighbourhood Plans.

Homes for Scotland (PLDP/669/13) welcomes in principle the context of Locality Place Plans and whilst being supportive of these Plans, consider it essential that they should not undermine the principle of the plan-led decision-making process. The respondent states that the plan led decision making process is set out in statute and is helpful in providing confidence to investors that sites allocated in the Plan will be supported for development. They quote the Scottish Government Chief Planner's letter of 15 January 2015 (CD 44) in relation to overreliance on Supplementary Guidance and refer to the ambitions of the proposed Planning Bill to remove such guidance.

The respondent considered that changes are necessary to the Policy Framework to ensure that home builders and other stakeholders who will play a role in delivering the Local Development Plan are involved. Furthermore the changes are necessary to ensure that further supplementary guidance does not place in jeopardy the delivery of allocated sites, reduces the negative impact upon investor confidence the adoption of such guidance could have, whilst allowing LPPs to facilitate increased engagement in the planning system.

Network Rail (PLDP/662/13) supports the principle of community engagement and actively engages with communities in relation to its own projects. However development of a railway requires consideration of national and local issues and there is concern that the aspirations of local communities will not always match with the national priorities of the respondent. They are concerned that the adoption of locality place plans as supplementary guidance creates an additional level of plan-making which may not contribute to a more efficient planning system, although the respondent welcomes that only

major or significant developments are required to take on board the aspirations of the Locality Place Plans.

Network Rail notes that the concept of Locality Place Planning is further developed in West Dunbartonshire than the Place Plans being promoted in the current Planning Bill (Stage 2, Nov 2018) (CD 45) and suggests a modification that will enable secondary legislation requirements on Place Plans to be incorporated into the policy framework and Policy LPP1.

Vale of Leven Trust (PLDP/677/13) suggests each town and village is developed with their individual and identifiable identities and character and the difference in character of the towns and villages should play a part in their regeneration. The respondent wishes to see a mandatory requirement for all reasonable sized developments, regardless of developer to provide in depth visual and graphic information at pre-planning stage and gives an example of recent event in Alexandria Town Centre where they were disappointed with the information available. Although the respondent acknowledges the Council has little influence on this they would welcome any changes that the Council could make to this practice.

Modifications sought by those submitting representations:

Homes for Scotland (PLDP/669/13) seeks changes to the Policy Framework: Locality Place Plans as detailed below (**addition**, ~~deletion~~):

"The Local ~~Development Plan~~ Authority will adopt Locality Place Plan(s) prepared within West Dunbartonshire as Supplementary Guidance where they meet the following criteria:

- *a) Accords with the provisions of the Local Development Plan;*
- *b) Reflects the land use allocations contained within the Local Development Plan and does not propose alternative uses for these allocations which would be contrary to the Plan;*
- *c) Reflects the aspirations of the Local Development Plan, through Policies CP1 and CP2, to create and deliver high quality and successful places;*
- *d) A place based assessment of the area has been undertaken and provides justification for any development or improvement proposals;*
- *e) A spatial map detailing the Communities' aspirations for their Place; and*
- *f) The Locality Place Plan has been subject to significant and wide-ranging engagement and consultation with different ages, groups and individuals within that community or communities* ***including landowners and developers with interests within the area covered****;*

g) The supplementary guidance will place no additional financial burdens upon allocated sites or otherwise impact upon their viability through additional restrictions or requirements over and above those which are set out in the development plan."

Network Rail (PLDP/662/13) requests that the following text should be inserted at the end of Policy LPP1 (in red) on p69 and before the first Note:

"Note: Should the Place Plans be altered at the final stages of the Planning Bill, further guidance on how this Policy should apply will be published by the Council.

Note: Should the Pre-application . . . . ."

Summary of responses (including reasons) by planning authority:

With regard to the representation from Silverton and Overtoun Community Council (PLDP/182/13), there is no specific timescales for the production of Locality Place Plans. The Council envisages the Community Council having an extremely important role in the preparation and production of Locality Place Plans, but wishes to see the preparation and delivery of these Plans undertaken by a wider range of community groups and members of the community so that the Locality Place Plan is as inclusive as it can possible be and that the implementation of the Locality Place Plan is not the sole responsibility of one group. Who leads and steers the Locality Place Plan is a matter for the Community to address supported by the Community Planning Partnership.

The Council is however of the view that an amendment to Paragraph 3, on Page 68, may be appropriate to reinforce that the Council approach to consultation with communities is in accordance with the National Standards for Community Engagement (CD 42) and West Dunbartonshire Council's Engaging Communities Framework (CD 43).

Should the Reporter wish to amend the paragraph, the Council would have no objection to the paragraph being changed and would suggest that the last sentence is amended as follows (the proposed amendment is in bold):

…. "This approach will give our Communities a strong voice in how their area can be enhanced and will be prepared jointly by the Council and Communities for defined neighbourhoods within West Dunbartonshire **following the guidance set out in the National Standards for Community Engagement and in accordance with the Council's Engaging Communities Framework.**"

In response to the representation from Homes for Scotland (PLDP/669/13), the Policy Framework for Locality Place Plans is clear that the Locality Place Plan must accord with the provisions of the Local Development Plan and not propose any alternative uses for allocations within the Local Development Plan, otherwise, they will not be adopted as Supplementary Guidance and will not form part of the Plan. Therefore, the Council is of the view that the suggested additional criteria proposed by the respondent is not required as the Policy Framework itself ensures, through criteria (a) to (c), that the primacy of the Plan is protected.

That being said, the Council does consider that an amendment to the Policy Framework may be appropriate to state that the Council not the Local Development Plan will adopt Locality Place Plans as Supplementary Guidance and that an amendment to criteria (f) may also be appropriate to ensure that developers and landowners are part of the consultation on the Locality Place Plan.

Should the Reporter wish to amend the policy framework, the Council would have no objection to the framework being changed and would suggest the following amendments (the proposed amendments are in bold):

"The **Council** will *adopt Locality Place Plan(s) prepared within West Dunbartonshire as Supplementary Guidance where they meet the following criteria:…."*

(f) The Locality Place Plan has been subject to significant and wide-ranging engagement and consultation with different ages, groups and individuals within that community or communities ***including, where relevant, landowners and developers****.*

In response to Network Rail (PLDP/662/13), the Council has undertaken the commitment to Locality Place Plans under the Community Empowerment (Scotland) Act 2015 (CD 28) and not in response to the proposed Local Place Plans as part of the forthcoming Planning Bill. Therefore, regardless of the introduction or not of Local Place Plans, Community Planning West Dunbartonshire and the Council will move forward with the introduction of Locality Place Plans as our approach to basing place at the heart of our service delivery and interventions for our communities. Should Local Place Plans become part of the new Planning legislation, the approach within the Local Development Plan is flexible enough to allow communities to decide whether they wish to undertake a Local Place Plan as part of the locality plan using this framework, or to undertake their own Local Place Plan independent of the policy framework.

The Council is therefore of the view that the suggested change to the Policy LPP 1 is not required for the reasons set out above.

The points raised by Vale of Leven Trust (PLDP/677/13), although understood, do not have any implication for the Communities and Place section of the Local Development Plan and are clearly in relation to the pre-application process. The Council is therefore of the view that no modification to this section of the Plan is required in this regard.

Reporter's conclusions:

1. Silverton and Overtoun Community Council call for clarity on the timescale for locality place plans. However as these plans are intended to be community-driven, I agree with the council that it would not be appropriate to include prescriptive timescales in the local development plan.

2. As regards the role of community councils in the process of locality place planning, where these exist and are active they could be very well-placed to lead or have an important role in the preparation of these plans. However, again I agree with the council that it would not be helpful to prescribe in too detailed a way who in each local community should take the lead. Each community is different, and the best model for taking forward locality place plans is also likely to vary from place to place.

3. Rather than prescribe an approach, the council has explained the principles it will follow in its 'Engaging Communities Toolkit' (core document 43). I agree it would be helpful to make an explicit reference to this document in the local development plan, and also the National Standards for Community Engagement (core document 42). Plan users would then be able to learn more about how community involvement in locality place planning should work, which would be helpful as this might be a new area of activity for many people. The council does not object to the inclusion of such references, and suggests a form of words above. I agree that this change would be appropriate and recommend the necessary modification below (amended slightly to reflect the actual name of the documents).

4. As Homes for Scotland point out, it is the local development plan that will remain the statutory basis for decision-making. Hence I consider that it is correct that the Policy Framework set out on page 69 of the Proposed Plan includes various provisions to safeguard the role of the local development plan.

5. Strictly speaking it is the council, rather than the local development plan, that will adopt any locality place plans, and so I agree that the wording of the policy should be amended

accordingly. I also consider that locality place plans are much more likely to be realistic where landowners and developers are engaged in their preparation, and that it is only fair that those with commercial interests in the area are consulted. The council does not object to these considerations being reflected in the policy framework, and I recommend a suitable modification below.

6. Homes for Scotland also suggest an additional criterion ruling out any additional financial burdens on allocated sites. I am not convinced that such a criterion would be wholly reasonable as it is possible that the locality place planning process could seek to add further detail in relation to developments already identified in the local development plan. Indeed, as such developments would be likely to represent some of the biggest changes to an area, it might be surprising if local place plans did not discuss them in more detail than would necessarily be practicable in the local development plan.

7. This extra detail might sometimes include provisions that involved additional costs. However, such provisions would still have to accord with the local development plan (according to criterion (a) of the policy framework), and with the provisions of Circular 3/2012: Planning Obligations and Good Neighbour Agreements. An additional safeguard is that, under the provisions of proposed Policy LPP1, development proposals are only expected to 'take on board the aspirations' expressed in locality place plans, and can depart from those plans where justified by an assessment of economic benefit. For these reasons I conclude that an additional criterion relating to financial burdens is not required.

8. The Proposed Plan envisages locality place plans being adopted as supplementary guidance to the local development plan. This approach appears to be a response by the planning authority to provisions contained in the Community Empowerment (Scotland) Act 2015. However since the preparation of the Proposed Plan, the Planning (Scotland) Act 2019 ('the 2019 Act') has been enacted, containing its own provisions for local place plans and repealing the provisions relating to statutory supplementary guidance. It may be that this part of the Proposed Plan would have been drafted differently in the aftermath of the 2019 Act. However it is beyond the scope of this examination to recast this section of the plan to align it with the new legislation.

9. Above, the council argues that it is unnecessary to include a reference to the local place plans referred to in the 2019 Act because the locality place plans envisaged in the Proposed Plan relate instead to the Community Empowerment (Scotland) Act. That is a tenable position, but it is also the case that community bodies will also, in due course, be empowered to prepare local place plans under the 2019 Act. There would seem to be scope here for some further explanation about how these terms and processes may inter-relate. Without committing the council to the production of such guidance, I therefore consider it would be advisable to include a note in the plan, along the lines suggested by Network Rail, to highlight this possibility. I recommend a suitable modification below.

10. Locality place planning would appear to be a good way of achieving the Vale of Leven Trust's aspiration for each community to develop its individual identity. The provision by developers of adequate information at the pre-planning stage is to some extent beyond the control of the council. The regulatory requirements that do exist, for instance for Design and Access Statements for larger developments, are set nationally. That said, Policy CP1 of the Proposed Plan does require developers to take a design-led approach and demonstrate the six qualities of successful places. This approach may be expected to lead to higher quality information being made available at the pre-planning and application stages. No modification to the plan is required.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Replacing the final sentence of the fourth paragraph on page 68 with the following:

"This approach will give our communities a strong voice in how their area can be enhanced and will be prepared jointly by the council and communities for defined neighbourhoods within West Dunbartonshire following the guidance set out in the National Standards for Community Engagement and in accordance with the Council's Engaging Communities Toolkit."

2. Amending the first line of the Policy Framework on page 69 to read:

"The council will adopt Locality Place Plan(s) …" [continue as in Proposed Plan]

3. Amending criterion (f) of the Policy Framework on page 69 to read:

"The Locality Place Plan has been subject to significant and wide-ranging engagement and consultation with different ages, groups and individuals within that community or communities including landowners and developers with interests in the area."

4. Adding a further note at the end of Policy LPP1 to read:

"The council may publish further guidance on how this policy should apply to local place plans as provided for in the Planning (Scotland) Act 2019."

Issue 14	**Creating Places**	
Development plan reference:	Creating Places (Pages 71 - 73)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
SportScotland (PLDP/026/14) Persimmon Homes West Scotland (PLDP/173/14) Malin Group Ltd (PLDP/177/14)	SNH (PLDP/640/14) RSPB (PLDP/649/14) SEPA (PLDP/676/14) (Support) Vale of Leven Trust (PLDP/677/14)	
Provision of the development plan to which the issue relates:	This issue relates to the development policies of the Plan which set out the Councils requirements in terms of creating places; green infrastructure; masterplans; and the Place and Design Panel.	

Planning authority's summary of the representation(s):

The representations to this section of the Plan have been grouped under the following sub-headings: General; Creating Places Introductory Text; Policy CP1 - Creating Places; Policy CP2 - Green Infrastructure; and Policy CP3 - Masterplanning and Site Briefs.

General

Persimmon Homes West Scotland (PLDP/173/14) believe that the residential design guide (CD 46) is too restrictive in terms of parking arrangements and gable to gable spacing.

Creating Places Introductory Text

Vale of Leven Trust (PLDP/677/14) are supportive of the approach taken in the Proposed Plan to ensuring West Dunbartonshire is a great place to live, work and visit by creating new places and delivering high quality development. The Trust are of the view that this approach should be adopted by the Council as a whole but state that their experience is that the current policies and procedures of different departments can directly contradict what is best for areas and places.

Policy CP1 - Creating Places

SEPA (PLDP/676/14) supports the reference to the provision of green infrastructure within placemaking within Policies CP1.

Policy CP2 - Green Infrastructure

SportScotland (PLDP/026/14) welcome the comprehensive approach to the design and delivery of green infrastructure and inclusion of the need to protect and improve user access including recreation routes.

SNH (PLDP/640/14) recommend that proposals should contribute to both the green and blue network and wording should reflect this.

RSPB (PLDP/649/14) welcomes Policy CP2, but would welcome a requirement that major developments and energy consents must deliver a 'net gain' for biodiversity, defining this as development that leaves biodiversity in a better state than before.

SEPA (PLDP/676/14) supports the reference to the provision of green infrastructure within placemaking within Policies CP2.

Policy CP 3 - Masterplanning and Site Briefs

Malin Group Ltd (PLDP/177/14) seek clarification on who would be responsible for the preparation of masterplans or development briefs, as well as, what the difference is between them.

It is also suggested that the requirement for masterplans to set out a phasing and delivery strategy is contrary to the development strategy for Carless set out in the Delivering Our Places section of the Proposed Plan. It is suggested that the Carless Development Strategy within the Proposed Plan, is sufficient for the Council to base development management decisions on and that a masterplan would not provide further phasing or implementation details due to the nature of this site. It is suggested that, for Delivering Our Places sites, masterplans should only be required where there is a departure from the development strategy.

RSPB (PLDP/649/14) support the requirement for Master Plans at appropriate-scale developments.

Modifications sought by those submitting representations:

Policy CP2 - Green Infrastructure

SNH (PLDP/640/14) request that the first sentences of criteria (a) and criteria (f) are amended as follows (proposed amendments in bold):

*a) Green Infrastructure and Design Requirements: Development shall……. contribute to the green **and blue** network……Guidance…."*

*f) Stewardship: Developers must consider the long-term management and maintenance of green **and blue** infrastructure……."*

RSPB Scotland (PLDP/649/14) suggests the addition of a requirement for major developments and energy consents must deliver a 'net gain' for biodiversity should be added to the Policy.

Policy CP 3 - Masterplanning and Site Briefs

Malin Group Ltd (PLDP/177/14) requests the following modifications should be made to Policy CP3 – Masterplanning and Development Briefs:

"Development on sites identified within the Delivering Our Places section of this Plan should proceed in accordance with the Development Strategy set out for each site. Additionally, planning applications will require to be accompanied by masterplans in respect of:

- *Development proposals on the Delivering Our Places Sites where the proposal(s)*

depart from the stated Development Strategy;

- *Development proposals on major or smaller complex development sites, sites within a sensitive area (such as a Conservation Area) or sites likely to have significant impacts on the environment. The need for a Masterplan to accompany a planning application for development proposals on such sites should be determined through pre-application discussions between the Applicant and the Council".*

Masterplans for these sites are required to set out a phasing and delivery strategy which is realistic to market conditions. Development proposals should be brought forward in line with the proposed phasing".

General

Persimmon Homes West Scotland (PLDP/173/14) would like guidance to allow parking requirements to be justified through a design and access statement.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations to this section of the Plan have been grouped under the following sub-headings: General; Creating Places Introductory Text; Policy CP1: Creating Places; Policy CP2: Green Infrastructure; and Policy CP3: Masterplanning and Site Briefs.

General

In response to the comments from Persimmon Homes West Scotland (PLDP/173/14) in relation to the Residential Development: Principles for Good Design Planning Guidance (CD 46), the Council considered that as this representation relates to an existing piece of Planning Guidance it is therefore outwith the scope of the examination to consider. The comments are however noted and will be considered when preparing the Creating Places Supplementary Guidance, which will be subject to full public consultation.

Creating Places Introductory Text

The support from the Vale of Leven Trust (PLDP/677/14) is welcomed.

In relation to the Trust's other comments, the Council would point out that Local Development Plan 2 fully accords with the Local Outcome Improvement Plan: the Plan for Place 2017 - 2027 (CD 07) and contributes to the delivery of the Council's strategic priorities. In relation to the Trust's view that Council services should be embracing the approach set out in this section of Local Development Plan 2 in order to create high quality developments, it should be noted that internally, the Council works collaboratively to ensure that its own development proposals are to the highest quality and fully in accordance with the Local Development Plan. Many of the Council's proposed developments have already been to the Place and Design Panel with their recommendations taken on board. This process has ensured that the Council's developments are to a high quality whilst taking on board other Departments responsibilities etc. No modification to the Plan is therefore required.

Policy CP1 - Creating Places

The support of SEPA (PLDP/676/14) for the inclusion of green infrastructure within the

policy is welcomed.

Policy CP2 - Green Infrastructure

The support of SportScotland (PLDP/026/14) for the inclusion of protection and improvement of access, as well as, recreation within the policy is welcomed.

With regard to the representation from SNH (PLDP/640/14), the Council considers that the green network includes water courses, as set out in the Glossary (page 132) of Local Development Plan 2 and that green infrastructure includes water features, such as rivers, ponds and sustainable drainage systems, as detailed within page 71 of the Plan. The Council is therefore of the view that it is unnecessary to distinguish the green and blue network as SNH suggest. No modification to the Plan is therefore required.

The support of RSPB (PLDP/649/14) for the Policy is welcomed. The Council would however point out that Criteria e) of the Policy requires that all development proposals "*protect, restore and enhance biodiversity habitat networks and environmental quality".* It is considered that the requirement that all development must *'enhance biodiversity habitat networks'* of the Policy achieves the intention of a 'net gain' for biodiversity. No modification to the Plan is therefore required.

The support of SEPA (PLDP/676/14) for the inclusion of green infrastructure, in relation to placemaking within the policy, is welcomed.

Policy CP3 - Masterplanning and Site Briefs.

The support of RSPB (PLDP/649/14) for the Policy is welcomed.

In relation to the representation from Malin Group Ltd (PLDP/177/14), Policy CP3 indicates that Development Briefs and/or design guidance will be prepared by the Council for sites as indicated by the policy. Schedule 1 of the plan indicates the current status and requirements for spatial guidance in relation to the Delivering Our Places sites, as well as, the Golden Jubilee National Hospital. The Schedule also details who is taking forward the masterplan and its current status. It is accepted, however, that the relationship between Policy CP3 and Schedule 1 could be further clarified by the insertion of a new sentence at the end of Policy CP3 on Page 73 of the Plan.

Should the Reporter wish to amend the policy, the Council would have no objection to policy being changed and would suggest that a new sentence is added to the end of the Policy as follows:

"Schedule 1 of the Plan details the type and status of the detailed spatial design guidance that has been prepared/is being prepared for key regeneration sites as contained within the Delivering our Places section of Local Development Plan 2."

The Council, however, does not agree with the Malin Group that masterplans should only be required where there is a departure from the development strategy for each of the regeneration sites contained within the Delivering our Places section of the Plan. The Council considers that masterplans are required for all of these sites and should take into account the Development Strategy; Development Strategy Map and the place-based policy requirements of the Plan. The Development Strategy Map is considered to be an indicative high level overview of the appropriate uses within these sites and other requirements. A

detailed masterplan for the site is necessary to provide details of the development, in a spatial form, to ensure the proper planning and phasing of the development is set out in order to create a high quality place. As set out in Policy CP3, the proposed phasing and delivery strategy should be realistic to market conditions. The strategy could thereby indicate where site constraints and challenges require a greater degree of flexibility and propose measures to address this in the future.

Given that there continues to be a degree of flexibility around the long-term strategy for Carless, the Council considers it to be appropriate to require a further and more detailed development framework to be prepared when subsequent parts of the site are brought forward, in accordance with any forthcoming masterplan for the area and applicable policies of Local Development Plan 2. With regard to the other comments raised by the Malin Group in relation to Carless, these are addressed within Issue 5.

No modification to the Plan is therefore required in this regard.

Reporter's conclusions:

General

1. The content of the Residential Development: Principles for Good Design planning guidance does not itself form part of the local development plan, and so is beyond the scope of this examination. In any event I note that this piece of existing guidance is to be replaced by the forthcoming Creating Places supplementary guidance. This latter guidance will presumably be the subject of consultation, and the points made in the representation can be addressed by the council as part of that process. No modification to the Proposed Plan is required.

Creating Places Introductory Text

2. The comments of the Vale of Leven Trust are largely in support of this section of the Proposed Plan. Its comments regarding the adoption or otherwise of the principles set out in the plan by other council departments are beyond the scope of this examination. No modification to the plan is therefore required.

Policy CP2 - Green Infrastructure

3. It is clear from the glossary entry on page 132 of the Proposed Plan that the term 'green network' is to be taken to include watercourses. The text on page 100 also explains that the River Leven, the River Clyde and their tributaries form part of the green network. The plan is to be read as a whole, and given these references I conclude that it is unnecessary to refer separately to a 'blue network' in Policy CP2.

4. Criterion (e) of proposed Policy CP2 requires development proposals to enhance biodiversity habitat networks and environmental quality within and linking to the site. The policy therefore already appears to require a 'net gain' for biodiversity as sought in the Royal Society for the Protection of Birds' representation. Given the tests set out in Circular 3/2012: Planning Obligations and Good Neighbour Agreements, particularly that planning obligations must relate to the proposed development, I am reluctant to place any stronger requirement for net gain into the policy. I conclude that no modification is required.

Policy CP3 - Masterplanning and Site Briefs

5. Proposed Policy CP3 is clear that any required development briefs/ design guidance would be prepared by the council. The policy also states that 'masterplans are required to be provided'. I consider that the most obvious interpretation of this phrase is that such masterplans should be provided by the developer or promoter of the development, and that no further explanation is required. I also consider it to be clear that the preparation of the masterplans would be secured by the council as a prerequisite before any grant of planning permission.

6. The terms 'masterplan' and 'development brief' are well understood among planning professionals. The meaning of these terms is set out at page 17 of Scottish Planning Policy, and masterplanning good practice is described in Planning Advice Note 83: Masterplanning. The terms are also defined in the glossary of the Proposed Plan on pages 132 and 133. For these reasons I do not consider that the differences between masterplans and development briefs need to be described at Policy CP3.

7. With regard to the Carless site, a relatively flexible approach may need to be adopted towards the phasing and delivery of this development. But such an approach does not necessarily run counter to the requirement in proposed Policy CP3 for masterplans to include a phasing and delivery strategy. If properly justified, it would appear to be possible for the strategy to incorporate the level of flexibility sought in the representation. I therefore consider that the reference to requiring a phasing and delivery strategy should remain a part of the plan.

8. The map of proposals for the Carless site included at page 25 of the Proposed Plan, and the associated text, provides an appropriate level of detail for inclusion in a local development plan. However, there is scope for more detailed masterplanning work to be done as an interim step between the information presented in the plan, and what would be required for a planning application. This could include such matters as the height and massing of development blocks. I am not therefore convinced that Carless, or the other key regeneration or development sites, should be exempted from the requirement to prepare masterplans.

9. Schedule 1 of the Proposed Plan is entitled 'Masterplans', and includes the emerging development framework for Carless. I therefore consider that the plan is relatively clear that the council considers this development framework to itself be a masterplan. Above, the council suggests a form of words that would strengthen the link between Policy CP3 and Schedule 1. I agree that these words would assist in clarifying that the existing masterplanning work that is taking place on sites such as Carless does fit within the policy framework set out by Policy CP3. I therefore recommend its inclusion in the plan.

10. Issues raised in relation to the Carless site are examined in more detail at Issue 5 of this report.

Reporter's recommendations:

I recommend that the proposed plan be modified by adding a new sentence at the end of Policy CP3 as follows:
"Schedule 1 of the Plan details the type and status of the detailed spatial design guidance that has been prepared/is being prepared for key regeneration sites as contained within the Delivering our Places section of the plan."

Issue 15	**Housing Land**	
Development plan reference:	Delivering our Homes (pages 76 to 79)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Persimmon Homes West Scotland (PLDP/173/15)
Malin Group Ltd (PLDP/177/15)
Silverton and Overtoun Community Council (PLDP/182/15)
SNH (PLDP/640/15)
Avant Homes (Scotland) Limited (PLDP/642/15)
Taylor Wimpey West Scotland (PLDP/664/15)
Homes for Scotland (PLDP/669/15)
SPT (PLDP/675/15) (Support)
SEPA (PLDP/676/15) (Support)
Vale of Leven Trust (VOLT) (PLDP/677/15)

Provision of the development plan to which the issue relates:	This issue relates to the Delivery Homes section of the Plan with particular regard to the Housing Land Supply and Policy H1: Housing Land Supply.

Planning authority's summary of the representation(s):

This section of the Plan relates solely to representations raised in relation to the Housing Land Supply and the Policies contained within this section. Representations relating to specific sites allocated for residential development or non-allocation of land for residential development are dealt with within Issues 5; 24; 25; 26; 27; 28; 29; 30; 32; 33; 34 and 35.

The representations to this section of the Plan have been grouped under the following sub-headings: General; Housing Land Supply; and Policy H1 - Housing Land Supply.

<u>General</u>

Silverton and Overtoun Community Council (PLDP/182/15) consider that housing developments will only benefit the area if they are supported by infrastructure within the new build communities – including shops, cafes, health clinics, schools, open green spaces, etc. Local focal points such as community centres, pubs and clubs would enhance community cohesion and promote a sense of identity. The current housing plan serves only developers, especially in areas designated for private housing, not the communities around which they will be built, or the new communities themselves.

Persimmon Homes West Scotland (PLDP/173/15); Avant Homes (Scotland) Limited (PLDP/642/15); and Homes for Scotland (PLDP/669/15) support the approach of not seeking affordable housing provision on a quota basis from private development.

Malin Group Ltd (PLDP/177/15) state that the allocation of land within Carless (Site H2(33)) as a long term release site should not be included in the Council's housing supply figures. This area of the Carless site will only come forward for housing if it is not possible to secure a business or industrial use for it, or if a higher value use is required on the land

to pay for remediation activities on the wider Carless landholding. It should not therefore be relied upon as a component of the Council's housing land supply. The respondent also suggests an additional area of land for housing which is considered within Issue 5.

SNH (PLDP/640/15) continue to highlight the potential challenges that some of the new allocations pose for safeguarding and enhancement of the natural heritage, particularly in landscape terms. To ensure the protection and enhancement of the natural heritage SNH make the following comments and recommendations in respect of the new housing allocations for inclusion in the Plan and/or associated development briefs.

SPT (PLDP/675/15) welcome the prioritisation of sites in sustainable locations.

SEPA (PLDP/676/15) acknowledge the Scottish Government's drive to deliver a strong and well-functioning housing system and that the emerging Plan is aligning itself with this aim and that the policies H1 – H4 are key to ensuring these outcomes are achievable. SEPA advise that their primary role is to ensure that the sites selected in LDP 2 are in sustainable locations and, in this context, SEPA state that they satisfied that Policies H1 and H2 are considered to be capable of meeting these requirements and support the linkage to Schedules 2 & 3 (where further site specification studies might be required, e.g. undertaking of a FRA).

Vale of Leven Trust (VOLT) (PLDP/677/15) agree that a range and choice of new homes require to be built to meet the housing needs of West Dunbartonshire. The Trust expresses a preference for greater variety of house types and less reliance on flatted development. It is also suggested that greater consideration should be given to the location and capacity of schools and the layout of associated local road systems and other relevant infrastructure in relation to sites before they are put forward for housing.

Housing Land Supply

Persimmon Homes West Scotland (PLDP/173/15) state that by utilising the information from Clydeplan alongside historic Scottish Government completions it is clear that the all private surplus in supply referred to on page 76 of the Proposed Plan is not +494 units as suggested, but is actually only +113. Undertaking the same analysis, using annual completions over the same period and utilising the completions detailed in the West Dunbartonshire Housing Land Audit (HLA), results in a shortfall in private housing supply.

Persimmon Homes are of the view that the 50 private and 80 social rented homes that are envisaged will be delivered annually between 2012 and 2024 will fall short of the annual completions required in West Dunbartonshire There will therefore be a shortfall in housing delivery within West Dunbartonshire.

In order to address the forecast shortfall in housing delivery further sites should be allocated for housing. At present the majority of the sites within the HLA are brownfield and generally as a result more expensive to develop. Additional greenfield sites should be allocated to stimulate house building within West Dunbartonshire and address the forecast housing shortfall.

Taylor Wimpey West Scotland (PLDP/664/15) state that, in meeting the Housing Land Requirement set out in Table 1, Schedule 2 of the Proposed Local Development Plan 2 shows only a supply of 1,386 units compared to a supply of 1,701 units stated in Table1, leaving a surplus of only 179, as opposed to 494 in Table 1. They also consider that the

deliverability of these sites must be questioned. and that the likely LDP2 adoption will take place part way through the SDP period, further adjustment of targets is required to take account of completions to date. The relevant Tables in the Proposed LDP2 relating to housing land supply requirements therefore require updating.

The Plan identifies a number of additional small to medium sites, identified within Schedules 2 and 3 of the Plan, described as sites adding to the range and choice of housing sites on offer in the 2017 effective land supply. The range and choice of housing however does not extend to green field release sites and still fails to meet the requirements of SPP 2014 in that respect.

Taylor Wimpey are of the view the new allocations within the Plan cannot be regarded as effective sites and are all brownfield sites (Carmen Waterworks is a brownfield site in the Greenbelt). Examination of the Housing Land Audit 2017 shows that there are a number of sites included as effective sites, which are regarded as questionable in relation both to their deliverability and the timing of any delivery. The particular points raised by Taylor Wimpey in relation to these sites are discussed in Issues 24, 25, 26, 27 and 29 in terms of their effectiveness and programming. In addition, the housing land supply does not provide an adequate degree of choice and range in sites, given that there are no greenfield release sites.

Taylor Wimpey are therefore of the view that a wider review of the quality of the housing supply needs to be undertaken in addition to a review required to make up the shortfall post 2024 that Homes for Scotland has highlighted.

Taylor Wimpey state that they have engaged with Homes for Scotland (HfS) and understand that their recent discussions with the Council over the post 2024 housing land supply in Schedules 2 and 3 have indicated that these could be amended. More specifically they understand that discussions between HfS and the Council have identified a nominal all tenure shortfall of 205 units in the post 2024 period rather than the surplus of 436 units identified in Table 2 to Proposed LDP2.

The points of representation made by Taylor Wimpey are with a view of Duntiglennan Fields being allocated in preference to other sites and/or to meet the shortfall in the housing land requirement of the Plan.

Homes for Scotland (PLDP/669/15) state, by referring to all legislation and guidance, the LDP must be consistent with Clydeplan and the LDP should meet the Housing Land Requirement of Clydeplan. Given that the adoption of the Plan is taking place part way through the SDP period, a further adjustment to these targets is required to take account of completions to date. Given that the planned adoption of the Proposed LDP is January 2020, a further adjustment needs to be made to ensure it plans for 10 years following the date of adoption (i.e. to 2030), as required by the SPP (para. 120), because Clydeplan targets only run until the end of March 2029.

The approach in the proposed LDP (Table 1, p.76) is incorrect as it does not take into account completions to date. Instead it just applies the 2012 - 24 housing land requirement to the remaining 7 years of the period on a pro-rated basis. Such an approach would result in unmet housing need and demand between 2012 and 2017 not being planned for and going unmet. It is not compatible with the legal and policy framework set out in their representation.

Homes for Scotland state they dispute the programmed completions of some sites and that there is an all-tenure shortfall of 205 dwellings. The potential for programme slippage is also important given the reliance on brownfield sites and 2017/18 completions (124 units) amounting to 50% of what was programmed (249 units). Homes for Scotland consider the supply figure of 3,489 should be considered a best-case scenario. Additional sites should therefore be allocated to refresh the housing land supply which is essentially unchanged over the last 8 years and has failed to deliver the new housing West Dunbartonshire needs. Even if a relatively modest 20% slippage occurred, the shortfall would increase to 905 against the housing land requirement, resulting in the HST being missed.

Policy H1 - Housing Land Supply

Homes for Scotland (PLDP/669/15) state that the current wording of Policy H1 does not sufficiently reflect the urgency with which a shortfall in effective supply needs to be rectified. A shortfall in effective supply reflects, by definition, a lack of deliverable housing sites, but also normally arises after a deficit in housing completions. It therefore is usually more than just a warning sign that need may go unmet in the future, but clear evidence that housing delivery has been inadequate to meet identified need and demand.

These changes would ensure the policy better reflects the urgency of the situation. Also given that if such a situation arose policies for the supply of housing would be considered out of date in accordance with the SPP (para. 125), it would be superfluous to include restrictive policies such as those struck through in the suggested modification below, as they would be out of date at the time of their application. Infrastructure would be a material consideration and sustainability is covered in depth in the SPP.

Modifications sought by those submitting representations:

General

Malin Group Ltd (PLDP/177/15) remove the capacity of Site H2(33) from contributing to the housing land supply of the Plan.

Housing Land Supply

Persimmon Homes West Scotland (PLDP/173/15) state that the Council should allocate additional greenfield sites to address the shortfall in the Housing Land Supply within the Plan.

Taylor Wimpey West Scotland (PLDP/664/15) state that the housing land supply needs to be reviewed in terms of deliverability and programming, as well as in relation to range of choice of sites. Duntiglennen Fields should be allocated to provide both additionality in terms of housing land supply and replace a site of equal capacity at Strauss Avenue which is considered non-effective due to site constraints.

Homes for Scotland (PLDP/669/15) state that the plan should allocate additional sites to meet the shortfall and to refresh the housing land supply.

Policy H1 - Housing Land Supply

Homes for Scotland (PLDP/669/15) state that Policy H1 should be amended as follows

(**addition**, ~~deletion~~):

The Council will provide a minimum of five years ~~A five year~~ effective **housing land** supply ~~of housing land will be maintained~~ **at all times for both the Housing Sub-Market Areas and for the Local Authority Area (all-tenure and private) to ensure that the Housing Supply Target is met in full over the development plan period as set out in Policy 8 of the SDP.** ~~throughout the lifetime of the Plan to enable delivery of the strategic housing requirement.~~ This will be monitored ~~and updated~~ annually **using housing completions to date and the effective housing land supply set out in the Housing Land Audit.** ~~through the Housing Land Audit. The Council will prioritise the early delivery of sites within the established land supply,~~ **I**f the audit identifies a shortfall in the five year effective land supply~~. In this instance,~~ the Council will **take prompt action to rectify this by** support**ing** housing proposals which are capable of delivering completions in the next five years **and compatible with national policy.**

• ~~Can address infrastructure constraints;~~
~~• Are in a sustainable location; and~~
~~• Do not undermine the strategic focus on urban regeneration and brownfield redevelopment~~.

Summary of responses (including reasons) by planning authority:

The Council's response to the representations received to this issue are broken down into the following subheadings: General; Housing Land Supply; and Policy H1 - Housing Land Supply.

<u>General</u>

Although the representation from Silverton and Overtoun Community Council (PLDP/182/15) is understood, the Council does not agree that housing within Local Development Plan 2 only serves developers. There is an identified need and demand for both private and social rented housing within West Dunbartonshire, which the Plan requires to address, and this need and demand has been identified within all communities of West Dunbartonshire. The support from Vale of Leven Trust (PLDP/677/15) in this regard is welcomed.

The issues the Community Council and the Trust raise in relation to integration of housing development within existing communities is a matter which the Creating Places policies of the Plan will help to address. The Council would also point out the infrastructure to support the capacity of these new sites over the plan period is also in place and that infrastructure providers, key agencies and the Council's own service areas have not raised any infrastructure issues with the allocated sites in the Plan.

In response to comments from Vale of Leven Trust (PLDP/677/15) in relation to density and typology of new housing development, it is considered that this is also a matter which the Creating Places policies of the Plan will help to address and that this is more appropriately considered through development management.

The representations from Persimmon Homes West Scotland (PLDP/173/15); Avant Homes (Scotland) Limited (PLDP/642/15); and Homes for Scotland (PLDP/669/15) are duly noted with regard to the Council's decision to not include an affordable housing requirement.

With regard to request to remove Site H2(33) from the housing land supply by Malin Group Ltd (PLDP/177/15), the Council would point out that the indicative capacity of this site has not been included in the housing supply target figures as it is considered to be a long term release site rather than an effective housing site at this current time. However, the site is included in the established housing land supply and may become a future release should the site be able to demonstrate that it is, or will become, effective. No modification to the Plan is therefore required in this regard.

The comments from SNH (PLDP/640/15) are addressed within Issues 24, 25, 26, 27, 29, 32 and 33.

The comments of SPT (PLDP/675/15) on the sustainable locations of sites is noted.

The comments and support from SEPA (PLDP/676/15) in relation to the approach for housing land and the allocation of sites are noted.

Housing Land Supply

The response to the Housing Land Supply is further broken down as follows: Allocation of Housing Land: Brownfield vs Greenfield; Range and Choice of Housing Land; Completions and the use of NB2 data; Housing Land Requirement; Strategic Housing Investment Plan Sites; Programming; and overall conclusion.

Allocation of Housing Land - Brownfield vs Greenfield

Firstly, it is important to set out the Scottish Government guidance on the allocation of land within a Local Development Plan, as the representations from Persimmon Homes West Scotland (PLDP/173/15), Taylor Wimpey West Scotland (PLDP/664/15) and Homes for Scotland (PLDP/669/15) all seek to challenge the Council's strategy of allocating housing land.

Paragraph 39 of Scottish Planning Policy (SPP) (CD 03) states that *"planning should direct the right development to the right place".* To do this, paragraph 40 of SPP states that development plans require to promote a sustainable pattern of development appropriate to the area and sets out a series of principles which should be used to guide decisions. Of particular note is the third bullet point of the paragraph, which states that Local Development Plan should consider *"the re-use or re-development of brownfield land before new development takes place on greenfield sites".*

The arguments provided by of Persimmon, Taylor Wimpey and Homes for Scotland all seek the allocation of additional greenfield land and are of the view that the brownfield sites within the Plan are either not effective, not deliverable or are likely not to achieve the programming, as agreed in the 2017 Housing Land Audit (CD 23). These specific parts of the representations by the three respondents are all considered by the Council to be contrary to the provisions of paragraph 40 of SPP, as the Council is '*re-using and/or redeveloping brownfield land before any development takes place on greenfield land*'. The Council is therefore strongly of the view that its preference for, and allocation of, brownfield land is robust in policy terms and that the sites are effective and can be delivered within the Plan period. That being said the Council also believes in a balanced approach and has allocated two greenfield release sites, which are discussed below, to provide a range and choice of land for housing development within West Dunbartonshire.

Within Issue 2, in response to a representation from Homes for Scotland which stated that brownfield land does not always represent the most sustainable, appropriate or viable option for development, the Council responded by saying *"instead of stating that brownfield sites and regeneration sites are resulting in under-delivery of new housing, it would be better to investigate, with the respondent, what action can be taken to make brownfield sites more attractive to house builders* [and] *that releasing additional land within the Greenbelt to increase the housing land supply, as the respondent is seeking, may not necessarily result in an increase in house building within West Dunbartonshire nor will it represent a balanced Spatial Strategy."*

This view was also expressed in a recent Planning Appeal decision (PPA-280-2026) (SI WDC01) to a site in Kilmacolm, Inverclyde. In paragraph 24 of that decision the Reporter stated that:

"The Appellant says that the emphasis on brownfield sites and regeneration is resulting in under-delivery of new housing. If this is correct, my view is that the first response should be to see whether action can be taken to make the brownfield sites, including the community growth area, more attractive to house builders. Allowing housing development on greenfield sites that have not been identified in the development plan for new housing would make it more difficult to attract development to brownfield and regeneration sites. It would also be contrary to the vision of the compact city region.."

Also, it is important to the note the Reporter's view in paragraph 77 where he stated that:

"…… I find that failure to achieve building rates envisaged …. may, at least in part, be the result of economic factors and not solely because the total amount of land is insufficient or subject to constraints of a non-economic kind. It follows that increasing the housing land supply may not necessarily result in an increase in house building."

Within the recent Examination Report into the Proposed Inverclyde Local Development Plan (April 2019) (SI WDC02), the Reporter stated that *"I recognise that changes in funding availability and market demand may result in differences between the timing and tenure of house completions, compared with that which is envisaged in Clydeplan. However, development plans have little influence over these factors……"* (Paragraph 47, page 72)

It is inherent within Homes for Scotland's representation, especially within paragraph 36, that they believe that there will be slippage with the development of brownfield land within the Plan period. Although, not specifically stated it is strongly suggested in their representation that any under-delivery of housing land will have to be added to subsequent Local Development Plan housing land requirements and addressed by the allocation of further land.

The Council is of the view, should this be the intention of this paragraph, that continually adding under-delivered housing completions to the housing supply target and requirement of the plan is considered in itself to be an unsustainable practice, as there is no evidence provided to demonstrate that both the housebuilders and construction industry would be able to deliver these increases in the first instance. It should also be noted that the capacity of these sites are not lost and are still within the housing land audits and housing land supply of the plan. Therefore adding units already allocated within the housing land supply of the plan to the new Local Development Plan's housing supply target is considered to be duplication of housing figures.

Taking the above into account, the Council is of the view that under-delivery of housing on brownfield sites, or the notion that brownfield sites are not always attractive to developers, is not down to the land being non-effective in itself, but is due to a range of other economic factors which are outwith the scope of the Plan to deal with, or not the responsibility of the Council.

The Council considers the implications of this approach could potentially result in future iterations of development plans containing inflated housing supply targets and requirements that cannot be achieved by the house builders and/or the construction industry, and which become inherently undeliverable. The Reporter in the above case was also of the view that by increasing the housing land supply will not necessarily translate into an increase in house building. Moreover, the Reporter considering representations to the Inverclyde Proposed Development Plan (Examination Report April 2019) (SI WDC02) stated that:

"The role of the local development plan is not to demonstrate that a target will be met. Rather it is to provide enough land that is capable of becoming effective and is sufficient to enable the target to be met." (Paragraph 40, Page 71)

The Council would also note that, although a number of greenfield sites were suggested for inclusion at the Call for Sites stage, only one of them was from a Homes for Scotland member. Many of these sites were not taken forward into the Main Issues Report (CD 17) and/or the Proposed Plan as they were either located within the Greenbelt and would have significant adverse environmental impacts. The only site continually suggested by any of the major housebuilders throughout the Local Development Plan process has been Duntiglennen Fields (See Issue 27), which would appear to suggest the demand for greenfield sites may not as pressing as the respondents claim. Therefore, allocating additional greenfield sites, as requested by Persimmon Homes and Homes for Scotland, would not necessarily result in them being developed, or provide any greater certainty or speed of delivery in the effective land supply.

In conclusion to this section of the Schedule 4, the Council is of the opinion that the strategy for the allocation of housing land within the Plan is fully in conformity with the requirements of SPP (CD 03) and Clydeplan (CD 06), and that the sites allocated for residential use are considered to be effective and deliverable within the plan period and will meet the housing land requirement in full. The Council therefore requests that the Reporter disregards the representations from Persimmon Homes West Scotland (PLDP/173/15), Taylor Wimpey West Scotland (PLDP/664/15) and Homes for Scotland (PLDP/669/15) as these do not accord with the provisions of SPP or meet with the vision of Clydeplan.

<u>Range and Choice of Housing Land</u>

Taylor Wimpey West Scotland (PLDP/664/15), within paragraph 3.10 of their representation, state that the additional housing sites allocated within the Plan do not extend to greenfield sites. Local Development Plan 2 does however allocate two new greenfield release sites and therefore accords with SPP.

Homes for Scotland (PLDP/669/15), within paragraph 36 of their representation, state that additional sites should be brought forward as the housing land supply is essentially unchanged over the last 8 years and has failed to deliver the new housing West Dunbartonshire requires. The Council disputes that just because the housing land supply

is unchanged that it is the sole reason why it has failed to deliver the housing completions. The Council is of the view that this is down to range of other factors outwith the control of the Council and not just down to housing land supply, which has been agreed with Home for Scotland as effective every year through the Housing Land Audit process.

The Council therefore considers it important to state that the Local Development Plan's role is to ensure that there is sufficient housing land allocated to meet the housing land requirements of the Plan. This point was also the view of the Reporter examining the Proposed Inverclyde Local Development Plan (April 2019) (SI WDC02):

"The role of the local development plan is to ensure that sufficient sites that are either already effective, or are capable of becoming effective during the plan period, are allocated, and that these will be sufficient to enable the housing land requirements to be met." (Examination Report: Paragraph 53, Page 73).

Furthermore, the Council would point out that a full and comprehensive review of the effectiveness of housing sites contained within the Local Development Plan: Proposed Plan (2016) (CD 13) was undertaken as part of Local Development Plan 2's preparation and the sites that were proposed to be added, re-allocated or de-allocated are detailed within the Main Issues Report (CD 17). As a result of that exercise, Local Development Plan 2 has allocated 8 new housing sites to the housing land supply, of which two are considered to be 'shovel-ready' greenfield sites. In this regard, the Council therefore challenges the point made by Homes for Scotland that the housing land supply is essentially unchanged.

The Council also disputes Homes for Scotland's assertion that the reliance on brownfield sites is not delivering new homes for West Dunbartonshire. The Council would point out, by directing the Reporter to the Housing Land Audit (2017) (CD 23) and Draft Housing Land Audit (2018) (CD 24), that there has been progress on the housing land requirement of both the Proposed Plan (2016) (CD 13) and the sites carried forward into Local Development Plan 2. For instance, development has now commenced on a number of significant brownfield sites allocated within the Plan; namely at Dumbarton Waterfront/Castle Street (195 units) and the Former Bradfield Primary School, Clydebank (88 units, Miller Homes).

Planning consent (SI WDC13) was also granted for 146 affordable housing units on Queens Quay in March 2018 (from a total site capacity of at least 1045 units); and the former RHI site within Clydebank (120 units) will be subject to full planning application which will be lodged in the Summer 2019 by a Homes for Scotland member. Further progress is being made on other brownfield sites, such as the 'Shed 7' site, Castle Road, Dumbarton (233 units); Roseberry House, Clydebank (approx. 70 units) where the sale of the site is in the process of being concluded; and the former Council offices at Garshake, Dumbarton, which has had 8 notes of interest from Homes for Scotland members (approx. 100 units).

Similarly, taking the above into account, the view of Taylor Wimpey that the new proposed sites can 'be challenged' in terms of their effectiveness, as can some of the long-standing sites, is disputed by the Council, as the sites within the plan are considered to be effective and/or have extant planning permission. Many of the sites in question are also coming forward for development as the above paragraphs set out. Issues 24, 25, 26, 27, 28, 29, 30, 32, 33 and 34 deal with representations to the effectiveness of housing sites called into question by Taylor Wimpey and, as stated in the response given by the Council to

these issues, are effective and capable of being delivered within the plan period.

The Council contends that, overall, Taylor Wimpey's views on the effectiveness of the housing sites within the Plan should be disregarded as they do not provide any compelling or substantive evidence to demonstrate why these sites are considered to be ineffective.

In conclusion, the Council contends that the Plan allocates, as required by SPP (CD 03), a range and choice of effective housing land within West Dunbartonshire that will meet the housing land requirement in full.

Completions and the Use of NB2 data

Homes for Scotland (PLDP/669/15) rely on the use of Scottish Government Private Housing Completion Certificate Data sets (more commonly known as NB2s), to try and demonstrate that completions are on the rise in West Dunbartonshire and that more housing land should be released. This is a common approach Homes for Scotland and their members have been recently using throughout Local Development Plan examinations within Scotland.

It is important to note that the use of NB2 data to demonstrate approval rates of completion certificates is not advocated in any Scottish Government Guidance at this present time, namely SPP (CD 03) and Planning Advice Note: 2/2020 – Affordable Housing and Housing Land Audits (CD 04). Paragraph 123 of SPP states that:
"Planning authorities should actively manage the housing land supply. They should work with housing and infrastructure providers to prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions…"

Moreover, paragraph 41 of PAN 2/2020 states:

"Planning authorities should therefore carry out regular monitoring of housing completions and the progress of sites through the planning process. This can be achieved through the preparation of a housing land audit, carried out annually by the planning authority in conjunction with housing and infrastructure providers"

To reiterate the point made above, nowhere in the approved guidance by the Scottish Government does it state that completion certificate data through the Building Standards process should be used. The optimum tool for collecting data on the effectiveness of housing land and how many completions have been achieved is through a housing land audit, which is the preferred and only method advocated by the Scottish Government.

The Council monitors housing land through a site inspection, which verifies both completions and occupancies. This approach is commonly used throughout the 8 Authorities within the Clydeplan area and is considered to be a robust method of monitoring completions through the Housing Land Audit process. The Housing Land Audit process is then agreed with Homes for Scotland each year in terms of completions and programming for future years. This approach was accepted by the Reporter within a recent Appeal Decision (PPA-260-2074 - Land north west of Leverndale Hospital, Crookston Road, Glasgow) (SI WDC03), where it was:

"accepted by both parties that Homes for Scotland provide comments on the programming and capacities of sites within the future supply set out in the HLA and that these figures

represent the remaining capacity of known housing sites….. I am not therefore persuaded that the audit should be set aside in preference to the NB2 data." (paragraph 22, page 4) Furthermore it should be noted by the Reporter that NB2 data is not scrutinised and verified to the same extent as other Scottish Government Data such as the Scottish Vacant and Derelict Land Survey (SVDLS) data, for instance, and is also not subject to any robust guidance on the its collection to ensure that it is standardised across Scotland, unlike the SVDLS (CD 29). It is also noted that the Scottish Government do not separately verify the data but are entirely reliant on the data submitted from Local Authorities, which again, is not the same approach as they take to the SVDLS. NB2 data returns are therefore entirely reliant on developers/builders applying for completion certificates and there are occasions when this may not happen.

It should also be noted that the NB2 data that Homes for Scotland are using includes all private sector completions where by, as set out in PAN 2/2020, Housing Land Audits (CD 04) only look at completions of 4 or more units. Therefore, the comparison made by Homes for Scotland between the completions in Housing Land Audits and NB2s is not a like for like comparison. A better comparison would have been if Homes for Scotland had removed all completions for housing sites of 4 or less houses from the data, or alternatively if the audit includes all completions and sites of 3 or less units.

The Council is of the view that the evidence provided in the Council's agreed Housing Land Audit (2017) (CD 23) should be considered to be the most reliable means of understanding completions within West Dunbartonshire.

The completions identified within the Audits are backed up by data from Council Tax records, which are also based on occupancy of the house. Over the last 5 years (2013 - 2018), the table below shows that Council Tax data is more consistent with the completions set out in the Audits than those in NB 2 returns, allowing for the inclusion of sites under 4 units within the Council tax data. It is considered that this supports the robustness of the Housing Land Audit data.

	Housing Completions		
	Council Tax Data	**Housing Land Audit**	**Discrepancy**
2013/14	226	202	24
2014/15	291	310	-19
2015/16	257	223	34
2016/17	131	131	0
2017/18	124	122	2
TOTAL	*1029*	*988*	*41*

The Council is therefore of the view, since there is no requirement in Scottish Government Guidance, and as the reliability of the NB2 dataset is in any case questionable, that the Reporter should disregard those parts of the representation from Homes for Scotland (PLDP/669/15) which use NB2 data to demonstrate that there is an increase in completions which differs from those detailed in the Housing Land Audit 2017.

<u>Housing Land Requirement</u>

Persimmon Homes West Scotland (PLDP/173/15) and Homes for Scotland (PLDP/669/15)

state that there is a shortfall of housing land within the plan period. It is important to note that there is no consistency between the two respondents on what the actual shortfall is as they all come to differing figures. Persimmon Homes state that there is a shortfall of 57 units and Homes for Scotland are of the view that there is a shortfall 205 dwellings. The Council would contend that if they were using the same evidence base then the shortfall would be the same in both representations.

Although, Taylor Wimpey West Scotland (PLDP/664/15) do not specifically challenge the housing land supply and housing land requirement figures, their representation supports the approach used by Homes for Scotland on this matter and adopt Homes for Scotland's approach as their own. In response to their contention that Schedule 2 shows a lower housing supply than indicated in Table 1, the Council would confirm that this is a lower figure, as Schedule 2 excludes sites which have commenced, while they are included in the Housing Land Audit figures as used in Table 1. This is directly explained in the Notes on Schedule 2 and Notes on Schedule 3. The supply figures in Table 1 are therefore correct and valid.

The Table below summarises the information provided by both Persimmon Homes and Homes for Scotland/Taylor Wimpey based on the all tenure figures for 2017 - 2024 against the Council's information.

	All Tenure	WDC	Persimmon	Homes for Scotland/Taylor Wimpey
A	Housing Supply Target (2012-24) as set out in Clydeplan	2,760	2,760	2,760
B	Housing Land Requirement (2012-24) as set out in Clydeplan	3,170	3,170	3,170
C	Completions 2012-2017 (as set out in the HLA 2017)	1,060	1,060	1,060
D	Revised HST 2017-24 (A-C)	1,700		1,700
E	Revised HLR 2017-24 (A-C * 15%)	1,955	2,110 (b – c)	2110 (b – c)
F	Housing Land Audit 2017-2024	2,516	1,701	2516
G	SURPLUS 2017-2024 (F –E)	561	-409	405

All three respondents argue that the housing land requirement should be 2,110 units between 2017 - 2024. However, the methodology that they all have used to arrive at this number is incorrect and questionable. Paragraph 116 of SPP (CD 03) states that the housing supply target *"should be increased by a margin of 10 – 20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided."*

The Council would argue that Clydeplan (CD 06) and Local Development Plan 2 have correctly applied a generosity allowance of 15% to the averaged housing supply target to produce a Housing Land Requirement for the LDP period (2017 - 24) of 3,170.

All three respondents instead use a methodology of deducting completions from the Clydeplan figures for 2012 - 2017 to arrive at a residual housing target. Following this method, for the period of the plan between 2017 – 2024, the housing supply target of Clydeplan between the years 2012 and 2024 should be used, minus the number of completions between 2012 and 2017 of 1,060 units, to establish what the residual housing supply target is, which in this case is 1,700 units for all tenures. The generosity allowance set out within Clydeplan is 15%; therefore, the housing land requirement for 2017 - 2024 is 1,700 + 15% which equals 1,955 units.

This approach was considered to be correct in a recent Appeal Decision (PPA-260-2074 - Land north west of Leverndale Hospital, Crookston Road, Glasgow) (SI WDC03) as the Reporter stated that:

"any methodology applied to calculate the shortfall or surplus in the five year effective supply should use the housing supply target as its starting point, rather than the housing land requirement…."(Paragraph 6, Page 2)

As a result, it could be argued that the seven year average that the Council had used to calculate the housing supply target and then the housing land requirement, is not in strict conformity with the approach set out in SPP, as it did not take account of intervening completions. Taking into account these completions, the housing land requirement for 2017 - 2024 should have been 1,700 + 15% = 1,955 instead of the original figure of 1,849. This would result in a surplus of 561 units and not 667 units for 2017 - 2024. The Council therefore suggests that an amendment to Table 1 on page 76 may be required.

Should the Reporter wish to amend the table, the Council would have no objection to it being changed and would suggest the table is amended as follows (changes are in bold):

Table 1: Housing Land Requirement 2012-2024			
	Private	Social Rented	All Tenure
A Housing Supply Target (2012-2024)	1,800	960	2,760
B Housing Land Requirement (2012-2024)	2,070	1,100	3,170
C Completions from 2012-2017	**699**	**361**	**1,060**
D Housing Supply Target 2017 – 2024 (A-C)	**1,101**	**599**	**1,700**
E Housing Land Requirement 2017 – 2024 (D x 15%)	**1,266**	**689**	**1,955**
F Housing Land Audit 2017-2024	1,701	815	2516
G SURPLUS 2017-2024 (F-E)	**435**	**126**	**561**

However, when arriving at the housing land requirement for 2017 - 2024, Persimmon Homes and Homes for Scotland have subtracted the completions for 2012 - 2017 from the Housing Land Requirement of Clydeplan (CD 06), rather than the Housing Supply Target, to arrive at the figure of 2,110 for 2017 - 2024. This is contrary to the approach outlined in paragraph 116 of SPP and is incorrect. The housing supply target for the plan period of

1,700 and the housing land requirement of 1,955 units, as set out in the revised Table 1 above, are the correct figures on which to base the housing land requirement for the Plan.

Homes for Scotland (PLDP/669/15) state that the plan period will require to be extended to fully cover the 10 years from adoption of the plan, which is detailed in the Development Plan Scheme (September 2018) (CD 14), as being in January 2020. Therefore, the housing land supply and housing land requirement of the plan should be extended by a year to fully comply with SPP.

The Council agree that the housing supply target and the housing land requirement of the Plan requires to fully accord with paragraph 119 of SPP (CD 03), which states that Local Development Plan's *"should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected date of adoption".*

Therefore the housing supply target for the Plan from 2012 - 2029 will need to be increased by 230 units (which is the all tenure housing supply target of 3,910/17 years), resulting in a new housing land supply target for 2012 - 2030 of 4,140 units. The housing land requirement will therefore increase by 264 units to 4,754 units for the same period.

To make the table accurate, land from the established supply programmed for 2029 - 2030 has been included in the calculations. This is a logical step as it is important to include an extra year of programming within the proposed new table to ensure that the figures are reflecting what is programmed for delivery on the ground between 2024 - 2030. However. the Council would argue that programming over this longer timescale from a 2017 base-date will not be fully reflective of the likely housing output for those later years, as there is a natural decay in output as sites are built out, and there will inevitably be additions to the land supply before then, mostly through windfall sites and potential further development plan allocations.

It is also important to note that, due to the reliance on funding timescales, the affordable housing sites are not programmed this far in advance and the Council's Strategic Housing Investment Plan (SHIP) (CD 31) only looks at a five year horizon. Therefore, there are no programmed social rented sites for 2029 to 2030 at this present time. Consequently, the Council has taken an average of the social rented sites completed between 2012 and 2017 and applied this figure for 2029 - 2030. It should be noted this figure is below the current rate of social rented house building the Council has committed to in the current (2019) SHIP programming, and is therefore a conservative figure.

Taking all of the above into account, the Council would have no objection to an amendment being made to Table 2 of the Plan to extend the housing land supply and housing land requirement to 2029/30. Should the Reporter wish to amend Table 2 on Page 77, the Council would have no objection to the table being changed and would suggest that it is amended as follows:

Table 2: Housing Land Requirement 2024 - 2030			
	Private	Social Rented	All Tenure
A Housing Supply Target (2024 - 2030)	900	480	1380
B Housing Land Requirement (2024 - 2030) (A x 15%)	1,035	552	1587
C Surplus from 2017 - 2024	+435	+126	+561

D Additions from Established Supply (2024 - 2029)	765	371	1,136
E Additions for Programmed sites (2029 - 2030)	72	72	144
F Total Supply (C+D+E)	1272	569	1841
G Surplus 2024 – 2029 (F-B)	237	17	254

Even taking on an additional year to 2030, the table below shows that the Housing Land Requirement for the Plan between 2017 - 2030 can be met in full and therefore complies with SPP (CD 03) and Clydeplan (CD 06) in this regard. The Council therefore does not agree with Homes for Scotland that there is a shortfall of 205 houses and, in fact, has demonstrated there is a surplus of units over the Plan period. The arguments about programming and disputed sites that Taylor Wimpey and Homes for Scotland have raised are discussed in the section on programing below.

Housing Land Requirement 2017 - 2030			
	Private	Social Rented	All Tenure
A Housing Supply Target (2017 - 2030)	2001	1079	3080
B Housing Land Requirement (2017 - 2030) (A x 15%)	2301	1241	3542
C Housing Land Audit (2017 - 2024)	1701	815	2516
D Additions from Established Supply (2024 - 2029)	765	371	1,136
E Additions for Programmed sites (2029 - 2030)	72	72	144
F Total Supply (C+D+E)	2538	1258	3796
G Surplus 2017 - 2030 (F-B)	237	17	254

The Council would also point out that the private figure of 72 units programmed for 2029-2030 within the Housing Land Audit 2017 (CD 23) is not reflective of the average completions that have been experienced over the last five years and, therefore, should also be considered as being conservative. For example, the five year average of private housing completions between 2012 and 2017 is 140 units per annum (699/5 years). If this figure were to be used there would be a surplus of 377 private sector units and an all tenure surplus of 394 units for 2017 - 2030.

The Council has also completed a Draft Housing Land Audit for 2018 (CD 24), which although it has not been the subject of consultation and agreement with Homes for Scotland (who have agreed with the Council that 2018 should be left as a Draft with a commitment to agreeing the 2019 Audit) nonetheless provides a more up-to-date position on the housing land supply as a reference point. The draft Audit recorded 122 completions for 2017/18 and programmes a further 2373 units to 2024, giving a total of 2495 units for 2017 - 24, in comparison with 2516 as per the 2017 Audit and Local Development Plan 2. It is considered that this reinforces the overall robustness of the programming in the agreed 2017 Audit, and therefore the Local Development Plan housing figures.

With regard to the figures used by Persimmon Homes West Scotland (PLDP/173/15), the Council would point out that there are a number of very significant errors in their methodology. Persimmon use the all-tenure housing land requirement figure (3170) but then subtract only private-tenure projected completions, as set out in the 2017 Housing Land Audit, to meet this requirement instead of using the all-tenure sector programming of

2,516 for 2017 - 24, as agreed with Homes for Scotland. This produces a notional shortfall of 409 units to 2024. However, the Council would argue that this is not a logical or sustainable approach and is at odds with that used by Homes for Scotland.

Consequently, there are a multitude of errors in the methodology used by Persimmon. Instead of using Schedule 10 of Clydeplan (CD 06), which sets out the Private Housing Land Requirement by Local Authority Area, Persimmon use the all tenure housing land requirement figure and then subtract the all tenure completions, as set out in the 2017 Housing Land Audit, instead of using the private sector completion figure. Persimmon also continue with the revised housing land requirement figure of 2,110, which, as stated above, is not in conformity with the approach set out in SPP (CD 03) and is completely inaccurate.

Furthermore, Persimmon attempt to create a new housing completion rate for West Dunbartonshire, which is at odds with the annual rates for private sector housing completions as set out in Clydeplan (CD 06), by using the incorrect revised housing land figure for 2017 - 24 and then dividing that by 6 years. The Council contend that the approach Persimmon use in terms of years completed in the Plan is not on a like for like basis i.e. the figure should be for a 7 year period between 2017 and 2024.

The table below compares the approach taken by the Council in terms of the private sector component of the housing supply target and housing land requirement, against Persimmon's methodology, which doesn't follow the approach set out in SPP (CD 03) (as detailed above) nor uses the correct figures as set out in Clydeplan (CD 06) and the 2017 Housing Land Audit (CD 23).

	Private sector housing (2017 – 2024)	WDC	Persimmon
A	Housing Land Supply (2012 - 2024) as set out in Clydeplan	1,800	
B	Housing Land Requirement (2012 - 2024) as set out in Clydeplan	2,070	3170 (quoted Clydeplan all tenure figure)
C	Completions (as per HLA 2017)	699	1060 (quoted all tenure completion figure)
	Housing Land Supply (2017 - 24)	1,101 (a-c)	
D	Housing Land Requirement (2017 - 24)	1,266 (a-c x 15%)	2110 (b-c)
E	Annual Completion rate as set out in Clydeplan: Housing Supply Target Housing Land Requirement Annual Completion Rate	150 (a / 12) (based on Housing land supply) 172 (150 x15%)	352 (d/5)
F	Plan Years remaining	7 (based on the	6

		base date of the HLA)	
G	5 year effective housing land requirement	863 (172 x 5)	1758 (E x 5)
H	Effective Private Housing Land Supply as set on in 2017 HLA	1701	1701
I	Surplus/Shortfall	+762 (h-g)	-57 (h-g)

The information provided in the table above demonstrates the significant errors Persimmon have made in order to ensure that there is a shortfall in private sector housing land within 2017 - 24 in West Dunbartonshire. As the Council has demonstrated, by using the correct figures and approach, there is a substantial surplus of effective private housing land for the period of 2017 - 2024 that will meet the private sector housing land requirement in full within this time period.

Taylor Wimpey West Scotland (PLDP/664/15) challenge the proposed new sites within the Plan and their capacities. They also challenge the programming within 2017 Housing Land Audit (CD 23) for the new sites added in Schedule 2. As indicated below, in the section on programming, the Council does not agree with Taylor Wimpey and considers that the sites in the Plan are capable of being built within the plan period.

The Council also does not agree with Taylor Wimpey with regard to the assertion they make in paragraph 3.46 of their representation, where they state that they:

"understand that their recent discussions with the Council [and Homes for Scotland] over the post 2024 housing land supply in Schedules 2 and 3 have indicated that these could be amended. More specifically we understand that discussions between HfS and the Council have identified a nominal all tenure shortfall of 205 units in the post 2024 period rather than the surplus of 436 units identified in Table 2 to Proposed LDP2."

This statement is completely inaccurate and the Council has never stated to Homes for Scotland that Schedules 2 and 3 'could be amended'. Schedules 2 and 3, in the Council's view, detail the housing sites which are capable of being effective and delivered throughout the Plan Period.

The Council would also contend, as previously stated, that the information used by Taylor Wimpey to challenge the housing sites in the Plan is basic and without substantiation.

Strategic Housing Investment Plan Sites

Homes for Scotland (PLDP/669/15) also seek clarity on why the SHIP (CD 31) sites referred to as priority in the 2017/18 SHIP have been programmed beyond 2024. The Council would accept that the programming for several sites does not match exactly with the SHIP programming; however, it is based on a pragmatic and conservative expectation of delivery on these sites over the Plan period. The delivery and timing of housing sites within the SHIP is dependent on the continued levels of funding from the Scottish Government to meet its ambitious targets. However it is considered that all affordable housing sites included in the Local Development Plan can be delivered within the Plan period and are fully capable of being delivered before 2024, if the necessary funding is

available.

Programming

Homes for Scotland (PLDP/669/15) dispute the programming of several specific sites in Local Development Plan 2, together with those sites expected to deliver post-2024, and more generally all brownfield sites in the housing land supply. Taken together, they use this to suggest there is a shortfall in the housing land supply for the plan period.

Specifically, they state that they had disputed the inclusion of the sites at Dalquhurn (H2(35) and H2(61)) and Littlemill Distillery (H2(62)) in the 2017 Housing Land Audit (CD 23). However, the Council would strongly disagree that this was the case, and would refer to the agreed and published version of the 2017 Housing Land Audit which clearly records that no sites had been disputed by Homes for Scotland. Notwithstanding this point, the Council considers that both sites are effective due to clear evidence of developer interest: at Dalquhurn a planning application for residential development is currently being considered (application ref: DC18/233) and at Littlemill Distillery there is active interest from a named housing association, as reflected in the 2018/19 SHIP (CD 31), which programmes completion on the site within 2020/21.

In response to Homes for Scotland's contention that the programming for Queens Quay post 2024 is *"over-inflated and inconsistent with the figures in the agreed 2017 HLA"*, the Council would acknowledge that post 2024 programming was not part of the 2017 Housing Land Audit, but considers that the programming for 2024 - 29, made for the purposes of the Local Development Plan 2, is entirely appropriate and robust.

The 'extrapolated programming' provided by Homes for Scotland, in Appendices 1 and 2 to their representation, bases post-2024 programming on the same annual completions as for the 2018 - 2024 period in the HLA. This produces slightly lower figures than the Council's calculation, which included a modest increase in expected annual completions for site WD0463C: Queens Quay-Plots 8-12 from 2027, from 32 units p.a. to 52 units, based on the expected completion of other parts of the wider Queens Quay site; the likelihood of two or more housebuilders operating at the site simultaneously; and an anticipated pick-up in the national housing market in the longer term. This is considered to be a reasonable assumption for this major regeneration site in the longer term, which makes only a small difference to the overall output from Queens Quay in this period, and to the housing land supply position.

The Council further considers that the respondent's claim that all sites programmed to commence post 2024 are challenging to deliver and therefore likely to slip to post 2030 delivery, is made with no evidence to support it and is without any basis. The post 2024 sites are free from significant constraints, and the programming for them is considered to be appropriate, conservative, and achievable. Similarly, as detailed within the sections on the 'Range and Choice of Housing Land', the Council would strongly disagree that the inclusion of, and programming for, brownfield sites is unrealistic or unachievable.

Prioritising brownfield sites is entirely consistent with the aims of SPP (CD 03), and the delivery of brownfield sites in West Dunbartonshire has remained strong in recent years, with many key regeneration sites now underway or about to commence, and individual completion rates on brownfield sites usually matching or exceeding those of greenfield sites. The Council therefore does not agree that there is a shortfall in the housing land supply, or that there will be further slippage of many sites in Local Development Plan 2.

Taylor Wimpey West Scotland (PLDP/664/15) call into question the effectiveness and deliverability of Sites H2 (35 – 42) as well as the programming and deliverability of other sites within the Housing Land Audit (2017) (CD 23). The representations to Sites H2 (36; 37; 38; and 40 are addressed within Issues 24, 25 and 26. The responses to the representations on the effectiveness of Strauss Avenue, Clydebank; Mains Street, Jamestown; the Glebe, Old Kilpatrick are detailed within Issues 27 - 29 respectively. In summary, the Council's responses within these Issues disputed the representations from Taylor Wimpey and considered the sites to be effective and deliverable within the Plan period.

In addition, they query the programming of the former Thor Ceramics site (H2 (14)) on the basis that a 2017 planning application remains currently undetermined. In response, the Council would point out that the 2017 Housing Land Audit (CD 23) was agreed by Homes for Scotland, and considers that the programming is entirely reasonable based on the sustained interest in the site and recent planning application. No modification is therefore required.

In response to the representation by Taylor Wimpey (PLDP/664/15) specifically in relation to the WD0482 Shed 7, Castle Road, Dumbarton site, the Council notes that this is included as an effective site in the agreed 2017 Housing Land Audit (CD 23), and contributes to meeting the Housing Supply Target. It is not identified as a Housing Opportunity Site in Local Development Plan 2 because development of the site had already commenced at the point of preparing the Plan. The 2017 Housing Land Audit (CD 23) programmes the site for 175 completions by 2024, and given the observed progress on the site as of April 2019, the Council considers this appears to be realistic.

Conclusion on Housing Land

In conclusion to this Issue overall, the Council has demonstrated that there is not a shortfall of housing land within the plan period, as advocated by Persimmon Homes West Scotland (PLDP/173/15), Taylor Wimpey West Scotland (PLDP/664/15) and Homes for Scotland (PLDP/669/15). The Council has also demonstrated that that the methodology and figures that the representations have used are inaccurate and methodologically questionable and not in conformity with SPP (CD 03).

Policy H1 - Housing Land Supply

With regard to the representation from Homes for Scotland (PLDP/669/15), the Council is of the view that the Policy as it currently stands will ensure that if a shortfall in the five year effective land supply were to occur that further housing sites could be brought forward to meet the shortfall in a sustainable manner. The suggested modifications by Homes for Scotland would substantially weaken the Policy and would not be in conformity with SPP's requirement of directing the right development to the right place.

It should be noted that the Policy has been updated and that its currently wording reflects the majority of the Reporter's recommended changes to the similar policy within the Local Development Plan: Proposed Plan (2016) (CD 13) as set out on Page 145 of the Examination Report (CD 15) for that Plan.

No modifications to the Policy are therefore required in this regard.

Reporter's conclusions:

General

1. Regarding the representation from Silverton and Overtoun Council, the housing provision made in the proposed plan is required to meet identified levels of housing need and demand, and to ensure consistency with the strategic development plan. At the same time, many of the allocated sites are on brownfield land and will serve to remediate land that might otherwise remain vacant.

2. That said, I agree that communities require more than only new housing development, and that a vibrant mix of uses can often contribute best to successful communities. The policies in the Creating Places chapter of the proposed plan go some way to addressing the concerns of the community council, particularly as regards green space, but are more focussed on the design quality of development rather than the mix of uses. However, many of the regeneration areas, such as Queens Quay, include provision for such a mix. Policy SC3 is supportive of a wider range of uses within town centres, and Policy SC4 protects uses like pubs and shops in local centres. The concept of Locality Place Planning, as advocated in the Communities and Place chapter of the proposed plan, may also offer an opportunity for the community council to progress its thinking on the range of uses required to support communities. Given these existing provisions, I do not consider any modification is required to address this representation.

3. The principle of the allocation of land at Carless (Site H2(33)) for housing is addressed at Issue 5 of this report. Given the conclusion reached there that the housing designation should remain on this land, I consider it necessary for the site to continue to be listed in schedule 2 of the proposed plan as a private housing opportunity. The council's support for housing development here is clear, subject to the provisos mentioned in Carless Policy 3. However the uncertainty regarding the site's delivery is reflected in its being identified in Schedule 2 as a long term release, and its non-contribution to the housing supply figures quoted in tables 1 and 2 of the plan. No modification is required.

4. The comments of Scottish Natural Heritage in relation to specific housing sites are addressed within Issues 24 to 34 of this report.

5. Regarding the representation from the Vale of Leven Trust, I agree that the quality of new development is important. The proposed plan contains a mixture of town centre, suburban and some rural sites that should allow for a variety of house types to be provided. More generally, Policy CP1 of the plan encourages a design-led approach to creating sustainable places and includes references to the distinctive identity of West Dunbartonshire and to the layout and form of the development. Policy CP3 requires masterplans or development briefs to be prepared for many sites, which can apply these considerations to particular locations. I therefore consider that these matters are already adequately covered in the plan.

Housing Land Supply

Identifying the Housing Supply Target and Housing Land Requirement

6. According to paragraph 119 of Scottish Planning Policy, local development plans in city regions should allocate a range of sites which are effective or expected to become

effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. The all-tenure housing land requirement for West Dunbartonshire is set out at Schedule 8 of the Glasgow and the Clyde Valley Strategic Development Plan (Clydeplan), and is for 4,490 homes between 2012 and 2029. This is split into figures of 3,170 for the 2012 to 2024 period, and 1,320 for the 2024 to 2029 period.

7. The housing land requirement derives from an all-tenure housing supply target which is set at 3,910 for the 2012 to 2029 period by Schedule 7 of Clydeplan (2,760 for 2012 to 2024, and 1,150 for 2024 to 2029). The housing land requirements equate to an approximately 15% uplift over the housing supply target, a figure within the 10 to 20% range sought in paragraph 116 of Scottish Planning Policy.

8. The law requires the West Dunbartonshire Local Development Plan to be consistent with the strategic development plan. Policy 8 of Clydeplan requires local development plans to meet the housing land requirements set out at schedules 8, 9 and 10 of the plan. Schedule 8 sets out the all tenure housing land requirement by local authority referred to above; schedule 9 sets out private housing land requirements by housing market/ sub-market area; and schedule 10 sets out private housing land requirements by local authority. In all cases these schedules set out requirements for the 2012 to 2024 and 2024 to 2029 periods. I bring together the relevant Clydeplan targets and requirements applying to West Dunbartonshire as a whole in the following table.

Clydeplan's Housing Supply Targets and Land Requirements for West Dunbartonshire						
	Housing Supply Targets			Housing Land Requirements		
	Social	Private	Total	Social	Private	Total
2012-24	960	1,800	2,760	1,100	2,070	3,170
2024-29	400	750	1,150	460	860	1,320
2012-29	1,360	2,550	3,910	1,560	2,930	4,490

Housing Market Areas

9. In Tables 1 and 2, the proposed plan sets out to demonstrate that the private and all-tenure housing land requirements are exceeded across the plan area. However there are no separate analyses of the private housing land requirements for the Dumbarton and Vale of Leven housing market area and the Greater Glasgow North and West sub-market area, as would appear to be required by Policy 8 and Schedule 9 of Clydeplan.

10. I do not consider that the plan itself need necessarily include tables demonstrating how the private housing land requirements of Schedule 9 of the strategic development plan have been met, though it would have aided my analysis if this had been done. However I do need to satisfy myself that these strategic requirements have in fact been satisfied. To this end I issued a further information request asking for evidenced figures to be supplied to demonstrate that the requirements set out in Schedule 9 of Clydeplan would be achieved. I discuss this matter of whether the requirements have been met at paragraphs 33 to 55 below, but first I need to establish what the housing land requirements for the two housing market/sub-market areas should be.

11. The private housing land requirements for the discrete Dumbarton and Vale of Leven market area are set out in Schedule 9. Requirements are also set out for the Greater Glasgow North and West sub-market area. This latter area extends across parts of Glasgow City and East Dunbartonshire Council areas, as well as the Clydebank area of

West Dunbartonshire. The council argues that the requirement for the Clydebank portion of this sub-market area should be derived by subtracting the Dumbarton/ Vale of Leven totals from the West Dunbartonshire-wide totals given in schedule 10. This approach would produce private housing land requirements for Clydebank of 1,030 for 2012-24, and 430 for 2024-29. Assuming the 15% 'generosity' allowance is applied evenly, housing supply targets may be derived of 896 for 2012-24 and 374 for 2024-29. The equivalent housing supply target figures for Dumbarton/ Vale of Leven would be 904 for 2012-24 and 374 for 2024-29. These figures are set out in tabular form below.

Clydeplan's Private Housing Supply Targets and Land Requirements for the discrete housing market areas/ sub areas				
	Housing Supply Targets (derived)		Housing Land Requirements	
	Dumbarton/ Vale of Leven	Clydebank (residual WDC figure)	Dumbarton/ Vale of Leven	Clydebank (residual WDC figure)
2012-24	904	896	1,040	1,030
2024-29	374	374	430	430
2012-29	1,278	1,270	1,470	1,460

12. Alternative approaches to deriving a Clydebank-specific figure could have been to either (a) deduct Glasgow's and East Dunbartonshire's contribution from the Greater Glasgow North and West figure to produce a residue to be met in Clydebank (while ensuring the West Dunbartonshire-wide requirement was also met), or (b) reach some formal agreement with the other two councils as to how to 'share out' the requirement for the sub-market area. In the case of approach (a), I have not been supplied with figures to enable me to carry out this exercise, and the council and Homes for Scotland differ over whether a shortfall or a surplus exists in other parts of the sub-market area. It would also seem unreasonable to penalise one authority for potential shortfalls in another. As regards approach (b), no such agreed position appears to have been reached between the parties involved. I therefore consider that the approach suggested by the council (of deriving Clydebank requirements by subtracting the Dumbarton/ Vale of Leven figures from the council-wide figures) is the only practicable one. I note this general approach was also followed by Homes for Scotland in its response to further information request 8.

The plan period

13. The proposed plan will be adopted in 2020. The ten year time horizon envisaged in Scottish Planning Policy would therefore run to 2030. However, the requirements in Clydeplan run to 2029. I note that the legal requirement is to be consistent with the strategic development plan and not with Scottish Planning Policy. I am also conscious that the proposed plan is likely to be adopted around mid-2020 and so the 'overspill' at the end of the period into 2030 would only amount to a few months.

14. It would however be possible to extrapolate the 2024 to 2029 figures for an additional year, as the council has illustrated in its response to the representations above. This approach would bring the plan into line with the expectations of national policy, but would extend the calculation beyond the period apparently considered by the Housing Need and Demand Assessment. Forecasting this far ahead would inevitably be an approximate exercise. The extrapolation may not therefore equate to real evidenced need and demand. That said, a single year's extrapolation would be unlikely to cause any

serious difficulty.

15. On balance, and given the apparent support from both the council and the housebuilding sector for extending the period to 2030, I have decided to recommend that this be done. My analysis below, and recommendations, therefore extend the planning period to 2030, and are based on extrapolating the 2024-29 figures for one additional year, as set out in the following table.

Extrapolating Housing Supply Targets to 2030					
	District-wide			Dumbarton/Vale of Leven Private	Clydebank Private
	Social	Private	Total		
2024-29	400	750	1,150	374	374
2012-29	1,360	2,550	3,910	1,278	1,270
2024-30	**480**	**900**	**1,380**	**449**	**449**
2012-30	**1,440**	**2,700**	**4,140**	**1353**	**1,345**

Extrapolating Housing Land Requirements to 2030					
	District-wide			Dumbarton/Vale of Leven Private	Clydebank Private
	Social	Private	Total		
2024-29	460	860	1,320	430	430
2012-29	1,560	2,930	4,490	1,470	1,460
2024-30	**552**	**1,032**	**1,584**	**516**	**516**
2012-30	**1,652**	**3,102**	**4,754**	**1,556**	**1,546**

Accounting for past completions

16. Tables 1 and 2 of the proposed plan aim to demonstrate how the housing land requirements have been met and indeed exceeded by the provisions of the plan. The method used is to identify the annual average requirement for the 2012 to 2024 period, and then to apply this to the 2017 to 2029 period to arrive at the relevant requirement to be applied to the proposed plan. No account is therefore taken of the actual number of completions between 2012 and 2017.

17. The housing land requirements in Clydeplan set total figures for the various time periods, and there is no suggestion that these should be annualised. Rather, these figures represent actual housing need and demand identified through a rigorous housing need and demand assessment and subsequent work. That need and demand remains to be met even if housing completions are slow in the early years of a period. I therefore conclude that, in terms of planning for the overall housing land supply, the proposed plan should take account of any undersupply or oversupply in the early years of the relevant period.

18. Above, the council suggests how the housing land requirement could be recast to take account of past completions. Alternative approaches are advocated by Homes for Scotland and Persimmon Homes, and each approach suggests a different figure for the surplus in the land supply in the 2012 to 2024 period. These differences appear to be largely based on a variance of opinion as to whether completions should be deducted from the housing supply target or the housing land requirement, and on the source chosen for data on completions.

19. Looking first at past completions, the council bases its figure of 1,060 for the 2012 to 2017 period on the 2017 housing land audit, whereas Persimmon Homes suggests

Scottish Government completion data should be used. Homes for Scotland also refer to this Scottish Government data. Above, the council questions the reliability of the Scottish Government datasets, and its comparability with housing land audit outputs, on various grounds. I agree that there may be rational explanations for the difference between the two sets of figures, including the fact that the housing land audit does not account for completions on sites with fewer than four units. However, be that as it may, it is clear from paragraph 123 of Scottish Planning Policy and from Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits that the national expectation is for housing land audits to be used as the main tool for monitoring the housing land supply.

20. In the course of the examination I was made aware that the 2019 housing land audit had been agreed between the council and Homes for Scotland (with the programming of two sites disputed). Based on the figures supplied to me, this shows there have been 1,433 completions (all tenure) in the 2012-19 period, of which 885 were private completions (123 in Clydebank and 762 in Dumbarton/Vale of Leven). Given that the council and Homes for Scotland are both content for me to base my consideration on this updated position, and given the limited level of disagreement that remains over the new Audit, I consider that the plan will be more robust if based on the most up-to-date figures. These may also be expected to be more accurate and less subject to slippage than the 2017 information. I therefore conclude that, in the particular circumstances pertaining to this examination, the 2019 data should be used for the housing land calculations of the plan.

21. The housing supply target represents the number of houses that are to be delivered in the relevant period. The housing land requirement is a larger figure designed to ensure that a generous supply of land is available to meet the target and to allow for an element of slippage given inevitable uncertainties in future programming. On the basis that 1,433 houses were built between 2012 and 2019, the residual Clydeplan housing supply target for West Dunbartonshire for the 2019 to 2024 period would be 1,327 (2,760 minus 1,433).

22. Paragraph 119 of Scottish Planning Policy states that local development plans should meet the housing land requirement of the strategic development plan. However, in this case, the strategic requirement for the first period of the plan is set for 2012-24, a period which will be two-thirds elapsed by the time the local development plan is adopted. Towards the end of such periods, an approach of deducting completions from the ‘generous’ housing land requirement figure may produce increasingly misleading outputs, because these will be being increasingly composed of the ‘generosity’ element, rather than actual housing demand figure.

23. The final sentence of paragraph 119 of Scottish Planning Policy makes it clear that the objective of the housing land allocation of the plan is to enable the housing supply target to be met. This interpretation is supported in paragraph 115 of Scottish Planning Policy where the housing supply target is defined as the number of homes the authority has agreed will be delivered. In this case that target for 2012-2024 is 2,760. However that period is now two thirds elapsed. The up to date housing land audit records that 1,433 houses have already been built from 2012 and 2019.

24. Applying that logic, considerable progress has been made in meeting that target and meeting the identified housing need. Given that local development plans are tasked with being up to date and relevant it follows that the focus of this local development plan should be on enabling delivery of the remaining supply target of 1,327 up to 2024. This is the number of homes to be delivered in order to achieve the target to 2024 as established

through Clydeplan. Beyond that, the housing supply target of 1,150 from 2024-2029 would continue to apply.

25. It follows that to enable delivery of the remaining target and achieve consistency with the strategic plan a generous housing land supply (established through Clydeplan to require an additional 15% land capacity) is required. Policy 8 of Clydeplan is clear that this housing land requirement should be met by this local development plan.

26. That reasoning leads to the conclusion that the all tenure housing land requirement for 2019 to 2024 is 1,526 (that being capacity of the land to accommodate the remaining housing target plus a margin of 15%). Following the same methodology, the private housing land requirement for this period would be 1,052, and the social rented requirement would be 474. (I discuss possible adjustments to these figures to account for demolitions below.)

27. I appreciate that other interpretations have been advanced, and that there is no defined methodology or established approach for these particular circumstances. However my focus, based on the evidence presented to this examination and on Scottish Planning Policy, is on the planning objective of securing a generous land supply to enable the remaining Clydeplan delivery target to be met. Based on that reasoning, the application of generosity to a proportion of housing that had already been built would run contrary to that approach.

Demolitions

28. Homes for Scotland suggests that up to 270 dwellings are in the process of being demolished at Clydebank East, and queries whether these have been properly accounted for. The council does not dispute this number, but argues that this is a normal part of the council managing its own stock, and that because the properties concerned are vacant their demolition does not generate any need for replacement stock.

29. There is little guidance available to me in national policy or the strategic development plan regarding how to treat demolitions. However paragraph 53 of Planning Advice Note 2/2010 does state that ‘completions on regeneration sites should be shown net of any demolitions’. In the case of the Clydebank demolitions it may be that the previous tenants have been rehoused on other sites, but it would seem logical to apply the same principle that new social housing provision should be calculated net of any demolitions. It is my experience that demolitions have, at least sometimes, been included in housing land calculations elsewhere. I therefore conclude that the loss of these 270 units (plus a 15% generosity allowance) should be accounted for in the area-wide all tenure figure.

30. This approach produces an all-tenure housing land requirement for 2019 to 2024 of 1837 (1597 + 15%). Because these are apparently social rented homes, there is no effect on the private housing land requirements, and no consequent impact on my conclusions on the adequacy of the private sector land supply, which is the main issue in dispute.

31. Bringing all the above considerations together in tabular form, taking account of demolitions and past completions, and looking ahead an extra year to 2030, the housing land requirements that I consider to be currently applicable to the plan are as follows (some totals may not exactly sum due to rounding).

West Dunbartonshire-wide Requirements

	Private				All-tenure			
	2012-24	2019-24	2024-30	2019-30	2012-24	2019-24	2024-30	2019-30
Housing supply target	1,800		900	2,700	2,760		1,380	4,140
Completions 2012 -19 (net of 270 demolitions)	885				1,163			
Residual supply target		915	900	1,815		1,597	1,380	2,977
Housing land requirement taking account of completions to date (+15%)		**1,052**	**1,035**	**2,087**		**1,837**	**1,587**	**3,424**

Clydebank Portion of Greater Glasgow North and West Housing Sub-Market Area

	2012-24	2019-24	2024-30	2012-30	2019-30
Private housing supply target	896		449	1,345	
Less completions 2012 -19 of 123		773	449		1222
Private Housing land requirement taking account of completions to date (+15%)		**889**	**516**		**1,405**

Dumbarton/Vale of Leven Housing Market Area

	2012-24	2019-24	2024-30	2012-30	2019-30
Private housing supply target	904		449	1,353	
Less completions 2012 -19 of 762		142	449		591
Private Housing land requirement taking account of completions to date (+15%)		**163**	**516**		**679**

32. These approaches will require amendments to be made to Tables 1 and 2 of the proposed plan, and some consequential modifications to the text of the plan, all as set out in the recommendations below. This will serve to clarify the correct housing supply target, housing land requirement and current supply positions across West Dunbartonshire, and so establish a proper basis for the future monitoring of the land supply.

Meeting the Housing Land Requirements

33. Representations question the extent to which the sites identified in the housing land audit, including the housing allocations in the proposed plan, are capable on their own of delivering sufficient homes to meet the housing supply target. Firstly I would note that the requirement in Scottish Planning Policy is for local development plans to allocate sites that are effective or are expected to become effective in the plan period to meet the housing land requirement. It is not therefore necessary for all the identified sites to be effective immediately, or to be programmed for completion in a defined period, in order for them to legitimately contribute towards meeting the housing land requirement. There is a separate requirement for a five year effective housing land supply to be maintained at all times.

34. Another point to note is that Scottish Planning Policy and Planning Advice Note 2/2010 both point to the housing land audit as the tool for monitoring the availability of effective housing land. In West Dunbartonshire, the most up-to-date position is now the 2019 Audit that has apparently been agreed with Homes for Scotland (with the exception of a dispute over the programming of two sites at Queens Quay, Clydebank).

35. In its original representation, Homes for Scotland characterises the Audit as a 'best case scenario' which will inevitably be subject to slippage on the brownfield sites. However, with the agreement (in the main) of the 2019 Audit, there would seem to be now a much more up-to-date baseline that should consequently be more accurate and less subject to slippage.

36. The council, most recently in its response to further information request 11, points to six potential sources of supply that will contribute towards meeting the housing land requirements, which I will consider in turn. Homes for Scotland has accounted for the first three of these sources in its calculations.

37. The 2019 housing land audit identifies the sites that are expected to deliver homes in the 2019-24 period. The audit has been largely agreed between the council and Homes for Scotland with the exception of two sites at Queens Quay. Here, Homes for Scotland suggest later start dates, but in my view it does seem unduly pessimistic to assume that the East Yard site will not commence until 2024 given that roads and servicing are already in place and other components of the Queen's Quay mixed use development are now progressing well. Similarly at Plots 8-12, it does not seem unreasonable to assume that this will be able to deliver 30 homes in 2022. I therefore accept the council's suggestion of 957 private completions from housing land audit sites in the 2019-24 period (358 in Clydebank; 599 in Dumbarton/Vale of Leven).

38. In terms of some of the specific sites whose programming was questioned by Homes for Scotland in its original representation, these no longer appear to be in dispute in the context of the 2019 Audit. However, for completeness I will address these sites here. There appears to be real progress in taking development forward at Dalquhurn (where a current planning application is under consideration) and at Little Mill (which is programmed in the Strategic Housing Investment Plan for completion in 2020/21, and where I observed signs that construction work had started at my site inspection).

39. The second and third supply sources referenced by the council are additions from the established supply (2024-29), bolstered by a further addition for 2029-30. Homes for Scotland questions the contribution from the long term release sites listed in Schedule 2 of the plan on the basis that these are challenging sites to deliver, although it accepts that the proposed plan's assumed programming of these sites is relatively modest. I note that the figures in the proposed plan are based on an assumption that less than a third of the land in the post 2024 supply will deliver completions in the 2024 to 2029 period. In the absence of any firm evidence to the contrary I am prepared to largely accept this as a suitably conservative assumption.

40. I also note that Homes for Scotland's alternative analysis, as set out in its letter of 5 March 2020, appears to take no account of any contribution from sites not programmed to commence within the 7-year time horizon of the latest audit, So, for instance, no allowance is made for sites that might start producing units in 2027. For this reason I expect the Homes for Scotland figures underplay 2024-30 completions. I therefore find no good reason not to accept most of the council's estimates for contributions from the

established supply post 2024.

41. The one exception to these findings relates again to Queens Quay, where the council expects up to 80 homes to be delivered across the two sites each year after 2024, whereas Homes for Scotland predict 70 completions per year. Given that 72 units per year was the figure accepted by both parties at the time of the 2017 audit, I consider that 75 units per year across both sites to be a reasonable compromise between the council's and Homes for Scotland's positions. The effect of this would be to reduce likely private completions in Clydebank by about 30 units from the council's estimates in the 2024-30 period.

42. These considerations produce a base 2024-30 contribution of 1,440 (827 in Clydebank; 613 in Dumbarton/Vale of Leven) towards the private housing land requirements.

43. The fourth supply source suggested by the council is for additional new sites not included in the 2019 audit. Four sites in Clydebank are referred to amounting 87 units, which the council states will be included in the 2020 audit in due course. These sites do not appear to yet benefit from planning permission, and they are not identified as housing sites in the proposed plan. I therefore consider that they cannot be said to currently make any contribution to the housing land supply. However, I do accept that the identification of these sites provides good evidence that an ongoing supply of windfall sites may be expected, as discussed further at paragraph 46 below.

44. The council and Homes for Scotland do however agree that the audit figures may be updated to take account of the increased capacity of the RHI site, Clydebank (up from 120 to 135) as established by a recent planning permission.

45. The fifth supply source suggested by the council is 100 homes in the post 2024 period from the long term release site at Cable Depot Road, which is identified as site H2(9) in the proposed plan. Given that the 2019 housing land audit only looks seven years ahead, it does appear reasonable to assume that some pre-identified land such as this will come forward for development in the subsequent years of the plan period. That said, I am not wholly clear whether an element of such a potential contribution from Cable Depot Road has not already been accounted for as part of the long term additions from the established supply discussed at paragraph 39 above. However, given that conservative assumptions have been used for those long-term additions, and the particular confidence the council has that this site will come forward in the plan period, I am prepared to accept the 100 units at Cable Depot Road as an additional contribution.

46. The final supply source suggested by the council is windfall development. Paragraph 117 of Scottish Planning Policy allows for a proportion of windfall development to be taken account of in some cases, so long as this is realistic and based on clear evidence of past completions and likely future trends. The council's suggested assumption of 36 windfall homes per year represents 50% of the average figure for the last five years, and so appears suitably conservative. At paragraph 43, above, I noted that the council has already identified a number of potential windfall opportunities. In reality, it is likely that windfall completions will be relatively lower in the early years of the plan period and higher in later years as unexpected opportunities arise. However, I am prepared to accept 36 (12 per year in Clydebank; 24 per year in Dumbarton/Vale of Leven) as a reasonable average assumption for plan-making purposes.

47. Taylor Wimpey West Scotland also question the effectiveness of many of the new housing allocations listed in Schedule 2 of the proposed plan.

- I discuss Site H2(39) Strauss Avenue at Issue 27, where I conclude that this site should be removed from the plan. However it appears that no contribution from this site was in any event factored into the figures given in Tables 1 or 2 of the Proposed Plan.
- The release of the health centre sites at H2(36) and H2(37) is seemingly dependent on the completion of the new Clydebank Health Centre at Queens Quay, which has planning permission. According to the council, the NHS has advised that the existing health centres will be disposed of before 2024, and on this basis I agree that the sites will become effective in the plan period as required by Scottish Planning Policy. It is also possible that these sites could be developed before 2024 and thereby contribute to the immediate five-year supply, although it also seems very possible that development could slip until after this date.
- The former RHI Factory site at H2(38) currently constitutes vacant land with a potentially marketable canalside location. In the course of the examination, the council submitted evidence that planning permission had been granted for 135 units on this site. On this basis I am prepared to accept the effectiveness of this site.
- The Carman Waterworks site at H2(42) has a small capacity that one would not necessarily have expected to have seen listed individually in Schedule 2 of the proposed plan. However its potential contribution to the land supply is real, and I therefore see no reason to omit it from the plan. At Issue 26 the council states that, as a small site of less than 4 units, the contribution from this site has not in any event been included in the figures shown in Tables 1 and 2. It does not appear in the 2019 housing land audit.
- The programming of other sites that were included in the 2017 Housing Land Audit were agreed with Homes for Scotland. Given that the national expectation is for housing land audits to be used as the main tool for monitoring the housing land supply, I prefer to adopt the programming assumptions set out in the audit (noting that the 2017 audit has now been superseded by the 2019 version).
- At Issue 29, I do however express some doubts over the effectiveness of 15 units at The Glebe (H2(41)) due to a potential flooding constraint. I do not consider this site can be relied upon to produce homes in the plan period, and I have consequently deducted its contribution from my calculation of the effective housing supply.

48. As regards the apparent disparity between the housing land audit (supply) figures set out in Table 1 of the proposed plan, and in Schedule 2, I am satisfied that the reason for this, as explained in the notes to Schedule 2, is that sites currently under construction are not included in Schedule 2. I am also satisfied that the conservative programming of the sites identified in the Strategic Housing Investment Plan is appropriate given that the development of these sites is, to some extent, dependent on continued levels of Scottish Government funding.

49. Bringing all the above considerations together in tabular form, taking account of the adjustments discussed, the housing land requirements are addressed as follows.

Meeting the All-tenure Housing Land Requirements

	District-wide All-tenure		
	2019-24	2024-30	2019-30
Housing land	1,837	1,587	3,424

requirements			
Housing land supply*	1,891	1,675	3,566
Adjustments for RHI consent, The Glebe and Cable Depot Road	0	100	100
Windfall**	180	216	396
Total Supply	2,071	1,991	4,062
Surplus	234	404	638

Meeting the District-wide Private Housing Land Requirements

	2019-24	2024-30	2019-30
Housing land requirements	1,052	1,035	2,087
Housing land supply*	957	1,440	2,397
Adjustments for RHI consent, The Glebe and Cable Depot Road	0	100	100
Windfall**	180	216	396
Total Supply	1,137	1,756	2,893
Surplus	85	721	806

Meeting the Clydebank Private Housing Land Requirements

	2019-24	2024-30	2019-30
Housing land requirements	889	516	1,405
Housing land supply*	358	827	1,185
Adjustments for RHI consent, The Glebe and Cable Depot Road	0	100	100
Windfall**	60	72	132
Total Supply	418	999	1,417
Surplus	-471	483	12

Meeting the Dumbarton/ Vale of Leven Private Housing Land Requirements

	2019-24	2024-30	2019-30
Housing land requirements	163	516	679
Housing land supply*	599	613	1,212
Windfall**	120	144	264
Total Supply	719	757	1,476
Surplus	556	241	797

* From 2019 Housing Land Audit and a further contribution from the established supply. Includes all Proposed LDP allocations except Strauss Avenue; 30 reduction for Queens Quay.
** Windfall assumptions: 36/ year across West Dunbartonshire (12/ year in Clydebank; 24/ year in Dumbarton/ Vale of Leven)

50. The above tables demonstrate that the all tenure housing land requirements, and the council-wide and Dumbarton/Vale of Leven private requirements have been satisfied by the provisions of the proposed plan and according to the evidence provided. However, a significant shortfall is evident in the Clydebank private housing land supply for the 2019-2024 period.

51. In its response to further information request 8, the council argues that adequate land exists in the Clydebank area, and that the 'notional' shortfall is merely a reflection of slow programming borne out of a slow recovery of confidence in the local housing market. I have some sympathy for this position, especially given the volume of brownfield land that still exists in West Dunbartonshire, at Queens Quay and elsewhere.

52. However, Policy 8 of Clydeplan requires sufficient land to be allocated that will become effective in the various plan periods (including the period to 2024) to meet the requirements. Paragraph 56 of Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits is clear that the contribution that sites can be said to make to the effective land supply is only that portion of the expected output from the site which can be completed within [a given] five-year period.

53. I also note that the short-term shortfall in the Clydebank area is particularly large, representing over half of the relevant requirement, and so cannot be dismissed as insignificant. At Issue 27, I also concluded that site H2(39) Strauss Avenue should be removed from the plan, so that site will not serve to alleviate the shortfall. (My view is that the Strauss Avenue land is unsuitable for development of the scale envisaged in the proposed plan regardless of the housing land supply situation.)

54. I therefore consider that the Proposed Plan is somewhat deficient as regards this matter of the significant short-term shortfall in the private housing land supply in the Clydebank area. In considering the proposed and alternative housing sites, I paid particular attention to the desirability of addressing this shortfall. However, I have not found myself able to recommend the inclusion of any additional sites. I do recognise that the plan makes adequate all-tenure and private housing land provision across the plan area as a whole, and indeed adequate private provision in Clydebank over the longer term. The council should therefore take what action it can to resolve the programming difficulties that have produced the short-term shortfall in Clydebank, and to encourage sites in the longer term supply to come forward earlier. Ongoing monitoring will be required, and this will inform the interpretation of Policy H1 of the plan, and the potential use of the mechanism described in that policy to release additional land.

55. I have used the tables above to demonstrate how the housing land requirements have been arrived at and met. However, I have not found it necessary to include these in the plan itself or to recommend a wholesale reformatting of Tables 1 and 2. Rather I have sought to minimise my recommended amendments to Tables 1 and 2 to those necessary to reflect the reformatting proposed by the council above and the conclusions of this report. I have therefore retained the approach used in the proposed plan of carrying forward any notional surpluses from the first part of the plan period into the second part of the period. Though I have not set out this approach above, it would appear reasonable to assume that effective land not taken up before 2024 would be available after 2024. Some consequential modifications to the text of the plan are also required, all as set out in the recommendations below. I have also found it necessary to include references to the separate requirements for the two housing market areas in the plan area, and to there currently being a short term shortfall in the private housing land supply in the Clydebank

area.

Range and Choice

56. Paragraph 119 of Scottish Planning Policy states that local development plans should allocate a range of sites. Relevant considerations here could include the distribution of sites around the plan area, and the availability of sites suitable for different house and household types, for different income levels, and for different housebuilding entrepreneurial models. Such an approach should serve to maximise the numbers of homes built and the choice available to potential buyers and renters. However, so long as the sites chosen are effective (or capable of becoming effective in the plan period) I see no necessity for the range of sites to include any particular proportion of greenfield land.

57. In terms of the proposed plan, I note that the identified sites include substantial allocations in all the main settlements of the plan area. Of the sites listed in Schedule 2, alongside the large 856 home site at Queen's Quay are eight other sites of over 100 units and 33 sites of fewer than 100 units. The suite of sites includes town centre locations, suburban locations (such as a number of former school and health centre sites) and some rural locations.

58. Paragraph 40 of Scottish Planning Policy identifies as a policy principle that the planning system should direct the right development to the right place, and within this consider the re-use or re-development of brownfield land before new development takes place on greenfield sites. Given the large volumes of brownfield land available in West Dunbartonshire, the approach of prioritising the use of this land to meet housing need and demand is therefore broadly in line with national policy, provided the chosen sites are capable of becoming effective in the plan period and are suitable for a range of different house types, income groups and housebuilding models.

59. Extensive areas of vacant or brownfield land can have a potentially blighting effect on local communities, and therefore I consider the council's rationale for prioritising its re-use to be a reasonable one, so long as other national policy provisions are also met. While the development of brownfield sites can sometimes be more challenging than greenfield sites, I have confirmed above that an adequate supply of effective sites (or sites that are expected to become effective in the plan period) exists across West Dunbartonshire (although a short term shortfall is evident in the Clydebank area).

60. While the rate of brownfield completions in the past may have been disappointing, it does appear that there are good prospects for this to improve going forward. For instance, roads, servicing and complementary development is now in place at the large Queens Quay site, and planning permission has recently been granted for the RHI Clydebank site. Even if some modest slippage in anticipated completion rates should occur, it should still be possible to achieve the area-wide housing supply target. This is because the larger housing land requirement incorporates a 15% 'generosity' margin, which, in part, serves to accommodate a degree of slippage.

61. All-in-all it appears to me that the plan proposes a reasonable range and choice of housing development sites (though there is a short-term quantitative deficiency in Clydebank), and that there is no over-reliance on brownfield sites as suggested in representations.

Policy H1 – Housing Land Supply

62. Policy 8 of the strategic development plan requires local development plans to make provision for the all-tenure housing land requirement by local authority, and for the private housing land requirement by housing sub-market area and local authority. I consider it would be useful for these various requirements to be reflected in Policy H1 in order that the policy is clear as to the tenure and geography over which any shortfall in the five-year effective supply is to be calculated. I recommend a suitable adjustment to the policy below. However I believe that the reference in the policy to 'the strategic housing requirement' is otherwise sufficiently clear, and that Policy 8 of the strategic development plan does not need to be mentioned specifically.

63. Table 4 of the Housing Land Audit 2017 includes information on historic completions, as advised by paragraph 53 of Planning Advice Note 2/2010. I therefore consider that the reference in the proposed policy to monitoring the land supply through the housing land audit is sufficient because this encompasses the monitoring of completion rates.

64. I have sympathy with the suggestion that the council should take prompt action in the event of a supply shortfall, as paragraph 123 of Scottish Planning Policy is clear that planning authorities should actively manage the housing land supply. However I am not convinced that it is necessary to express this sentiment in a development plan policy, the focus of which is on how the council will respond to planning applications. Positive action by the council may be better addressed in the action programme.

65. I am not attracted to unnecessary references within development plan policies to national policy: it is preferable for policies to be fully capable of interpretation on their own terms, where possible. The criteria set out in proposed Policy H1 appear sensible and in line with Scottish Planning Policy, and I therefore consider they should remain as part of the policy.

66. The first sentence of the second paragraph of the proposed policy implies that the council will only prioritise the early delivery of sites in the established land supply when the housing land audit indicates there is a shortfall. This sentence appears to conflate two separate policy approaches. The wording of this policy as recommended in the 2015 report of the previous examination clearly separated the concepts of (a) delivering the established supply, and (b) potentially supporting additional sites in the event of a supply shortfall. While it may be that sites in the established supply do not always need to be delivered 'early', the delivery of these sites should be a constant priority of the council. I therefore recommend a suitable adjustment to the proposed policy below.

Affordable housing

67. The support expressed for the proposed plan's approach to affordable housing is noted.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Adding an additional sentence at the end of the first paragraph of the 'Meeting Housing Land Requirements' section on page 76, to read:
"For the purposes of this plan, these figures have been extrapolated to 2030."

2. Replacing Table 1 as follows:

Table 1: Housing Land Requirement 2012-2024			
	Private	Social Rented	All Tenure
A Housing Supply Target (2012-2024)	1,800	960	2,760
B Housing Land Requirement (2012-2024)	2,070	1,100	3,170
C Completions from 2012-2019	885	278	1,163
D Housing Supply Target 2019 – 2024 (A-C)	915	682	1,597
E Housing Land Requirement 2019 – 2024 (D + 15%)	1,052	785	1,837
F Supply 2019-2024	1,137	934	2,071
G SURPLUS 2017-2024 (F-E)	85	149	234

3. Deleting the final paragraph on page 76.

4. Replacing the first paragraph on page 77 with:

"Taking account of completions between 2012 and 2019, the adjusted housing land requirement for 2019 to 2024 is 1,837. Compared with the Housing Land Audit 2019, largely agreed by Homes for Scotland, and other sources of supply, there remains a surplus in the housing land supply over the housing land requirement, which equates to around 234 units to 2024."

5. Replacing table 2 as follows:

Table 2: Housing Land Requirement 2024 - 2030			
	Private	Social Rented	All Tenure
A Housing Supply Target (2024 - 2030)	900	480	1,380
B Housing Land Requirement (2024 - 2030) (A x 15%)	1,035	552	1,587
C Surplus from 2017 - 2024	+85	+149	+234
D Supply 2024 -2030	1,756	235	1,991
E Total Supply (C+D)	1,841	384	2,225
G Surplus 2024 – 2029 (E-B)	+806	-168	+638

6. Amending the second and third paragraphs on page 77 to read:

"Table 2 above sets out the land supply position over the plan period from 2024 to 2030. The Housing Land Requirement for this period will be met by carrying over the surplus from the 2019-24 period and from additional land from the established supply and windfall sites. The post-2024 land supply in the 2019 Housing Land Audit indicates a significant amount of land in the private sector. It has been assumed less than a third of this land will produce completions in the 2024-30 period. In terms of social rented sites, which tend not to be identified so far in advance as those for the private sector, the sites in the established land supply have been augmented by some longer-term proposals identified in the Strategic Housing Investment Programme.

The existing housing land supply offers a generous supply of land for housing across West Dunbartonshire when compared to both the private and the social rented housing land requirement for the first five years of the land and beyond to 2030. However,

Clydeplan also sets individual requirements for the Dumbarton/ Vale of Leven housing market area and the Greater Glasgow North and West housing sub-market area (which includes Clydebank). At the time of adoption, a significant short-term shortfall was evident in the private housing land supply in the Clydebank area."

7. Deleting the words "although not needing to identify any additional land allocations for housing" from the third sentence of the fourth paragraph on page 77.

8. Rewording Policy H1 to read:

"A five year effective supply of housing land will be maintained at all times across the local authority area (all-tenure and private housing) and each housing market/ sub-market area (private housing) throughout the lifetime of the plan to enable delivery of the strategic housing requirement. This will be monitored and updated annually through the housing land audit.

The council will prioritise the timely delivery of sites within the established land supply. If the audit identifies a shortfall in the five year effective housing land supply, the council will support housing proposals which:" [continue as in Proposed Plan]

Issue 16	**Revitalising our Economy and Achieving Zero Waste**	
Development plan reference:	Revitalising our Economy (Pages 80 – 83) and Achieving Zero Waste (Page 117)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Persimmon Homes West Scotland (PLDP/173/16)
Silverton and Overtoun Community Council (PLDP/182/16)
SNH (PLDP/640/16)
Clydeport Operations Ltd (PLDP/645) (Support)
Peel Environmental Ltd (PLDP/647) (Support)
Hugh Kinlock (PLDP/671)
SEPA (PLDP/676/16) (Support)
Vale of Leven Trust (PLDP/677/16)
Glasgow Airport (PLDP/788)

Provision of the development plan to which the issue relates:	This issue relates to the development policies of the Plan which set out the Councils requirements for development proposals associated with Economic Growth; Business and Industrial development; Sustainable Waste Management; and the sites within the Plan that are allocated for these specific types of development.

Planning authority's summary of the representation(s):

The representations to this section of the Plan have been grouped into the following sub-headings: General; Policy E1 - Economic Growth and Business and Industrial Opportunity Sites and Table 10 - Waste Management Sites; Golden Jubilee Introductory Text; Policy E6 - Tourism Development; Policy E7 - Glasgow Airport and Aircraft Noise; and Schedule 4 - Business and Industrial Opportunities.

<u>General</u>

Persimmon Homes West Scotland (PLDP/173/16) suggest that the supply of potentially marketable and serviceable land, as set out in the Ryden Industrial and Business Land Review 2018 (CD 22), has been skewed by take up of one-off uses in 2011, 2013 and 2017. On this basis, it is suggested that further reviews of supply may mean it is appropriate to release commercial land for other uses, such as housing, within the lifetime of the plan.

Silverton and Overtoun Community Council (PLDP/182/16) see no mention of the role or contribution that the social economy or social enterprise can make. Serious consideration should be given to the potential of both of these to help achieve a sustainable local economy and inclusive economic growth.

SEPA (PLDP/676/16) are satisfied that the strategies and policies associated with the delivery of the Council's Economic Development Strategy are appropriate and where relevant include the safeguards required to protect our interests. SEPA also state that they have no additional comments to offer on the sites included within Schedule 4 as they have already commented on the environmental impacts/assessments associated with these allocations.

Silverton and Overtoun Community Council (PLDP/182/16) and SEPA (PLDP/676/16) support Policy ZW1, Sustainable Waste Management.

Policy E1 - Economic Growth and Business and Industrial Opportunity Sites and Table 10 - Waste Management Sites.

Clydeport Operations Ltd (PLDP/645) are supportive of Policy E1 and the safeguarding of Rothesay Dock, Clydebank (Site ref: E1(8)) for business and industrial opportunities.

Peel Environmental Ltd (PLDP/647) are supportive of Policy E1 and the safeguarding of Rothesay Dock, Clydebank (Site ref: E1(9)) for business and industrial opportunities and Rothesay Dock, Clydebank (Site Ref ZW1(3)) for waste management.

Hugh Kinlock (PLDP/671) indicates that there is no evidence to demonstrate that the sawmill will expand into the reserved area and the site E1(11) will create more economic value if it is developed for housing alongside H2(29) or H2(30).

The Vale of Leven Trust (PLDP/677/16) make representations to various business and industrial sites within the Vale of Leven Industrial Estate and at Lomondgate, which are considered within Issue 10 and 11. However, the representations to the various sites at Vale of Leven Estate are considered within the context of this Issue. In relation to Site E1(1), Vale of Leven Trust (PLDP/677/16) question the need to expand and provide further development land in this area when at present there are numerous vacant units and this has been a long standing problem. The Trust would support consolidating all efforts to filling the existing vacant units before providing more land for business and industrial.

Site E1(2), the Vale of Leven Trust (PLDP/677/16) strongly object to the change of use to an Industrial & Business Opportunity. This area has historically always been open green space (at least 75 years) and is an area considered to have significant biodiversity, flora & fauna. Given this area is within the HSE notification zone the Trust do not believe that any development is appropriate.

Golden Jubilee Introductory Text

SNH (PLDP/640/12) request amendments to paragraph 3 of the introductory text on Page 81 of the Plan to be consistent with text used elsewhere in the Plan and to provide clarity regarding consideration of all potential threats to the SPA.

Policy E6 - Tourism Development

SNH (PLDP/640/16) request an amendment to the policy to ensure the protection of Natura 2000 sites and to accord with the wording in paragraph 207 of SPP (CD 03).

Policy E7 - Glasgow Airport and Aircraft Noise

Glasgow Airport (PLDP/788) in relation to Government Guidance suggest the Council retain the 57 LAeq contour threshold for controlling noise sensitive developments in proximity to the airport and that any development within this contour is accompanied by an initial noise risk assessment and the preparation of an Acoustic Design Statement as recommended in the Professional Practice Guidance on Planning and Noise for New Residential Development (published by the Association of Noise Consultants, Institute of

Acoustics and Chartered Institute of Environmental Health) (CD 47). Although not explicitly mentioned in Glasgow Airports representation, they advise that aircraft noise maps on Page 83 of the Plan should be consistent with their latest LAeq Noise Contours (2017) as published in Glasgow Airport's Noise Action Plan 2018 - 2023 (CD 48).

Schedule 4 - Business and Industrial Opportunities

SNH (PLDP/640/16) state that Clydebank Industrial Estate E1(6) should be required to undertake an HRA and that the reference in the table to E1(6) should be amended.

SNH (PLDP/640/16) request amendments to the Note within Schedule 4 to be consistent with text used elsewhere in the Plan and to provide clarity regarding consideration of all potential threats to the SPA.

Vale of Leven Trust (PLDP/677/16) reiterate their comments made at Main Issues Report stage in relation to Sites E1(1), E1(2), E1(3) and E1(4) in terms of flooding/oversupply/ Greenland/Biodiversity

Modifications sought by those submitting representations:

General

Silverton and Overtoun Community Council (PLDP/182/16) do not proposed a specific modification but it is inherent in their representation that they wish to see the chapter amended to include reference to the role or contribution that the social economy or social enterprise can make to the economy.

Policy E1 - Economic Growth and Business and Industrial Opportunity Sites

Hugh Kinlock (PLDP/671) re-designate Site E1(11) as a housing site and link to H2(29) or H2(30)

Vale of Leven Trust (PLDP/677/16) do not propose a modification but it is inherent in their representation that they do not wish site E1(1), E1(2), E1(3) and E1(4) to be designated for business and industrial uses at this time.

Golden Jubilee Introductory Text and Policy E3

SNH (PLDP/640/16**)** to provide clarity regarding consideration of all potential threats to the SPA, SNH recommends that the words "disturbance and pollution" are removed from the text. Similarly they recommend that the word 'appraisal' in the second and fourth sentence of paragraph 3 is changed to 'assessment'. Therefore, the paragraph should be reworded as follows:

"Development within the Hospital Campus or within the Clydebank Riverside Strategic Economic Investment Location must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction

and operation of the Development".

Policy E6 - Tourism Development

SNH (PLDP/640/16) request that the policy is amended as follows (amendment in bold):

"The development of new and existing tourist facilities will be supported and encouraged throughout the Council area where ***there would be no adverse effect on the integrity of a Natura 2000*** *site and they avoid adverse impacts on the green network and built heritage and are in accordance with other relevant policies within the Plan."*

Policy E7 - Glasgow Airport and Aircraft Noise

Glasgow Airport (PLDP/788) request that the Policy is amended to require development within areas affected by aircraft noise are accompanied by an initial noise risk assessment and the preparation of an Acoustic Design Statement as recommended in the Professional Practice Guidance on Planning and Noise for New Residential Development (published by the Association of Noise Consultants, Institute of Acoustics and Chartered Institute of Environmental Health) (CD 47).

It should also be ensured that the Map depicting aircraft noise contours on Page 83 of the Plan is in line with the LAeq Noise Contours (2017) as published in Glasgow Airport's Noise Action Plan 2018 - 2023 (CD 48).

Policy ZW1 - Sustainable Waste Management and Table 10 – Waste Management Sites

Peel Environmental Ltd (PLDP/647/16) are supportive of Rothesay Dock, Clydebank (Site Ref: ZW1(3)) being identified for waste management purposes and are committed to bringing forward development on the site.

Schedule 4 - Business and Industrial Opportunities

SNH (PLDP/640/16) state that Clydebank Industrial Estate E1(6) should be required to undertake an HRA and that the reference in the table to E1(6) should be shown with a double **.

SNH (PLDP/640/16) state that the notes referencing to both Clydebank Industrial Estate E1(6) (see proposed modification above) and Cable Depot Road Clydebank E1(7) in relation to the SPA should be amended to provide clarity regarding consideration of all potential threats to the SPA. SNH recommends that the words "disturbance and pollution" are removed from the Note. Similarly they recommend that the word 'appraisal' in the second and fourth sentence of the Note is changed to 'assessment'. Therefore, the paragraph should be reworded as follows:

"Development at Clydebank Industrial Estate and Cable Depot Road must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development".

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations to this section of the Plan have been grouped into the following sub-headings: General; Policy E1: Economic Growth and Business and Industrial Opportunity Sites and Table 10: Waste Management Sites; Golden Jubilee Introductory Text; Policy E6: Tourism Development; Policy E7: Glasgow Airport and Aircraft Noise; and Schedule 4: Business and Industrial Opportunities.

General

In response to comments from Persimmon Homes West Scotland (PLDP/173/16), the Council would point out that the Business and Industrial Review (April 2018) (CD 22) did not suggest any de-allocation of business and industrial land as the Plan only has a marketable supply of 11 years of land left. Nothing in the review would therefore correlate with Persimmon's view that the figures have been skewed. Due to the fact that all the allocated sites within the Plan are required to meet the business and industrial land take up rates, the Council does not agree that this land could be allocated to any other use. No modification to the Plan is therefore required.

With regard to the representation from Silverton and Overtoun Community Council (PLDP/182/16), Scottish Planning Policy (CD 03) does not specifically require business and industrial policies to mention the role or contribution of social economy or social enterprise can make to economic development. However, the Council does acknowledge that these often overlooked areas of economic development can make an important contribution to an area and measures to support the social economy and social enterprises are contained within the Council's Economic Development Strategy 2015-2020 (CD 09). The Council believe that this is the most appropriate document to refer to the social economy and social enterprise. No modification to the Plan is therefore required.

The comments from Silverton and Overtoun Community Council (PLDP/182/16) in relation to Policy ZW1, Sustainable Waste Management are noted.

The comments from SEPA (PLDP/676/16) are noted.

Policy E1 - Economic Growth and Business and Industrial Opportunity Sites and Table 10: Waste Management Sites.

The support of Clydeport Operations Ltd (PLDP/645) and Peel Environmental Ltd (PLDP/647/) are welcomed.

In response to the representation from Hugh Kinlock (PLDP/671), Local Development Plan 2 seeks to maintain a generous and varied supply of land for industry and business development which is both well located and readily available for development in order to help attract new businesses to the area, retain existing businesses and encourage business starts-ups. The Council's Business and Industry Review (April 2018) (CD 22) assessed all current sites allocated for business and industrial and did not propose any de-allocation of this site from the business and industrial land supply. In this context, the Council believes that loss of land identified for industry and business should be resisted. Furthermore, the sawmill owners/operators have not written to the Council requesting this site to be re-designated to another use. No modification to the Plan is therefore required in this regard.

Although the points made by the Vale of Leven Trust (PLDP/677/16**)** are understood, Scottish Planning Policy requires Local Development Plan 2 to allocate sites that meet the diverse needs of different sizes of businesses and to allow new economic development opportunities. The Council's Business and Industry Review (April 2018) undertook a review of this site and it scored fifth highest in the assessment. The review also did not propose any de-allocation of this site from the business and industrial land supply. The site has also been allocated for business and industrial use within the Adopted Local Plan (2010) (CD 10) and the Local Development Plan: Proposed Plan (2016) (CD 13).

Therefore, irrespective of the number of vacant units within the Vale of Leven Industrial Estate, Local Development Plan 2 is required to maintain a generous and varied supply of land for industry and business development. In this context, the Council is of the view that no modification to the Plan is required and that the site should not be de-allocated.

The representation to site E1(2) by the Vale of Leven Trust (PLDP/677/16), the Council indicates that this site has also been allocated for business and industrial use within the Adopted Local Plan (2010) (CD 10) and the Local Development Plan: Proposed Plan (2016) (CD 13). It also scored highly within the assessment of business and industrial sites as detailed in the Council's Business and Industry Review (April 2018). The review also did not propose de-allocation of this site from the business and industrial land supply. In this context, the loss of land identified for industry and business should be resisted.

The Environmental Report (CD 20) did not find that there would be significant environmental impacts on biodiversity and fauna but did find that there could be significant adverse environmental impacts on health due to the HSE consultation zone. Mitigation measures have been put in place, which should result in significant positive environmental impacts which will be achieved through Policy ENV10 of the Plan.

No modification to the Plan is required in this regard.

<u>Golden Jubilee Introductory Text</u>

The Council would have no objection to the proposed modification to Paragraph 3 on Page 81 being made, as requested by SNH (PLDP/640/16), should the Reporter wish to amend the paragraph.

<u>Policy E6: Tourism Development</u>

The Council would have no objection to the proposed modification to the policy being made, as requested by SNH (PLDP/640/16), should the Reporter wish to amend the policy.

<u>Policy E7 - Glasgow Airport and Aircraft Noise</u>

The Council would have no objection to the proposed modification to the policy being made, as requested by Glasgow Airport (PLDP/788), should the Reporter wish to amend the policy and would suggest that the policy is amended as follows (amendment is in bold):

"Policy E7

Glasgow Airport and Aircraft Noise

Development that would adversely impact on the operations of Glasgow Airport or would be adversely affected by aircraft noise will not be permitted. ***Development which is proposed within an area affected by aircraft noise is required to accompanied by an initial noise risk assessment and the preparation of an Acoustic Design Statement as recommended in the Professional Practice Guidance on Planning and Noise for New Residential Development (published by the Association of Noise Consultants, Institute of Acoustics and Chartered Institute of Environmental Health).****"**

In response to the issues regarding conformity with the LAeq Noise Contours (2017), as published in Glasgow Airport's Noise Action Plan 2018 - 2023 (CD 48), the Council would point out that these were not available or published when Local Development Plan 2 was being finalised. As such, there are discrepancies between the noise contour map contained on Page 83 of the Plan and the data supplied by Glasgow Airport. As this is a technical matter, the Council will ensure that the map is updated to reflect the data supplied by Glasgow Airport in this regard and consider that this modification would be non-notifiable in any event. However, the Council would have no objection to the Reporter recommending that this modification should be made within the examination report, should the Reporter view the change as material.

Schedule 4 - Business and Industrial Opportunities

In response to the representations from SNH (PLDP/640/29) and (PLDP/640/30), the Council would have no objection to the proposed modifications, should the Reporter wish to amend the Schedule.

In relation to the representations from the Vale of Leven Trust (PLDP/677/16) with regard to Sites E1(1), E1(2), E1(3) and E1(4), the Environmental Report did not anticipate any significant environmental impacts that would preclude development of the sites. Therefore, the Council is of the view that no modifications to the Plan are required in this regard and the sites should continue to be allocated for business and industrial uses.

Reporter's conclusions:

General

1. Persimmon Homes West Scotland argues that the industrial and business land supply is more generous than stated in the Ryden Industrial and Business Land Review (core document 22), and some of this land could potentially be released for housing use in the plan period. Though the representation does not say so directly, such an approach would presumably require an adjustment to Policy E2 to allow housing as an alternative use of business and industrial land in certain circumstances.

2. The Ryden report identifies an 11 year supply of marketable business and industrial land, plus a further 18 years supply of currently non-marketable land. It is true that the annual average of 2.76 hectares of industrial land take up over the last ten years disguises a significant variation from year-to-year. However in a relatively small market like West Dunbartonshire, where the decisions of individual employers are likely to have a noticeable effect, I do not find such a variation to be surprising. The taking of an average figure over a ten year period does not appear unreasonable. I am also conscious that the study period included the years following the global economic slowdown of 2008, and so may underplay the long term demand for industrial land. The report did not propose the de-allocation of any employment sites, and I agree that the evidence presented in the

report would not appear to support any significant transfer of industrial land into housing use.

3. I note that the report is relatively up-to-date and was carried out by a reputable firm of property experts. Overall I am satisfied that it provides an appropriate evidence base on which to draw up the policies of the local development plan.

4. Separately, at Issue 15 I conclude that the Proposed Plan makes adequate provision for housing land across West Dunbartonshire (though a short-term shortfall is evident in the Clydebank area). A permissive approach to allowing the reuse of industrial land for residential development could threaten the long term supply of employment land, and could produce land use conflict. Where a shortfall in effective housing land exists (as currently in Clydebank) there may be a case to consider individual residential proposals on land designated for business or industrial use on their own merits. However the representation from Persimmon Homes does not promote any particular site. Overall I therefore consider that no convincing case has been made for the plan to promote as a general principle the change of use of industrial land to housing.

5. Social enterprises undoubtedly have an important role to play in improving the lives of people in West Dunbartonshire. However, I agree with the council that this sector is best promoted through vehicles other that the local development plan. The council points to its Economic Development Strategy (core document 9), which seeks to support the formation of new social enterprises. Meanwhile, the local development plan is focussed on controlling the use of land. In terms of the land use classes identified in the use classes order, the planning system does not distinguish between social enterprises and businesses run for commercial profit.

Policy E1 - Economic Growth and Business and Industrial Opportunity Sites and Table 10 - Waste Management Sites

6. Site E1(11) at Main Street, Jamestown is currently in use as grazing land. According to Schedule 4 of the Proposed Plan, the reason for its allocation as an industrial/ business opportunity is that it is being reserved for an expansion of the existing sawmill operation, which is situated to the south. The site is somewhat landlocked, having no direct access point onto the road network, and so it seems unlikely that it would be attractive to any industrial user other than the sawmill.

7. Hugh Kinloch questions the likelihood that the sawmill will in fact expand into this land. I have no evidence regarding this matter, but I see no harm in the existing allocation being maintained. If expansion land is required, then this land is available; if it is not, then the land will presumably continue in agricultural use.

8. Hugh Kinloch also suggests the land would be better utilised for housing, as an extension to the neighbouring housing allocations at H2(29) and H2(30). These allocations mean that that housing development is proposed to the north and west of site E1(11), and indeed the H2(29) site forms part of the same field as E1(11). The development of the entirety of this field would involve no loss of green belt or significant urban extension into the countryside. I therefore agree that housing could also be an appropriate alternative use for the E1(11) land, but only as and when it is clear that it is not required for an extension to the sawmill.

9. I note the council's comments above regarding the need for a varied and generous

industrial and business land supply. However, this would not be seriously affected by the loss of this site, if it was not required by the sawmill, because the sawmill would appear to be the only likely industrial user of it. Nevertheless, given the possibility that the site may be required by the sawmill in the future, I conclude that the industrial/ business opportunity designation should be maintained for the time being.

10. Aspects of the Vale of Leven Trust's objections to the proposals for the Vale of Leven Industrial Estate are dealt with under Issue 11. However, here I will address the representations relating to the proposed allocations of sites E1(1), E1(2), E1(3) and E1(4) as industrial/ business opportunities.

11. Paragraph 101 of Scottish Planning Policy sets out the Scottish Government's expectation that local development plans should allocate a range of sites for business development, and that these allocations should be informed by relevant economic strategies and business land audits. West Dunbartonshire's Economic Strategy 2015-2020 (core document 9) incorporates support for the Vale of Leven Industrial Estate to deliver improvements. The Industrial and Business Land Review carried out for the council by Ryden in 2018 (core document 22) demonstrates that the remaining undeveloped plots within the industrial estate contribute significantly to the overall employment land supply. All four allocations scored highly in the Review's site assessment, indicating their ongoing potential to attract new business development. I therefore find that the allocations made in the Vale of Leven Industrial Estate are broadly in line with the expectations of national policy, and perform a valuable role in facilitating new economic development in the area.

12. The Estate represents one of the largest areas of employment land in West Dunbartonshire. It has clearly been laid out on a large scale that could only ever be fully built out over many years, and the understanding that sites E1(1), E1(2), E1(3) and E1(4) were intended to form an integral part of the estate is of longstanding. All these allocations are carried forward from the adopted 2010 local plan, and I have not been made aware of any significant changes in circumstance that would justify their deallocation at this time.

13. Site E1(2) contains a number of trees and will be of some value to biodiversity, but there is no indication that the site is of such value as to rule out sensitive development. Any development of the site would be required to comply with the range of design and environmental policies in the plan, including Policy CP2 which would require habitat enhancement, and ENV1 which seeks to conserve and enhance onsite biodiversity.

14. As indicated on the Proposals Map, sites E1(2) and E1(4) fall within the Health and Safety Executive notification zone, and it is stated on page 46 of the Proposed Plan that the Health and Safety Executive should be consulted at an early stage in preparing development proposals. There is no suggestion that building within this zone is prohibited, though certain types of development may be restricted.

15. For these reasons I conclude that sites E1(1), E1(2), E1(3) and E1(4) should remain allocated as industrial/ business opportunities in the plan.

<u>Golden Jubilee Introductory Text</u>

16. I am sceptical as to the need to repeat lengthy caveats relating to Habitats Regulations Assessment at multiple locations throughout the plan. The plan is to be read

as a whole, and there is a danger that the frequent reproduction of lengthy technical text regarding potential effects on Special Protection Areas could make the document less concise and engaging. This would be contrary to the expectations of Scottish Ministers as expressed in Circular 6/2013: Development Planning. An approach of dealing with this matter in a single policy section, and in the notes relating to the individual development opportunities in the schedules at the back of the plan, could have been more proportionate.

17. That said, where text already exists in the Proposed Plan relating to development proposals and the Inner Clyde Special Protection Area, it is sensible for the wording used to be consistent, and in line with Scottish Natural Heritage's advice as the national agency with expertise in these matters. The council does not object to the supporting text relating to the Golden Jubilee National Hospital being amended along the lines suggested by Scottish Natural Heritage, and consequently I am content to recommend the appropriate modification below

Policy E6 - Tourism Development

18. For the reasons started above, I am sceptical as to the need or desirability of repeating caveats relating to Natura 2000 sites multiple times throughout the plan. However in the case of Policy E6, such a reference is already present in the Proposed Plan, and it is sensible for that reference to reflect the wording of Scottish Planning Policy. The proposed change would not add significantly to the length of the policy, and the council does not object to the wording being amended along the lines suggested by Scottish Natural Heritage. Consequently I recommend this modification below.

Policy E7 - Glasgow Airport and Aircraft Noise

19. Areas in the east of Clydebank are affected by aircraft noise associated with Glasgow Airport. The Airport suggests that development within the 51dB LAeq contour should be accompanied by a noise risk assessment and acoustic design statement. The council has no objection to including this requirement in the plan, and I agree that this would be helpful advice for plan users considering development proposals in this area. Because this is a procedural requirement, rather than a statement of policy as to whether or not proposals should be permitted, I prefer to include this requirement in the supporting text. I also consider it should refer to the 51dB LAeq contour mentioned in the Airport's representation.

20. The noise contour map included at page 83 of the Proposed Plan appears to have been superseded by information in the draft Glasgow Airport Noise Action Plan (core document 48). It would be sensible for the most up-to-date information to be shown, and I therefore recommend this change.

Schedule 4 - Business and Industrial Opportunities

21. While it initially seems unlikely that the development of site E1(6), which is a vacant plot within the established Clydebank Industrial Estate, would have an adverse effect on the Inner Clyde Special Protection Area, I note from the Habitats Regulations Appraisal of the Proposed Plan that parts of the site lie within 150 metres of a part of the special protection area known to be a significant feeding and roosting location for redshank. I therefore accept that acoustic disturbance during the construction phase is possible and mitigation may be necessary. I therefore agree that the note to Schedule 4 relating to

habitats regulation appraisal should also apply to this site, and recommend the appropriate modification below. I note that the council does not object to this change.

22. I am also content that the precise wording of the note to Schedule 4 relating to habitats regulation appraisal should be amended to reflect Scottish Natural Heritage's advice as the national agency with expertise on these matters. Again, the council does not object to this change.

23. I address issues relating to allocated sites within the Vale of Leven Industrial Estate above.

Reporter's recommendations:

I recommend that the proposed plan is modified by:

1. Replacing the third paragraph on page 81 with:

"Development within the Hospital Campus or within the Clydebank Riverside Strategic Economic Investment Location must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this plan, including measures potentially required to address disturbance both during construction and operation of the development".

2. Amending Policy E6 to read:

"The development of new and existing tourist facilities will be supported and encouraged throughout the council area where there would be no adverse effect on the integrity of a Natura 2000 site and they avoid adverse impacts on the green network and built heritage and are in accordance with other relevant policies within the plan."

3. Adding a new paragraph after the second paragraph on page 83 to read:

"Development which is proposed within the 51dB LAeq aircraft noise contour associated with the airport is required to accompanied by an initial noise risk assessment and the preparation of an acoustic design statement."

4. Replacing the noise contours shown on the upper map on page 83 with those shown for 51, 54 and 57dB LAeq in the noise contour map contained within the draft Glasgow Airport Noise Action Plan.

5. Including "**" after the words 'Clydebank Industrial Estate' within Schedule 4, so that the second note to this schedule applies to this site.

6. Amending the first paragraph of the second note to Schedule 4 to read:

"Development at Clydebank Industrial Estate and Cable Depot Road must not have an adverse effect on the Inner Clyde Special Protection Area (SPA) for which redshank are the qualifying interest. Proposals for development must be accompanied by an expert

assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this plan, including measures potentially required to address disturbance both during construction and operation of the development."

Issue 17	**Supporting Town Centres**	
Development plan reference:	Supporting Town Centres (Pages 84 - 87)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Edinburgh Woollen Mill Group (PLDP/165) Legal and General UK Property Fund (PLDP/660/17) Vale of Leven Trust (PLDP/677/17)		
Provision of the development plan to which the issue relates:	This issue relates to the Supporting Town Centres section of the Plan, which sets out a Retail Strategy based on a Network of Centres, and a series of town centre and retail policies.	
Planning authority's summary of the representation(s):		

Edinburgh Woollen Mill Group (PLDP/165) support and welcome the inclusion of the site within the 'Supporting Town Centres' section of the Proposed Plan on page 84; and as a 'Destination Commercial Centre' within Table 4: Network of Centres on page 85, and support the inclusion of this existing retail centre within the Vale of Leven Proposals Map and its designation as a Commercial Centre on the Proposals Map. They also suggest that Local Development Plan 2 should make specific reference to the planning permission (ref: DC16/280) (SI WDC14), which was granted on 12th April 2018 for the redevelopment of the existing centre. This minor amendment would acknowledge the proposals to refurbish the existing Antartex Retail Centre and ensure consistency of approach with the other retail proposals in the Proposed Plan. This would reflect the important role that the Antartex Retail Centre plays in the local retail hierarchy.

Legal and General UK Property Fund (PLDP/660/17) state that the Phase 1 of St James Retail Park continues to yield opportunities for investment and development, and that, as well as consolidating existing retail floorspace, there are opportunities to introduce smaller scale retail development (including Class 1 or Class 3), or indeed leisure development, that could be supported in the commercial centre including where the retailer may have dual representation in the town or where its trading or locational format allows. Any proposals would require to be the subject of applications for planning permission and an assessment against the policies of the local development plan including in respect of the sequential test.

The representation also refers to the Delivering Our Places: Dumbarton Town Centre and Waterfront section of Local Development Plan 2, in that they contend that the Plan is ambiguous as to whether the Retail Park is identified within the town centre or not. This issue is fully considered within Issue 6: Dumbarton Town Centre and Waterfront section.

Vale of Leven Trust (PLDP/677/17) state that they support a range and choice of uses in Alexandria Town Centre with increased retail provision; but would like to limit particular clusters of uses such as, hairdressers, bookmakers and hot food takeaways.

Modifications sought by those submitting representations:

Edinburgh Woollen Mill Group (PLDP/165) seek that Table 4: Network of Centres on page 85 of the Proposed Local Development Plan is amended to include specific reference to the granting of planning permission for the redevelopment and refurbishment of Antartex Village on 12th April 2018 (Planning Permission Reference: DC16/280) (SI WDC14).

Legal and General UK Property Fund (PLDP/660/17) seek a change to Policy SC1 and the associated Table 4: Network of Centres in West Dunbartonshire to allow smaller scale units to operate within St James Retail Park, even if already represented with the town. Any proposals would require to be the subject of applications for planning permission and an assessment against the policies of the local development plan including in respect of the sequential test.

Vale of Leven Trust (PLDP/677/17) would like a modification to the Plan to allow fewer clusters of uses such as hairdressers, bookmakers and hot food takeaways in Alexandria Town Centre, while maintaining a range and choice of uses and increased retail provision.

Summary of responses (including reasons) by planning authority:

With reference to Edinburgh Woollen Mill Group (PLDP/165), while the Council acknowledges the recent planning consent, it considers that Policy SC1: Sequential Approach and Table 4: Network of Centres in West Dunbartonshire provide strong and sufficient support for the continued role and development of the Antartex Retail Village, and that adding a specific reference to the planning consent within Table 4 is neither necessary in order to strengthen the policy, nor consistent with the purpose and content of Table 4, which does not reference planning consents for other retail centres. As such, no modification is considered necessary.

With regard to the representation by Legal and General UK Property Fund (PLDP/660/17) the Council considers that amending Policy SC1 and Table 4 to permit smaller scale retail units at the St James Retail Park would have the effect of allowing the Retail Park to accommodate stores that would normally be found within Dumbarton Town Centre. At present, as it offers large-format, predominantly bulky goods retail, the Retail Park largely provides a complementary role to the town centre. This role is protected through the restrictions in terms of minimum unit sizes and requires an assessment against the impact that development within this area could have on the town centre, set out in Policy SC1 and Table 4: Network of Centres.

Without these restrictions it is considered that the Retail Park would be able to trade in direct competition with, and potentially attract existing retailers and future investment away from, Dumbarton Town Centre. The Council also does not agree with the representation that retailers would be able to maintain a dual presence within the town, noting the relatively small geographic area and available retail catchment. Instead, this is likely to materially harm the town centre and would run counter to the overall strategy of Local Development Plan 2 and to SPP (CD 03) in its support for, and protection of, town centres. The Council considers that the Retail and Town Centre policies provide an appropriate balance of support for the continuing successful operation and development of the St James Retail Park and Commercial Centre, while continuing to support the vitality and viability of Dumbarton Town Centre. As such no modification is required.

In response to the representation from Vale of Leven Trust (PLDP/677/17), the Council considers that the Retail Strategy and retail policies within the Supporting Town Centres section of the Plan already support a vibrant mix of uses within town centres, which can support retail uses and complement shopping visits.

Given that Alexandria Town Centre is smaller and serves a different retail function compared to the two larger town centres of Dumbarton and Clydebank, the current policy framework set out in Table 4: Network of Centres in West Dunbartonshire, and in Policy SC3: Other Town Centre Areas, is considered to be appropriate.

Policy SC3: Other Town Centre Areas allows significant flexibility of town centre uses whilst seeking to maintain an appropriate balance of these uses. The policy also contains a provision to avoid an over-proliferation of uses, which would have a detrimental impact on the overall character and amenity of the area. The Council considers that this policy balance is appropriate for Alexandria Town Centre. No modification to the Plan is therefore required in this regard.

Reporter's conclusions:

1. I note the decision by West Dunbartonshire Council to grant planning permission for a redevelopment scheme at Antartex Village in Alexandria (Reference: DC 16/280). Individual consents are not referenced for the other retail locations listed in Table 4, so to do so in this case would create an inconsistency of approach within the plan. I am not aware that the fact of this consent would have any implications for the planning policy that should apply to this site going forward, so the mention of it appears unnecessary in this development plan context. I therefore conclude that this permission does not require to be mentioned in the local development plan, and no modification to the plan is required.

2. The representation from Legal & General UK Property Fund requests that various points be acknowledged by the council. I am not wholly clear as to whether this is a request for these matters to be included in the plan itself. However, in the main I consider that the items listed, such as the representee's investment record, are matters of detail that it is unnecessary to include in the plan.

3. A substantive point is made that smaller scale retail (use classes 1 or 3) should be supported in some circumstances in the St James Retail Park.

4. Scottish Planning Policy requires development plans to support successful town centres and apply a town centre first policy. Paragraph 63 of Scottish Planning Policy allows development plans to specify the function of commercial centres where necessary to protect the role of town centres.

5. No evidence has been presented to indicate that any shortage exists in smaller format retail floorspace in Dumbarton, and I observed a number of vacant and lower value units in the course of my visit to the town centre. There does not therefore appear to be any need to identify further opportunities for smaller format retailing in the town. On the contrary, I consider that a policy change to allow smaller scale retail units to locate in the St James Retail Park could undermine the town centre by making it less likely that smaller scale retailers would choose to locate there. Currently, the Retail Park performs a useful function in accommodating larger-format retailers that are harder to accommodate in the town centre, and this could also be undermined by allowing smaller format units to locate there. For these reasons I conclude that proposed Policy SC1 and Table 4 should remain

unchanged.

6. The question of whether the St James Retail Park is, or should be, designated as part of Dumbarton town centre is examined under Issue 6.

7. Paragraph 67 of Scottish Planning Policy allows for the inclusion of policies in development plans to prevent the over-provision or clustering of non-retail uses such as betting offices in town centres, where such an approach is supported by a town centre strategy.

8. Proposed Policy SC3 would be used to consider proposals for non-retail uses in Alexandria town centre. This policy already states that "Proposals which result in an over-proliferation of one type of non-retail use and/ or would have a detrimental impact on the overall character and amenity of the area will not be supported by the Council. The Council will monitor non-retail uses within the area on an annual basis to ensure that there is an appropriate mix and diversity of retail and non-retail uses within these town centre areas." This policy would appear to provide a basis for the control of the uses of concern to the Vale of Leven Trust, and I therefore conclude that no further change is required.

9. I also note that the council has adopted supplementary guidance to control the proliferation of some of these uses in Clydebank and Dumbarton. Although Alexandria sits slightly below these other centres in the retail hierarchy, it would nevertheless appear possible for the council to extend this policy approach to Alexandria. However the detailed content of supplementary guidance is a matter for the council to consider, rather than this examination.

Reporter's recommendations:

No modifications.

Issue 18	**Built Environment**	
Development plan reference:	Paragraph 1, Policy BE1 and Policy BE2, Page 89.	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
Avant Homes Scotland (PLDP/642/18) Scottish Government (PLDP/659/18)		
Provision of the development plan to which the issue relates:	This issue relates to the development policies of the Plan which set out the Councils requirements for the built environment within West Dunbartonshire.	
Planning authority's summary of the representation(s):		
Avant Homes Scotland (PLDP/642/18) state that Policy BE 2 should make provisions for situations where it is not possible to maintain and enhance a listed building. The Policy should also take into account where the condition of listed building creates a 'significant conservation deficit' and therefore halts sustainable development. Therefore an amendment to the policy is sought to take account of rare occasions where demolition is required in order to ensure the positive future of an area. They are also of the view that the policy should be amended to consider enabling development and encourage the Council to take into account situations where the full completion of the new-build element of any enabling development is required to successfully restore a listed building. Scottish Government (PLDP/659/18) request an amendment to Policy BE 1 to align with paragraph 145 of Scottish Planning Policy (SPP) (CD 03) and because the planning authority only have a remit over unscheduled archaeology and the setting of scheduled monuments as this is a material consideration in the assessment of planning applications. Scottish Government (PLDP659/18) request an amendment to the first sentence on paragraph 1 on page 89 as Planning Authorities have no remit over direct impacts on scheduled monuments as HES are the consenting authority for Scheduled Monument Consent.		
Modifications sought by those submitting representations:		
Avant Homes Scotland (PLDP/642/18) recommend that Policy BE2 is amended to include provision for the demolition of listed buildings where they are a constraint to development and there is no viable prospect of their restoration. It is also urged that this same policy accounts for the occasions were enabling development is needed in its entirety before works begin on listed buildings. Scottish Government (PLDP/659/18) request that the first sentence of Policy BE1 is amended to read: *'Where Development adversely affects the integrity of the setting of a Scheduled Monument, permission would only be granted where there are exceptional circumstances'.*		

Scottish Government (PLDP659/18) request that the first sentence of paragraph 1 on page 89 is deleted and replaced with the following:

'Scheduled Monument Consent (SMC) is required from Historic Environment Scotland (HES) for any works that would directly affect a Scheduled Monument.'

Summary of responses (including reasons) by planning authority:

In relation to the representation from Avant Homes Scotland (PLDP/642/18), the Council does not agree with the suggested amendments to Policy BE2. Paragraph 139 of SPP (CD 03) is clear that Local Development Plans *'should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment'*.

Moreover, Paragraph 141 states that changes to listed buildings *'should be managed to protect its special interest while enabling it to remain in active use'* ……. [and] *'special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest'.* Nowhere in SPP does it encourage, as the respondent seeks, provisions for the demolition of listed buildings where a conservation deficit is the only obstacle to its redevelopment. The amendment to the policy that is being proposed would be against the provisions of SPP and Historic Environment Scotland Policy. The proposed amendment would substantially weaken the policy and would set a dangerous precedent of allowing the potential demolition of listed buildings where the only obstacle is the cost of restoring it.

The Council also does not agree that the enabling development section of the policy should be amended to allow the completion of the new build element in its entirety before works to the listed building are started. The exact nature of how the conditions of a planning application and/or legal agreement are agreed in relation to what proportion of the enabling development is allowed to be completed before works to the listed building start, are on a case by case basis and should not be specified in policy. No modifications to the policy are therefore required in this regard.

The Council would have no objection to the proposed modification to Policy BE 1 being made, as requested by Scottish Government (PLDP/659/18), should the Reporter wish to amend the policy.

With regard to the Scottish Government (PLDP659/18), the Council would point out that the respondent has made an error in terms of referencing the correct paragraph the representation relates to. It should be the first sentence on paragraph 2 that the respondent is referring to as that relates to Scheduled Monument Consent. The Council would have no objection to the proposed modification to the paragraph 2 on page 89 being made, as requested by Scottish Government, should the Reporter wish to amend the paragraph.

Reporter's conclusions:

Scheduled Monuments and Archaeological Sites

Supporting text

1. Paragraph 145 of Scottish Planning Policy 2014 (SPP) states that 'where a proposal would have a direct impact on a scheduled monument, the written consent of Scottish

Ministers via a separate process is required in addition to any other consents required for the development.' The Scottish Government has suggested a change to the first paragraph of the supporting text to align the wording in the proposed plan with this requirement. The council supports the proposed change but points out correctly that any revision would apply to the second paragraph of the preamble to Policy BE1. I consider that the proposed change is required to ensure conformity with SPP. I have recommended below a modification which endorses the change advocated by the Scottish Government.

Policy BE1 Scheduled Monuments and Archaeological Sites

2. Paragraph 145 of SPP also states that 'where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances.' The Scottish Government has suggested a change to proposed Policy BE1 to align the wording with this statement of government policy. The council supports the proposed change. I consider that the proposed change is required to ensure conformity with SPP. I have recommended below a modification based on the wording in SPP.

Listed Buildings

Policy BE2 Listed Buildings

3. Paragraph 142 of SPP states that listed buildings should be protected from demolition or other work that would adversely affect either the building or its setting. However, Policy HEP4 of Historic Environment Policy for Scotland 2019 states that 'if detrimental impact on the historic environment is unavoidable, it should be minimised' and 'steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place'. This latter policy statement does not rule out demolition in exceptional circumstances.

4. Historic Environment Scotland's document Managing Change and the Historic Environment: Demolition of Listed Buildings, 2019 indicates that there are three situations where the loss of a listed building is likely to be acceptable, provided that this is clearly demonstrated and justified. The three situations are: if the building is no longer of special interest; if the building is incapable of meaningful repair; and if demolition of the building is essential to the delivery of significant benefits to economic growth or the wider community.

5. The second paragraph of the supporting text which precedes proposed Policy BE2 indicates a presumption against demolition of listed buildings unless it has been clearly demonstrated that there is no viable and acceptable alternative. This is broadly consistent with Historic Environment Scotland policy and guidance, which is a refinement of the high order policy position adopted by SPP. However, proposed Policy BE2 is more categoric, stating that demolition that would adversely affect the special interest, character or setting of a listed building will not be permitted.

6. I consider that, in light of the recent statement of policy and guidance on demolition of listed buildings published by Historic Environment Scotland, Policy BE2 should be revised to set out the circumstances when Historic Environment Scotland consider that demolition is likely to be acceptable. These policy tests do not include the circumstances described by Avant Homes Scotland where the condition of a listed building creates a 'significant

conservation deficit'. I share the council's view that a modification to the plan on these lines would weaken the policy by allowing for demolition where there is claimed to be no viable prospect of restoration and this is seen as a constraint to development. I have recommended below a modification based on Historic Environment Scotland guidance. For consistency, the proposed modification also includes policy guidance on proposed development that has the potential to adversely affect the special interest, character or setting of a listed building.

7. Paragraph 142 of SPP indicates that enabling development may be acceptable where it is shown to be essential for preventing the loss of a listed building and securing its long-term future. SPP states that any enabling development should be the minimum necessary to achieve these aims. Paragraph 5 of Historic Environment Scotland's document Managing Change and the Historic Environment: Use and Adaptation of Listed Buildings, 2019 states that 'enabling development should be the minimum necessary to secure the asset's future' and 'should be securely tied to the reuse of the historic asset through a planning or other legal agreement'.

8. There is nothing in either SPP or Historic Environment Scotland guidance which seeks to facilitate the completion of enabling development prior to work taking place on the associated listed building. The second paragraph of proposed Policy BE2 is consistent with both SPP and Historic Environment Scotland guidance. I consider it would weaken the proposed policy specifically to allow flexibility of the nature suggested by Avant Homes Scotland. I consider that the council is correct to point out that the precise relationship between any proposed enabling development and proposed restoration of a listed building can best be judged at the development management stage and confirmed subsequently in a legal agreement.

9. I do not consider it appropriate to modify the policy as it relates to enabling development.

Reporter's recommendations:

I recommend the plan is modified by:

1. Deleting the first sentence of the second paragraph of the supporting text relating to scheduled monuments and archaeological sites on page 89 and substituting the following sentence:

'Scheduled Monument Consent is required from Historic Environment Scotland for any works that would directly affect a Scheduled Monument.'

2. Deleting the first sentence of Policy BE1 Scheduled Monuments and Archaeological Sites and substituting the following sentence:

'Where development would adversely affect a scheduled monument or the integrity of the setting of a scheduled monument, permission would only be granted where there are exceptional circumstances.'

3. Deleting the first paragraph of Policy BE2 Listed Buildings and substituting the following three paragraphs:

'Demolition or development that would adversely affect the special interest, character or

setting of a listed building will not be permitted unless it can be clearly demonstrated and justified that:

- the building is no longer of special interest, or
- the building is incapable of meaningful repair, or
- demolition of the building is essential to the delivery of significant benefits to economic growth or the wider community.

Appropriate enhancement of listed buildings will be supported.'

Issue 19	**Green Infrastructure**	
Development plan reference:	Green Infrastructure Chapter (Pages 92 – 95); Policy GI1; Policy GI2, Policy GI3 and Policy GI4.	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
SportScotland (PLDP/26/19) (Support) Persimmon Homes (PLDP/173/19) Susan Dick (PLDP/175/19) Silverton and Overton Community Council (PLDP/182/19) Avant Homes Scotland (PLDP/642/19) Woodland Trust Scotland (PLDP/646/19) RSPB (PLDP/649/19) (Support) Homes for Scotland (PLDP/669/19) Clydebelt (PLDP/673/19) SEPA (PLDP/676/19) (Support) Scottish Canals (PLDP/786/19)		
Provision of the development plan to which the issue relates:	This issue relates to the development policies of the plan in relation to Green Infrastructure and Developer Contributions.	
Planning authority's summary of the representation(s):		
The Council has grouped the representations received under the Chapter/Policy heading to which they relate to. <u>Green Infrastructure Chapter</u> SEPA (PLDP/676/19) are fully supportive of the integration of green infrastructure into all developments and the outcome of increased healthy lifestyle options is seen as a key benefit of this approach. <u>Policy GI1 - Safeguarding Open Space and Outdoor Sports Facilities.</u> SportScotland (PLDP/26/19) states the wording of Policy GI1 reflects the provisions of Scottish Planning Policy and we would support this in its current form for the protection it provides to these spaces. Clydebelt (PLDP/673/19) state that they support Policy GI 1 but are of the view that the Policy is not being adhered to. They provide examples of the proposed allocation of Strauss Avenue and the Glebe, as well as, Roseberry Place of examples where safeguarded open space is being built upon contrary to the Policy. Also make comments on previous Government directives on business and industry open space provision and Queens Quay, in terms of what has been provided. Also makes comments on meetings and charrettes and is of the view that charrettes overrule years of consultation with local residents. As a response, they wish to know where all the plans and suggestions have went.		

Policy GI2 - Open Space Standards

Persimmon Homes (PLDP/173/19) state that where the Council's Open Space Audit identifies that there is an inadequate supply of green infrastructure/open space and the site is surrounded by protected open space there should be provision to make qualitative improvements to the adjacent open space to the benefit of new development and wider community rather than creating further open space within the development.

Homes for Scotland (PLDP/669/19), in relation to Policy GI2, state that whilst the importance of greenspace is recognised, they question the need for set standards, particularly given the focus on maximising the use of brownfield land. Strict standards in addition to detailed other guidance on placemaking, would limit the ability of Planning Officers to take into account site specific considerations in assessing whether a given development was acceptable overall. The standards should instead be referred to as indicative, allowing developments to be properly considered at the application stage.

Policy GI3 - Allotments

Silverton and Overton Community Council (PLDP/182/19) support Policies GI2, GI3 and GI4. However, in reference to Policy GI3, the respondent states that the site suggested by them, at the Call for Sites stage and in the Main Issues Report, has not been identified in LDP 2 and the site suggested at Millburn Crescent was not listed in the Review of the Call for Sites (CD 49). They seek clarification on these points.

Policy GI 4 - Developer Contributions

SportScotland (PLDP/26/19), in relation to Policy GI4, support the range of projects to target developer contributions which includes spaces for sports and recreation participation.

Susan Dick (PLDP/175/19) does not support Policy GI4 and is of the view that smaller sites of 10 units or less should not be exempted from providing green space and neither should high density urban areas. If the developer contribution policy is to remain the first two exemptions should be removed and there should be a publically available record of where the money has been spent or will been spent. There are no exceptional circumstances where a developer should be exempt from paying these especially not due to development costs – developers should never be subsidised in any way or let away with paying what they are due –they are a businesses after all – if they can't afford to pay or run profitably it is of no concern to the council or to the general public.

Avant Homes Scotland (PLDP/642/19) support Policy GI4 but state that the Policy needs to ensure that potential restoration and enabling developments are not hampered or haltered by unnecessary and unjustified developer contributions. The respondent is of the view that such developer contributions have the ability to hinder a development and potentially cause sites to continue to lie vacant and derelict for the long-term. The social, economic and planning benefits need to be weighed up against any potential developer contribution.

Woodland Trust Scotland (PLDP/646/19) support Policy GI4 but seek a change to the Policy to ensure that budgets for green infrastructure are not reduced throughout the development process.

RSPB (PLDP/649/19) support Table 7 of Policy GI4 as its includes biodiversity improvements as one of the projects which can be delivered through developer contributions.

Scottish Canals (PLDP/786/19) is of the view that developers should be obliged to contribute to the delivery of canal related improvements e.g. towpath access upgrades and moorings' provision.

Modifications sought by those submitting representations:

Persimmon Homes (PLDP/173/19) do not suggest a specific modification to the plan but it is inherent in their response that they wish Policy GI2 amended to provide a specific context to allow for adjacent open space to be upgraded and the open space requirements of the policy lessened or not required.

Susan Dick (PLDP/175/19) wishes the first two bullet points of Policy GI4 to be removed and a requirement for a public required detailing where developer contributions have been or will be spent.

Avant Homes Scotland (PLDP/642/19) request that Policy GI4: Developer Contributions is strengthened to ensure that developments which include development and the restoration of listed buildings are exempt from providing a developer contribution making the project unviable.

Woodland Trust Scotland (PLDP/646/19) seeks a provision within the Policy that developer contributions and developers budgets towards these contributions are 'ring fenced' at an early stage to ensure that the budget is not reduced as the development stages progress.

Scottish Canals (PLDP/786/19) seeks an amendment to Table 7 to include canal related improvements to the list of projects.

Summary of responses (including reasons) by planning authority:

The Council has grouped its responses to the representations received under the Policy heading to which they relate to, as detailed below.

Green Infrastructure Chapter

The support of SEPA (PLDP/676/19) for the approach within the chapter is welcomed.

Policy GI1 - Safeguarding Open Space and Outdoor Sports Facilities

The Council welcomes the support of SportScotland (PLDP/26/19)

With regard to the representation from Clydebelt (PLDP/673/19), the Policy does allow for development on areas of safeguarded open space where they accord with the criteria of the Policy. This is the case in the sites that the respondent mentions, particularly Issue 27 relating to Strauss Avenue. The other points of the representation are clearly to do with provisions of other documents, which are outwith the context, or do not form part of this Plan. No modifications to the plan are required in this regard.

Policy GI 2 - Open Space Standards

With regard to the representation from Persimmon Homes (PLDP/173/19), the Council would point out that the provisions of Policy GI4 would allow nearby open space to be upgraded rather than requiring its provision on site where the criteria of the Policy are met for the residential development. Where residential development does not meet this criteria or it is not close to an existing area of open space, the Council will require the provision of green infrastructure on site in line with Policy CP2 of this Plan and the Green Infrastructure Supplementary Guidance when it is adopted. No modification to the Policy is therefore required in this regard

In response to the representation from Homes for Scotland (PLDP/669/19), the Council is of the view that open space standards are required. Paragraph 225 of SPP (CD 03) states that:

"*Local development plans should seek to enhance existing and promote the creation of new green infrastructure, which may include retrofitting. They should do this through a design-led approach, applying standards which facilitate appropriate provision, addressing deficits or surpluses within the local context. The standards delivered through a design-led approach should result in a proposal that is appropriate to place, including connections to other green infrastructure assets."*

The Council therefore has complied with SPP (CD 03) in this regard and is strongly of the view that Open Space Standards are required to ensure that each development delivers the amount of open space that is required per household. This provides a successful place, which has considered green infrastructure from the outset and encourages a healthy and active new residential area. Without standards, there is the possibility of new developments not providing the amount of open space that is required, which could lead to the under provision of open space within West Dunbartonshire and would not lead to healthier and successful places. No modification to the Policy is therefore required.

Policy GI3 - Allotments

The support of the Silverton and Overton Community Council (PLDP/182/19) is welcomed. With regard to the queries raised in relation to the aforementioned sites, the Council took the view to review the provision of allotments within West Dunbartonshire and take the allocation of new allotments forward as part of its Food Growing Strategy. This is the reason why Local Development Plan 2 has not allocated, or considered the allocation of these sites.

Millburn Crescent was not listed in the Review of the Call for Sites (CD 49), as the site was not suggested by the respondent at the Call for Sites stage of the plan preparation process and therefore was not included within the Review of the Call for Sites. However, it was considered in relation to the response from the respondent at Main Issues Report stage and will continue to be considered for allocation as an allotment within the approach detailed above.

Policy GI4 - Developer Contributions

The support of SportScotland (PLDP/26/19) for the range of projects targeting developer contributions is welcomed.

The Council does not agree with the view expressed by Susan Dick (PLDP/175/19) that developments of 10 units or less or those sites where green infrastructure standards are not appropriate on site i.e. high density areas should not be exempt from providing onsite green infrastructure. There needs to flexibility within the Policy which recognises that some sites i.e. those within a town centre area or smaller developments, will not be able to provide the standards set out in Policy GI2, which could be to do with site size or close to an area of open space. The need for flexibility in the Policy and to allow contributions to be made to the upgrading of nearby open spaces is supported by Persimmon Homes (PLDP/173/19) in relation to Policy GI2**.**

The Council is firmly of the view that this kind of flexibility is needed as not all development can provide green infrastructure on site and to ensure that there is no deficit in open space provision, alternative methods of ensuring that development meets the open space requirements are required.

Also, in most circumstances it makes no sense in asking for on-site open space provision where there is an area of recreational open space close by which would serve the development and at the same time could be enhanced for the benefit of all the community.

Furthermore, it should be noted that this criteria within the Policy does not absolve developments from providing landscaping or other amenity open space required in terms of placemaking. No modification to the Policy is therefore required in this instance.

In relation to the view of Susan Dick (PLDP/175/19) that a public record of what developer contributions have been or will be spent on should be made, it should be noted the Planning, Building Standards and Environmental Health service reports to Planning Committee on these matters. The report details the amount of developer contributions collected in that year; what it has been spent on; and what future projects the money will be spent on. The system for collecting developer contributions and how it is monitored will be contained within the Supplementary Guidance on Green Infrastructure. No modification to the Policy is therefore required in this regard

In response to the representation made by Avant Homes Scotland (PLDP/642/19), it should be noted that the Policy allows for developer contributions relating to green infrastructure to be waived or reduced where a developer demonstrates that the development would have exceptional development costs and/or overriding economic, social or other benefits. Therefore, the Council is of the view that the Policy does not need to be amended to specifically exempt enabling developments as it already provides this flexibility. No modification to the Policy is therefore required in this instance.

The Council would point out that any developer contribution that is received is put into an account which is solely for the use of Developer Contribution projects set out in Table 7 of the Plan. Therefore, the representation made by Woodland Trust Scotland (PLDP/646/19), seeking to ensure that funds are ring-fenced is already in place. Collection of the funds can be achieved in a variety of ways, but in most cases the developer will pay the required amount, in full, after planning permission is granted and this is then transferred to the Council's developer contribution fund. The Supplementary Guidance on Green Infrastructure will detail how developers can make there payment and how the developer contribution system operates within the Council. No modification to the Policy is therefore required in response to the representation.

The support of RSPB (PLDP/649/19) for developer contributions being able to be directed

towards appropriate projects associated with biodiversity improvements is noted.

In relation to the representation from Scottish Canals (PLDP/786/19), the Council can see merit in extending the scope of the projects to include canal related improvements as the Forth and Clyde Canal is a key asset within West Dunbartonshire and is an important Scheduled Monument. Should the Reporter wish to amend Strategic Green Network Projects on Page 60, the Council would have no objection to the projects being changed and would suggest that the second bullet point under Access Priorities is amended as follows (the proposed amendment is in bold):

- "Forth and Clyde Canal, strategic and local connections to and from the Canal and **Canal Related Improvements, such as, but not limited to, towpath access upgrades; moorings provision and improvements related to recreational uses.**

No amendment to Table 7 on Page 93 is required as Strategic Green Networks Projects are already included within the Table.

Reporter's conclusions:

Policy GI1 - Safeguarding Open Space and Outdoor Sports Facilities

1. Representations on this policy are supportive of its proposed wording. The question of whether the council is adhering to the requirements of this policy in practice is outwith the scope of this examination.

Policy GI2 - Open Space Standards

2. Policy GI2 sets open space standards for new development, but acknowledges that there may be occasions where it would be difficult to meet these standards on site, or where a relaxation of the standards can otherwise be justified. In these circumstances, developer contributions may be required under the terms of Policy GI4 towards the cost of providing or improving green infrastructure in the wider area.

3. These provisions do not spell out the exact set of circumstances envisaged in the representation from Persimmon Homes. However, it would be difficult, or at least unwieldy, to attempt to set out every exceptional case in policy. As it stands the proposed policies would appear to provide sufficient flexibility to respond in the fashion sought by the representation, provided this can be justified in the particular case.

4. The flexibility contained in Policy GI2 would also address the concerns expressed by Homes for Scotland that strict standards would not allow site specific considerations to be taken into account. As the council points out, paragraph 225 of Scottish Planning Policy refers to local development plans applying standards, and in my view such standards can be useful in providing a clear indication to prospective developers as to the scale of provision that will normally be sought. I do not believe it is necessary for the policy to describe the standards as indicative, because the wording is already clear that they can be relaxed in certain circumstances. On this basis I conclude that no modification to Policy GI2 is required.

Policy GI3 – Allotments

5. Paragraph 227 of Scottish Planning Policy calls for local development plans to encourage opportunities for a range of community growing spaces. I consider that proposed Policy GI3 achieves this through its general support for new allotment sites. The Proposed Plan could potentially have gone on to identify particular areas of land for new allotment provision, but I note the council's intention to instead pursue this matter through its Food Growing Strategy.

6. Both of the sites raised in the representation from Silverton and Overton Community Council appear to be used as open space currently, and so there would be no change in terms of the planning status of the land. This arguably makes an allocation in the development plan less necessary. The sites may well have good potential as allotment sites, but in the absence of comprehensive evidence on the need for additional provision and the range of options available, it would not be appropriate for me include these sites as allotment proposals in this plan. I therefore conclude that no modification is required.

Policy GI4 - Developer Contributions

7. Policy GI4 requires developer contributions to be paid for off-site green infrastructure improvements in various circumstances, including for sites of less than ten units where on-site provision is not possible. It is not wholly clear to me if this policy is intended to be applied to all sites of less than ten units, or only those where on-site provision is not possible. But be that as it may, I consider that the principle whereby the smallest sites are not necessarily required to provide green space on-site is a sensible one. The very small patches of green space that would otherwise be provided on small sites would be of limited utility, inefficient to maintain, and greater gains are likely to be achieved by pooling contributions from a number of such sites to provide more meaningful improvements (as listed in Table 7 of the Proposed Plan) nearby.

8. The open space standards given in the Proposed Plan are separate from the requirements to properly landscape new development. I note from Table 1 of the council's 'Our Green Network' planning guidance (core document 26) that housing developments of one to nine units may still be required to provide landscaping where a need or opportunity is identified.

9. Similarly for developments in high density areas, such as town centres, I accept that it will not always be practical or sensible for each site to make individual provision for open space. This is partly because there may be a desire to maintain densities in these areas, and partly because plot sizes may be small even for developments of over ten units. In these circumstances it will often be more practical to pool contributions in order to make more meaningful provision elsewhere, perhaps close to town centres rather than within them. For these reasons I recommend no change to these aspects of Policy GI4.

10. I note above the council's statement that it reports the amount of developer contributions collected, what it has been spent on, and what future projects the money will be spent on, each year to the planning committee. This would appear to meet Ms Dick's concerns in this regard.

11. I agree with the statement already contained on page 94 of the Proposed Plan that the provision of green infrastructure is critical, and therefore have some sympathy with the suggestion that Policy GI4 need not refer to exceptional circumstances where

contributions may be waived or reduced. Such circumstances may arise from time to time, but it could give rise to unrealistic expectations, or undesirable pressures on the council, to refer to them in the plan. Development plans are not required to account for all exceptional cases. That said, this statement in the Proposed Plan is nevertheless accurate because there is always a possibility of exceptional circumstances arising, and for this reason I do not recommend any change to the plan.

12. The provision of the proposed policy relating to contributions being waived in exceptional circumstances would also appear to assuage the concerns of Avant Homes regarding the already high costs of restoring a listed building. While I do not agree that the restoration of listed buildings would necessarily be hindered by making proper provision for open space, the proposed policy does allow for exceptional cases, and on this basis I conclude that no modification is required.

13. Regarding the ring-fencing of developer contributions to green infrastructure, it appears from the council's response above that this already takes place. And as noted above, the council reports the amount of developer contributions collected; what it has been spent on; and what future projects the money will be spent on each year to the planning committee.

14. I would not expect the detailed mechanisms for the collection of developer contributions to be set out in the development plan itself. This would seem to be a more appropriate topic for supplementary guidance. Indeed paragraph 139 of Circular 6/2013: Development Planning specifically mentions methodologies for the calculation of developer contributions as a suitable topic for supplementary guidance. However, I note the council's statement above that its normal practice is to seek developer contributions 'up-front'. On this basis I conclude that no modification is required.

15. Regarding the use of developer contributions to fund canal-related improvements, I note that 'Strategic Green Infrastructure Projects' is already listed in Table 7 of the Proposed Plan as a type of project to be funded in this way. The Strategic Green Infrastructure Projects are in turn identified on page 60 of the Proposed Plan, and include 'strategic and local connections to and from the [Forth and Clyde] Canal and improvements to the Canal towpaths for use as a recreational resource'. This reference would appear to largely capture the concern raised by Scottish Canals, and on this basis I conclude that no modification is required.

Reporter's recommendations:

No modifications.

Issue 20	**Environment**	
Development plan reference:	Safeguarding our Environment – Pages 96 to 103	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

Strathclyde Geoconservation Group (PLDP/007)
Persimmon Homes (PLDP/173/20)
Malin Group Ltd (PLDP/177/20)
Coal Authority (PLDP/179)
Silverton and Overtoun Community Council (PLDP/182/20)
SNH (PLDP/640/20)
Woodland Trust Scotland (PLDP/646/20)
RSPB (PLDP/649/20)
SEPA (PLDP/676/12) (Support)

Provision of the development plan to which the issue relates:	This issue relates to the development policies of the Plan in relation to the Natural Environment and the SEA Environmental Report.

Planning authority's summary of the representation(s):

The representations to this section of the Plan have been grouped under the following subheadings: General; Safeguarding our Environment Introductory Text; Natural Environment Designations Map; Policy ENV1 - Nature Conservation; Landscape and Policy ENV2 - Landscape Character; Policy ENV3 - Carbon Rich Soils; Policy ENV4 - Forestry, Trees and Woodland; Policy ENV6 - Flooding; Policy ENV7 - Advanced and Temporary Greening of Vacant and Derelict Land; Policy ENV8 - Air, Light and Noise Pollution; Policy ENV9 - Contaminated Land; and Policy ENV10 - Implementation of the SEA Environmental Report.

<u>General</u>

Silverton and Overtoun Community Council (PLDP/182/20) support all the Policies in this section and are particularly pleased at the clear emphasis being given in the Proposed Local Development Plan 2 to the value of the natural environment in West Dunbartonshire.

SNH (PLDP/640/20) request an additional paragraph to be added into the supporting text on Page 96 to reflect the requirements set out in SPP (CD 03) paragraph 207 for Natura 2000 sites.

SEPA (PLDP/676/20) are supportive of all aspects of this section of the plan and in particular the aims and policies relating to 'carbon rich soils, forestry/trees/woodland, the water environment, flooding, air pollution, contaminated land and the implementation of the SEA ER'. These detailed strategies and policies will deliver help to ensure that development that has the potential to impact on the natural environment will be subject to appropriate assessment, management, mitigation and monitoring to ensure no detriment occurs.

Natural Environment Designations Map

Persimmon Homes (PLDP/173/20) state that hatching on page 97 relating to the Kilpatrick Hills and SSSI varies from the hatching in the key. This should be amended to avoid dubiety.

Safeguarding our Environment Introductory Text

SNH (PLDP/640/20) request an additional paragraph to be added into the supporting text on Page 96 to reflect the requirements set out in SPP (CD 03) paragraph 207 for Natura 2000 sites.

Policy ENV1 - Nature Conservation

Strathclyde Geoconservation Group (PLDP/007) state that there is no mention of geological conservation within Policy ENV1 and seeks an amendment to the Policy to include a reference to geology.

SNH (PLDP/640/20) state the policy requires to be amended to reflect the requirements to notify Scottish Ministers for International Designations (Natura 2000 Sites), National Designations (SSSI's) and Protected Species as set out in paragraphs 207 to 214 of SPP (CD 03).

Woodland Trust Scotland (PLDP/646/20) does not support the provision that 'Development on Natura 2000 sites will be permitted where there are no alternative options'. Such a provision will allow developers to believe that such sites are open for development, when in fact, this is designation should inform where development is not to take place, as the site is designated for nature conservation. The wording here has to be encouraging of developers to stick with allocated sites rather than consider Natura 2000 sites for development. The second bullet point alludes to the fact that the environment can be overlooked if there are enough social and economic benefits. This should not be the case in a planning system which is for sustainable development, where the environmental concerns should be given equal consideration to those social and economic ones.

RSPB (PLDP/649/20) welcome this policy.

Landscape and Policy ENV2: Landscape Character

SNH (PLDP/640/20) support the description of 'Landscape' within the opening text. However, we consider the reference to 'compromise' of the landscape character and the need for action 'as far as possible' to be ambiguous. To add greater certainty the respondent recommends that the second last sentence be amended.

In relation to Policy ENV2, the respondent also considers that the wording of the policy to be ambiguous due to inclusion of the qualification 'where appropriate', suggesting that the policy only needs to be applied in some circumstances and not detailing what these are. This does not seem to follow paragraph 202 of SPP which states unequivocally that: 'The siting and design of development should take account of local landscape character'. The respondent recommends that the policy should not only refer to consideration of landscape character but also highlight that this should inform siting and design of the development, assisting the design process. In the interests of certainty and to accord with paragraph 202 of SPP (CD 03), the policy should therefore be amended.

Policy ENV3 - Carbon Rich Soils

SNH (PLDP/640/20) recommend that the provision of a link to SNH's Carbon and Peatland Map referred to in the supporting text prior to Policy ENV3 and request that Policy ENV3 is amended to provide further protection.

RSPB (PLDP/649/20) welcome this policy and the support given for peatland restoration.

Policy ENV 4 - Forestry, Trees and Woodland

Woodland Trust Scotland (PLDP/646/20) state that they support the wording preceding the policy and suggest that this should also be incorporated into the policy. Indicate that in relation to the interpretation note on the Ancient Woodland Inventory, it is completely inappropriate to say that fragmentation and/or loss of these types of woodland may be permitted.

The respondent also welcomes the recognition that trees form an important feature of urban areas, and that they should be retained trees that have a significant visual, landscape and historic impact. This should also be included in the actual policy wording.

Policy ENV6 - Flooding

Malin Group Ltd (PLDP/177/20) states that the Policy should also recognise that in exceptional circumstances, there may be a need for development activities (temporary or permanent) within such areas. This could include the need to undertake remediation activities to deliver environmental betterment or an unavoidable need to undertake land raising (and to provide associated compensatory storage) to protect development from flood risks. The Policy should be modified to reflect these exceptional circumstances.

Silverton and Overtoun Community Council (PLDP/182/20) refer to their previous comments in relation to Dumbarton Town Centre and Waterfront Policy 3 in relation to flood risks.

SNH (PLDP/640/20) highlight the importance that consideration be given to climate change. In particular, for coastal development and in the use of well-designed natural flood management wherever possible. The respondent recommends the provision of a link in the supporting text to the SNH commissioned Report: Impacts of sea-level rise and storm surges due to climate change in the Firth of Clyde': https://www.nature.scot/snh-commissioned-report-891-impacts-sea-level-rise-and-storm-surges-due-climate-change-firth-clyde

Policy ENV7 - Advanced and Temporary Greening of Vacant and Derelict Land

Silverton and Overtoun Community Council (PLDP/182/20) support this Policy as this might provide opportunities for temporary community gardens, which would help the problem of demand for allotments, albeit on a short-term basis.

SNH (PLDP/640/20) state that the Policy required to be amended to provide for the presence and protection of species.

RSPB (PLDP/649/20) broadly support this policy, however it should be noted that sometimes brownfield sites that are naturally colonising by wildlife have significant value

and that care should be taken to ensure that any 'greening' does not adversely affect this. As a result, an amendment to the policy should be made.

Policy ENV8 - Air, Light and Noise Pollution

Woodland Trust Scotland (PLDP/646/20) generally support this policy but seek a change to the policy in relation to native trees and canopy cover as these can help absorb pollution and act as a noise barrier.

Policy ENV9 - Contaminated Land

The Coal Authority (PLDP/179) are of the view that the Policy needs to be amended to have the issues of ground stability covered within it as it is especially as the ground conditions associated with past coal mining activity are not necessary located within the same areas as surface coal resource.

Policy ENV10 - Implementation of the SEA Environmental Report

RSPB (PLDP/646/20) welcome this policy.

Modifications sought by those submitting representations:

Safeguarding our Environment Introductory Text

SNH (PLDP/640/20) request that an additional paragraph be added to the supporting text for Safeguarding Our Environment (Policy ENV1), between paragraph 2 and the final paragraph to reflect the requirements of SPP and suggest the following wording:

"For Natura 2000 sites, development likely to have a significant effect will be subject to an appropriate assessment of the implications for the conservation objectives".

Policy ENV1 - Nature Conservation

Strathclyde Geoconservation Group (PLDP/007) seek a modification to the last sentence within Paragraph 3 of the Policy as follows (amendment in bold/ deletions in ~~and~~):

"In all instances, the Council will require development proposals to have regard to safeguarding features of nature conservation value including woodlands, hedgerows, lochs, ponds, watercourses, wetlands**,** ~~and~~ wildlife corridors **and geological features.**"

SNH (PLDP/640/20) seek the following amendments to the Policy (amendments in bold):

"Development that adversely effects the integrity of sites designated for nature conservation or harms protected species will not be permitted except:

a) for Natura 2000 sites:

- *Where there are no alternative solutions*
- *There are imperative reasons of overriding public interest, including those of a social and economic nature; and*
- *compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.*

In this event, Scottish Ministers will be notified

b) for protected species:

where it accords with relevant legislation and all of the relevant licensing tests are passed
c) for SSSI's:

- *where the objectives of designation and the overall integrity of the area will not be compromised; or*
- *any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance".*

Woodland Trust Scotland (PLDP/646/20) request that the wording of the Policy is changed as follows:

- to say that development on Natura 2000 sites is not permitted, and encourage developers to seek development on allocated sites;
- Delete the wording in relation to environmental concerns being overlooked if there are enough social and economic benefits; and
- Change the wording 'have regard' to in 'development proposals to have regard to safeguarding features of nature conservation value' to 'enhance and protect as appropriate.'

Landscape and Policy ENV2 - Landscape Character

SNH (PLDP/640/20) requests that the second last sentence of the opening text on Page 98 of the Plan be amended to:

"It is important that *the siting and design of new development relates directly to the key landscape characteristics to maintain or enhance the distinctive landscape character".*

The respondent also seeks that the first sentence of Policy ENV2 is amended to:

'Development proposals *should be sited and designed to relate to* the local landscape character of the area and ensure that the integrity of this landscape character is maintained or enhanced'.

Policy ENV3 - Carbon Rich Soils

SNH (PLDP/640/20) recommend a new paragraph be inserted after paragraph one and paragraph 3 as follows:

"Where peat and other carbon rich soils are present, applicants should submit a peat management plan and/or enhancement plan to demonstrate how impacts on peat or peatland habitat have been avoided or minimised".

Policy ENV 4 - Forestry, Trees and Woodland

Woodland Trust Scotland (PLDP/646/20) wish to see the following modifications to the Plan:

- In the first paragraph in the policy section add the sentence 'Developers are

encouraged to specifically consider native trees and woodland planting as part of their landscape plan.'

- The wording in the second paragraph should be changed to *'Developments that involve the loss or fragmentation of… will not be permitted.'* In addition the following wording can be used: *Ancient woodland loss is irreplaceable, therefore, no replacement planting can ever make up for this loss. There are circumstances where woodland loss does happen, and in such cases we would expect to see appropriate replacement.* A requirement for replacement planting to be with native tree species should also be added.
- In relation to the second bullet point of the second paragraph the word *'elsewhere'* should be replaced with *'on areas identified by the Glasgow and Clyde Valley Forestry and Woodland Strategy.'*
- Add a provision to the policy to say: *'Development likely to negatively impact on ancient woodland should be located away from these sites'* and that *'The Council will aim for an increase in canopy cover across urban areas in West Dunbartonshire.'*

Policy ENV6 - Flooding

Malin Group Ltd (PLDP/177/20) request that the following wording is inserted into the first sentence of Policy ENV6:

"Except in circumstances which are demonstrated to be exceptional and unavoidable,…"

SNH (PLDP/640/20) request that link is inserted into the supporting text for the Policy to draw attention to the SNH commissioned Report: Impacts of sea-level rise and storm surges due to climate change in the Firth of Clyde': https://www.nature.scot/snh-commissioned-report-891-impacts-sea-level-rise-and-storm-surges-due-climate-change-firth-clyde

Policy ENV 7 - Advanced and Temporary Greening of Vacant and Derelict Land

SNH (PLDP/640/20) request that the final sentence of the policy is amended as follows:

"Any temporary greening of a site *should be preceded by a survey to establish any protected species licensing requirements and* should not prevent the future development of the site concerned."

Woodland Trust Scotland (PLDP/649/20) recommend that the following wording is added onto the last sentence of the Policy:

"and should also take account of any existing wildlife value of the site"

Policy ENV 8 - Air, Light and Noise Pollution

Woodland Trust Scotland (PLDP/646/20) seek an amendment to the policy to mention native trees and that increasing the canopy cover, as appropriate, to help absorb pollution and act as a noise barrier where this is needed.

Policy ENV 9 - Contaminated Land

The Coal Authority (PLDP/179) request that the following text is either combined into

Policy ENV9 or becomes a new policy. Both examples are set out below (amendments to Policy ENV9 are in bold and deletions as ~~abc~~):

"*Policy ENV9: Contaminated Land* ***and Unstable Land***
Developers will be required to establish the nature of any contamination ***and land instability*** *on any potential development site. Where contamination* ***or land instability*** *is present and risks ~~to key receptors~~ are identified, then remediation will be required to ensure the site can be made suitable* ***and stable*** *for its future use."*

Or

"Policy ENVxx: Unstable Land

In areas of past coal mining activity, developers will be required to establish the nature of any land instability on any potential development site. Where land instability is present and the risks posed are identified, then remediation works will be required to ensure the site can be made safe and stable for its future use."

Summary of responses (including reasons) by planning authority:

The Councils responses to the representations to this section of the Plan have been grouped under the following subheadings: General; Safeguarding our Environment Introductory Text; Natural Environment Designations Map; Policy ENV1 - Nature Conservation; Landscape and Policy ENV2 - Landscape Character; Policy ENV3 - Carbon Rich Soils; Policy ENV4 - Forestry, Trees and Woodland; Policy ENV6 - Flooding; Policy ENV7 - Advanced and Temporary Greening of Vacant and Derelict Land; Policy ENV8 - Air, Light and Noise Pollution; Policy ENV9 - Contaminated Land; and Policy ENV10 - Implementation of the SEA Environmental Report.

<u>General</u>

The support from Silverton and Overtoun Community Council (PLDP/182/20) for the Policy is welcomed.

The support from SEPA (PLDP/676/20) for this section of the Plan and the Policies within it is welcomed.

<u>Natural Environment Designations Map</u>

With regard to the representation made by Persimmon Homes (PLDP/173/20), the Council agree that there is an error in the key in terms of the hatching used for the Kilpatrick Hills and SSSI's. This is a drafting error and the Council consider that this is a non-notifiable modification that can be rectified before Local Development Plan 2 is adopted. However, should the Reporter wish to make the modification as the respondent requests the Council would have no objection to this being done so at this stage.

<u>Safeguarding our Environment Introductory Text</u>

The Council would have no objection to the proposed modification, as requested by SNH (PLDP/640/20), should the Reporter wish to amend the text to insert an additional paragraph.

Policy ENV 1 - Nature Conservation

The Council would have no objection to the proposed modification to the policy being made, as requested by Strathclyde Geoconservation Group (PLDP/007), should the Reporter wish to amend the policy.

The Council would have no objection to the proposed modification to the policy being made, as requested by SNH (PLDP/640/20), should the Reporter wish to amend the policy.

With regard to the representation by Woodland Trust Scotland (PLDP/646/20), the Council does not agree with the respondent that the Policy requires to be amended as they seek. The Policy is fully in accordance with the requirements of SPP (CD 03). Apart from the minor modifications to the Policy sought by SNH, they have not objected to the Policy and are content with its provisions. No modifications to the Policy are therefore considered necessary.

The support from RSPB (PLDP/649/20) for the Policy is welcomed.

Landscape and Policy ENV 2 - Landscape Character

The Council would have no objection to the proposed modification to the text and the policy being made, as requested by SNH (PLDP/640/20), should the Reporter wish to amend both the text and policy.

Policy ENV 3 - Carbon Rich Soils

The Council would have no objection to the proposed modification to the text being made, as requested by SNH (PLDP/640/20), should the Reporter wish to amend the text.

The support from RSPB (PLDP/649/20) for the Policy is welcomed.

Policy ENV 4 - Forestry, Trees and Woodland

The Council does not agree with the representation from Woodland Trust Scotland (PLDP/646/20) as the Policy wording is fully in line with SPP (CD 03) and the Scottish Government's policy on woodland removal. Moreover, the Forestry Commission Scotland were involved in the wording of the Policy and have not objected to the Policy or its provisions and neither have SNH. No modification to the Plan is required in this instance.

Policy ENV 6 - Flooding

With regard to the representation from Malin Group Ltd (PLDP/177/20), the Council would have no objection to the proposed modification being made to the Policy should the Reporter wish to amend the policy.

In response to Silverton and Overtoun Community Council (PLDP/182/20), it is clear that their representation relates to Issue 6 on Dumbarton Town Centre and Waterfront and the Council's response to this particular representation is considered within that Issue.

The Council would have no objection to the proposed modification to paragraph 3 being made, as requested by SNH (PLDP/640/20), should the Reporter wish to amend the

paragraph and would suggest the following wording being inserted after second last sentence of paragraph 3 on page 101 as follows (amendment in bold):

"It is important to note that climate change is also increasing and frequency of flooding and that new development should, in particular, take account of rising levels within the River Clyde ***which information on can be found within SNH's commissioned Report: Impacts of sea-level rise and storm surges due to climate change in the Firth of Clyde: https://www.nature.scot/snh-commissioned-report-891-impacts-sea-level-rise-and-storm-surges-due-climate-change-firth-clyde.'***

Policy ENV7 - Advanced and Temporary Greening of Vacant and Derelict Land

The support from Silverton and Overtoun Community Council (PLDP/182/20) for the Policy is welcomed.

The Council would have no objection to the proposed modification to the policy being made, as requested by SNH (PLDP/640/20), should the Reporter wish to amend the policy.

With regard to the representation from Woodland Trust Scotland (PLDP/646/20), the Council would have no objection to the proposed modification. Should the Reporter be of the view that an amendment to the policy is necessary, the Council would have no objection to the proposed wording being inserted into the policy as the respondent suggests.

Policy ENV8 - Air, Light and Noise Pollution

The Council does not agree with the representation by Woodland Trust Scotland (PLDP/646/20) as the policy already states that incorporating green infrastructure with a development can help to mitigate against adverse impacts. The Council is of the view that it is not necessary to specify types of green infrastructure within the policy as the respondent suggests as this would just add to confusion and duplication. No modification to the policy is therefore required.

Policy ENV9 - Contaminated Land

In relation to the representation from the Coal Authority (PLDP/179), SPP (CD 03) does not require Local Development Plan 2 to include a policy or refer to development on unstable land. The Council is of the view that issues with ground stability are better addressed at the development management stage, in consultation with the Coal Authority and through detailed site investigations. By including reference to unstable land within this policy, the Council is firmly of the view that this would add another layer of complexity to the assessment of a planning application and would result in the Council and not the developer being responsible for ensuring that the site is suitable for development. Therefore, the Council are of the view that no changes to the Policy are required with regard to this issue.

Policy ENV10 - Implementation of the SEA Environmental Report.

The support from RSPB (PLDP/649/20) for the Policy is welcomed.

Reporter's conclusions:

Safeguarding Our Environment - Introductory Text

1. Paragraph 207 of Scottish Planning Policy 2014 (SPP) states that any development plan or proposal likely to have a significant effect on Natura 2000 sites which is not directly connected with or necessary for their conservation management must be subject to an 'appropriate assessment' of the implications for the conservation objectives underpinning the designation of the site. Scottish Natural Heritage (SNH) would like to see this requirement made explicit in the plan. I agree that a change of this nature would improve alignment of the proposed plan with SPP. The council also supports this change. I have recommended below a modification which is based closely on the additional wording proposed by SNH.

Natural Environment Designations Map

2. The orange hatching in the notation for the natural environment designations map which relates both to the designation of the Kilpatrick Hills Local Landscape Area and Sites of Special Scientific Interest is transposed from the hatching which denotes these areas on the map itself. I agree with Persimmon Homes that, in the interests of clarity, this should be corrected. The council has suggested that such a change could be regarded as a non-notifiable modification. For the avoidance of doubt, I have recommended below a modification to ensure that the designations on the map and on the notation are consistent.

Policy ENV1 Nature Conservation

3. Geodiversity makes a significant contribution to the value of the natural environment along with more commonly recognised features such as landscape character, the water environment, biodiversity, trees, woodland and soils. As the supporting text highlights, some of West Dunbartonshire's geology is of national importance. I agree with the Strathclyde Geoconservation Group that it would strengthen proposed Policy ENV1 were it to include a reference to protection of geological features. The council is of a similar mind. I have recommended below a modification which endorses the change suggested by the group.

4. Paragraph 208 and 209 of SPP indicate that a derogation is available for authorities to approve plans or projects which could adversely affect the integrity of a Natura site if certain conditions are met but that, if an authority wishes to use this derogation, it must notify Scottish Ministers. This is an important measure and the proposed policy would be strengthened by the inclusion of a reference to this effect. The council supports the suggested revision.

5. Paragraph 212 of SPP provides that development which would affect an area protected as a site of special scientific interest should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised, or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. As it stands, the proposed policy reflects only the second of these criteria. SNH considers the policy should reflect both criteria. I agree that this is a significant omission. Again, the council supports the suggested revision.

6. I have recommended below modifications to the policy which address SNH's representation on both points and bring the proposed plan into line with SPP.

7. Woodland Trust Scotland advocate three changes to Policy ENV1. I do not support the first two suggested changes on the basis that the existing wording of the proposed policy is consistent with SPP.

8. The third suggestion addresses a matter of local policy in relation to sites which are not covered by an international or national designation and not identified in the local biodiversity action plan. In this context, I consider that the requirement 'to have regard to safeguarding' listed features of nature conservation value is a reasonable approach. It requires the developer to explain, as part of any planning application, how proposals would affect the feature or features in question and enables the council to take a balanced view on whether any detrimental impact is acceptable when set against the potential benefits of the proposed development. I do not consider that it is necessary to modify the plan in response to this part of the trust's representation.

Landscape Supporting Text and Policy ENV2 Landscape Character

9. Paragraph 194 of SPP states that, amongst other things, the planning system should facilitate positive change while maintaining and enhancing distinctive landscape character. The change sought by SNH to the introductory text which precedes proposed Policy ENV2 captures the spirit of this policy principle more precisely than the fourth sentence of the proposed preamble. This is accepted by the council. I have recommended below a modification which is based closely on the change recommended by SNH.

10. Paragraph 202 of SPP states that 'the siting and design of development should take account of local landscape character' and that 'developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement'. SNH advocates a change to proposed Policy ENV2 better to reflect the terms of SPP in this regard. The council is accepting of SNH's suggestion. I consider that the proposed change would strengthen the policy in the proposed plan by providing closer alignment with national policy. Accordingly, I have recommended below a modification which is based closely on the wording recommended by SNH.

Policy ENV3 Carbon Rich Soils

11. SNH has suggested providing a hyperlink to the Scotland-wide map of Carbon Rich Soil, Deep Peat and Priority Peatland Habitats referred to in the supporting text to proposed Policy ENV3. The council has not commented on SNH's suggestion but I consider that this would be a helpful addition for users of the plan. I have recommended below a modification to this effect.

12. Paragraph 194 of SPP states that, amongst other things, the planning system should seek to protect soils from damage such as erosion or compaction. Paragraph 205 of SPP requires that, where peat and other carbon rich soils are present, potential developers should assess the likely effects of development on carbon dioxide emissions and aim to minimise the release of carbon dioxide to the atmosphere. Proposed Policy ENV3 goes a long way towards addressing the requirements of SPP paragraphs 194 and 205. However, I consider that the suggestion by SNH that, in appropriate circumstances,

developers should be required to submit a peat management plan and/or enhancement plan would strengthen the proposed policy, both in relation to protecting peat and other carbon rich soils as a carbon sink and as valuable habitat. The council is supportive of SNH's proposed change. I have recommended below a modification based on the additional wording recommended by SNH.

Policy ENV4 Forestry, Trees and Woodland

13. The first paragraph of proposed Policy ENV4 requires developers to submit and implement a landscape management plan for all new development. I consider that Woodland Trust Scotland's suggestion that this requirement should be revised to require the specific consideration of native trees and woodland planting would introduce a level of detail that is not appropriate for the local development plan. In the context already provided by the proposed policy, this is a matter that can be considered adequately through the development management process.

14. Paragraph 216 of SPP states that ancient semi-natural woodland is an irreplaceable resource which should be protected from adverse impacts resulting from development. Paragraph 218 of SPP refers to the Scottish Government's Control of Woodland Removal Policy (CWRP) and states that this includes a presumption in favour of protecting woodland. Annex 2 of the CWRP indicates a strong presumption against removal of ancient semi-natural woodland. Guiding principle 5 of the CWRP states that, only in exceptional circumstances should this strong presumption against removal be overridden. Guiding principle 5 also says that proposals to remove such woodland will require a high level of supporting evidence and that, where removal is justified, compensatory planting must exceed the area of woodland removed.

15. I consider that SPP sets a high order policy framework and the CPWR provides detailed policy interpretation within that framework. Read together, they do not provide the absolute inhibition on removal of ancient woodland sought by Woodland Trust Scotland. The third paragraph of proposed Policy ENV4 indicates that, where felling of woodland is proposed, the criteria set out in the CPWR will be taken into account to determine the acceptability of removal. This is consistent with my interpretation of government policy.

16. I do not consider it necessary to include a reference to the Glasgow and Clyde Valley Forest and Woodland Strategy in the second bullet point of the second paragraph of the proposed policy as it is stated in the first paragraph that the council supports woodland expansion in line with the strategy. This would include compensatory planting. There may also be local circumstances where compensatory planting is acceptable or desirable that is not in line with the strategy.

17. The first paragraph of proposed Policy ENV4 states the council's commitment to woodland expansion in line with the strategy. This would include expansion of tree cover in urban areas.

18. I also note that neither Scottish Forestry nor SNH has objected to the proposed policy. I do not consider it necessary to propose a modification to the policy to address the trust's representation.

Policy ENV6 Flooding

19. SNH suggests the provision of a link in the introductory text which precedes proposed Policy ENV6 to their report on sea-level rise and storm surges in the Firth of Clyde resulting from climate change. I consider this would be useful background for users of the plan. The council supports SNH's suggestion. I have recommended below an addition to the preamble which endorses the additional wording suggested by the council.

20. Paragraph 256 of SPP requires the planning system to prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Paragraph 263 of SPP sets out the appropriate planning approach for each of the three categories of coastal and watercourse flood risk. SPP states that, in certain circumstances, areas of medium to high flood risk may be suitable for four types of development described in the policy. SPP also states that, where development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.

21. The third paragraph of the introductory text that precedes proposed Policy ENV6 explains that SPP sets out the type of development that will be appropriate in each category of flood risk and indicates that, as well as complying with Policy ENV6, development proposals must comply with SPP. Given the level of detail provided in SPP and the significant risk to people, business and the environment if flood risk policy and development management decisions do not adopt a precautionary approach, I consider that the change to the plan sought by the Malin Group is too open-ended. However, I also consider that, subject to a minor revision to proposed Policy ENV6, SPP would potentially allow for the sort of essential development the Malin Group has in mind.

22. Therefore, I have recommended below a modification to Policy ENV6 that aligns the wording more closely with that of SPP.

Policy ENV7 Advanced and Temporary Greening of Vacant and Derelict Land

23. The proposed policy is consistent with paragraph 229 of SPP. However, I consider that the precautions sought by SNH and the Royal Society for the Protection of Birds Scotland to ensure that temporary use of a site as green infrastructure is not detrimental to its value for nature conservation would be a helpful refinement. The council is agreeable to a change along these lines. Consequently, I have recommended below a modification which seeks to address both representations on this matter.

Policy ENV8 Air, Light and Noise Pollution

24. The final paragraph of proposed Policy ENV8 indicates that, where appropriate, developers will be required to utilise green infrastructure within a development to reduce or mitigate any negative impacts that proposals may have on air, light and noise. The type of green infrastructure, including the specification of native tree species, that may be most effective in this regard is best determined through the development management process in relation to local circumstances. I do not consider it necessary to recommend a modification to the proposed plan to address the representation from Woodland Trust Scotland.

Policy ENV9 Contaminated Land

25. As the council points out, there is no requirement in SPP that local development plans provide a policy framework for dealing with proposed development on sites with potentially unstable ground conditions. However, proposed Policy MIN3 Coal does require developers to assess ground conditions in areas of former coal mining activity. I consider that the proposed wording provides an adequate policy hook to enable the council to address any such issues through the development management process, in consultation with the coal authority. However, I agree with the Coal Authority that this part of Policy MIN3 would, more logically and helpfully, sit alongside the plan's environmental policies. Therefore, I have recommended below that the second paragraph of proposed Policy MIN3 is deleted and a new environmental policy based on that proposed by the Coal Authority, accompanied by a short supporting text, is inserted after proposed Policy ENV 9 Contaminated Land.

Reporter's recommendations:

I recommend that the plan be modified by:

1. Inserting the following new paragraph between the existing second and third paragraphs of the supporting text on page 96 of the proposed plan:

'Development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment of the implications for the conservation objectives which led to the designation of the site.'

2. Changing the notation for the natural environment designations map to show the orange hatching relating to the Kilpatrick Hills Local Landscape Area so that it runs north-west to south-east, and the notation for Sites of Special Scientific Interest so that it runs south-west to north-east.

3. Deleting the existing second sentence of the third paragraph of proposed Policy ENV1 Nature Conservation and substituting the following sentence:

'In all instances, the council will require development proposals to have regard to safeguarding features of nature conservation value including woodlands, hedgerows, lochs, ponds, watercourses, wetlands, wildlife corridors and geological features.'

4. Inserting a new sentence at the end of criterion a) of the second paragraph of proposed Policy ENV1 Nature Conservation to read as follows:

'In this event, Scottish Ministers will be notified.'

5. Deleting criterion c) of the second paragraph of proposed Policy ENV1 Nature Conservation and substituting the following criterion:

'c) SSSIs where:

- the objectives of designation and the overall integrity of the area will not be compromised; or
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of

national importance.'

6. Deleting the fourth sentence of the proposed introductory text which precedes Policy ENV2 Landscape Character and substituting the following sentence:

'It is important that the siting and design of new development relates directly to key landscape characteristics in order to maintain and enhance the distinctive landscape character.'

7. Deleting the first sentence of proposed Policy ENV2 Landscape Character and substituting the following sentence:

'Development proposals should be sited and designed to relate to the local landscape character of the area and ensure that the integrity of this landscape character is maintained and, where appropriate, enhanced.'

8. Inserting after the second sentence of the supporting text to proposed Policy ENV3 Carbon Rich Soils a link to Scottish Natural Heritage's Scotland-wide map of Carbon Rich Soil, Deep Peat and Priority Peatland Habitats, 2016.

9. Inserting the following paragraph after the existing first paragraph of proposed Policy ENV3 Carbon Rich Soils:

'Where peat and other carbon rich soils are present, applicants may be required to submit a peat management plan and/or enhancement plan to demonstrate how impacts on peat or peatland habitat would be avoided or minimised.'

10. Adding a new sentence after the existing fifth sentence of the third paragraph of the introductory text that precedes proposed Policy ENV6, to read as follows:

'Further information can be found in Scottish Natural Heritage's report Impacts of sea-level rise and storm surges due to climate change in the Firth of Clyde: https://www.nature.scot/snh-commissioned-report-891-impacts-sea-level-rise-and-storm-surges-due-climate-change-firth-clyde .'

11. Deleting the first sentence of proposed Policy ENV6 Flooding and substituting the following sentence:

'Development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere will not be supported.'

12. Inserting a new sentence after the existing second sentence of proposed Policy ENV7 Advanced and Temporary Greening of Vacant and Derelict Land to read as follows:

'Temporary use of a site as green infrastructure should take account of any existing wildlife value of the site and should be preceded by a survey to establish any protected species licensing requirements.'

13. Deleting the second paragraph of proposed Policy MIN3 Coal and inserting a new sub-section and policy after proposed Policy ENV9 Contaminated Land, as follows:

'Unstable Land

In areas of former coal extraction, ground conditions may pose a risk to new development unless appropriate remediation measures are undertaken. The Coal Authority can provide advice on this matter.

Policy ENV10
Unstable Land

In areas of past coal mining activity, developers will be required to establish the nature and extent of any land instability. Where land instability is present and a risk is identified, remediation works will be required to ensure that the site can be made safe and stable for its future use.'

Renumbering proposed Policies ENV10 and ENV11 as Policies ENV11 and ENV12.

Issue 21	**Connectivity**	
Development plan reference:	Connectivity (Pages 106 – 107)	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

SportScotland (PLDP/026/21)
Persimmon Homes West Scotland (PLDP/173/21)
Susan Dick (PLDP/175/21)
Scottish Government (PLDP/659/21)
Network Rail (PLDP/662/21)
Homes for Scotland (PLDP/669/21)
SPT (PLDP/675/21) (Support)
SEPA (PLDP/676/21) (Support)

Provision of the development plan to which the issue relates:	This issue relates to the development policies of the Plan which set out the Councils requirements for Transport, Core Paths and Natural Routes and Broadband and Communications Infrastructure.

Planning authority's summary of the representation(s):

The representations received to this chapter have been grouped under the following sub-headings: General; Policy CON1 - Transportation Requirements for New Development; Outdoor Access and Policy CON3 - Core Paths and Natural Routes; Policy CON4 - Installation of Superfast Broadband for New Development; and Policy CON5 - Communications Infrastructure.

General

Scottish Government (PLDP/659/21) states that a consideration of freight should be included in the plan to reflect the requirements of Paragraph 282 of Scottish Planning Policy (CD 03).

Scottish Government (PLDP/659/21) state that the development plan should identify at least one exemplar walking and cycling friendly settlement to demonstrate how active travel networks can be significantly improved in line with meeting their vision for increased cycling and to accord with paragraph 5.14 of National Planning Framework 3 (CD 02).

SEPA (PLDP/676/21) are supportive of the general aims of the strategy and policies contained within this section, particularly those measures which can reduce vehicular usage with its links to detrimental air quality, climate change and human health. SEPA acknowledge the aims of the 'outdoor access' strategy and encourage the creation of core paths/walkways along watercourses, which builds on the provision of blue-green networks and infrastructure, as detailed in Policy CON3.

Policy CON 1 - Transportation Requirements for New Development

Network Rail (PLDP/662/21) state that the Policy covers developments contributions for the provision of transport infrastructure but wish to see more detail given on how this will

be implemented. We also request that the LDP2 provides a specific reference to a requirement for developer contributions to be grouped and pooled across sites as an Infrastructure Levy for qualitative improvements towards rail infrastructure and/or station capacity facilities and level crossings where required as a direct consequence or generated requirement from a proposed development.

SPT (PLDP/675/21) support the Policy and welcome the recognition of the potential requirement for developers to contribute to transport services as well as infrastructure.

Outdoor Access and Policy CON3 - Core Paths and Natural Routes

SportScotland (PLDP/026/21) state that whilst some reference is made to the importance of routes for recreational purposes, the focus is largely on the Core Path Network and formal footpaths. SPP is clear on the need to protect all important access rights, including off-path (e.g. on/in water, specific climbing crags etc) and access rights extend to a range of recreational purposes, not just walking and cycling. Local Authorities have a statutory duty as set out in the Land Reform (Scotland) Act (CD 50) to uphold access rights, and it is important that this is reflected in development plan policy. As a result, SportScotland seeks modifications to both the text and Policy CON3.

Susan Dick (PLDP/175/21) states that the Policy CON3 does not mention bridleways within it and the consideration of safety for users on them.

Policy CON4 - Installation of Superfast Broadband for New Development

Persimmon Homes West Scotland (PLDP/173/21) state that they now fit fibre to all new Persimmon homes developments but state the speed of the connection cannot be guaranteed as this is influenced by infrastructure in the wider area. They consider it unrealistic to set a speed for a fibre connection when the developer has little control over this.

Homes for Scotland (PLDP/669/21) state that it is important to recognise that the connection speed itself depends on wider infrastructure. Therefore, the respondent does not consider it is appropriate to require specific connection speed as the wider infrastructure is not controlled by homebuilders on a given site and it would therefore not be possible for them to upgrade it, as this is the responsibility of infrastructure providers.

Policy CON5 - Communications Infrastructure

Scottish Government (PLDP/659/21) request that the Policy is updated so that it fully reflects the criteria set out within Paragraphs 295 and 296 of Scottish Planning Policy (CD 03).

Modifications sought by those submitting representations:

General

Scottish Government (PLDP/659/21) require the Plan to modified to consider freight in line with the requirements of Paragraph 282 of Scottish Planning Policy (CD 03).

Scottish Government (PLDP/659/21) require the Plan to be modified to identify at least one least one exemplar walking and cycling friendly settlement to demonstrate how active

travel networks can be improved in line with the Scottish Government vision and to accord with National Planning Framework 3 (CD 02).

Policy CON1 - Transportation Requirements for New Development

Network Rail (PLDP/662/21) wish the following text to be added after the end of the last paragraph of Policy CON1:

"Where appropriate, developer contributions will be grouped and pooled across sites as an Infrastructure levy for qualitative improvements towards rail infrastructure and/or station capacity facilities and level crossings where required as a direct consequence or generated requirement from a proposed development."

Outdoor Access and Policy CON3 - Core Paths and Natural Routes

SportScotland (PLDP/026/21) seek the following modifications to the text on Outdoor Access on Page 107:

Insert the following text after paragraph 2:

"Access rights extend beyond core paths and the formal path network and there are a number of sports in addition to walking and cycling, that use and are dependent on Scotland's natural environment and exercising broader access rights for their practice including off-path (e.g. in water, an important climbing crag). Development needs to consider any impacts of proposals on access for these users."

SportScotland (PLDP/026/21) also seek the following modifications to Policy CON3 (additions in bold/ deletions ~~abc~~) as follows:

"Policy CON3

*Core Paths**, ~~and~~ Natural Routes* ***and Access***

Improvements to and reinstatement of core paths and the development of new routes for core paths, footpaths, bridleways or cycle paths are encouraged and supported by the Council. Development of new routes should demonstrate that they will not have an adverse effect on the integrity of a Natura 2000 site. ***Development proposals will recognise outdoor sport and recreation interests and consider any impacts on access rights for these users.***

The Council, however, will not be supportive of development which disrupts or adversely impacts on any existing or potential core path, right of way, bridle path, or footpath used by the general public for recreational or other purposes. ***This includes off-path access rights which must be protected.*** *Where such disruption or adverse impact is demonstrated to be unavoidable, the Council will require developers, as an integral part of the proposed development, to provide for the appropriate diversion of the route elsewhere within the development site or to put into place appropriate measures to mitigate and overcome the adverse impact expected."*

Susan Dick (PLDP/175/3) does not seek a specific modification but it is inherent in the representation that bridleways should be added to the policy in some manner.

Policy CON4 - Installation of Superfast Broadband for New Development

Persimmon Homes West Scotland (PLDP/173/21) suggest that Policy CON4 is reworded as follows:

"New residential as well as business and industrial developments shall be required to install the necessary infrastructure to enable all new premises to be connected to full fibre optical networks, and in accordance with the relevant telecommunications provider's standards. Developers of these sites shall be required to ensure that all new premises have a direct full fibre connection at the premises and are encouraged to have early discussions with the relevant telecommunications provider when formulating their development proposals."

Homes for Scotland (PLDP/669/21) consider the Policy should be amended as set out below (**addition**, deletion):

"New residential as well as business and industrial developments shall be required, ***where appropriate,*** *to install the necessary infrastructure to enable all new premises to be connected to full fibre optical networks, and in accordance with the relevant telecommunication provider's standards.* ~~*Developers of these sites shall be required to ensure that all new premises have a direct full fibre connection ensuring that speeds in excess of 50 Megabytes per second can be provided at the premises and, as a consequence, are encouraged to have early discussions with the relevant telecommunications provider when formulating their development proposals."*~~

Policy CON5 - Communications Infrastructure

Scottish Government (PLDP/659/21) state that the Policy needs to be amended to reflect the criteria set out within Paragraphs 295 and 296 of Scottish Planning Policy (CD 03).

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations received to this chapter have been grouped under the following sub-headings: General; Policy CON1 - Transportation Requirements for New Development; Outdoor Access and Policy CON3 - Core Paths and Natural Routes; Policy CON4 - Installation of Superfast Broadband for New Development; and Policy CON5 - Communications Infrastructure.

General

The representation from the Scottish Government (PLDP/659/21) states that the Council, is required by Paragraph 282 of SPP (CD 03) to consider the need for improved and additional freight transfer stations and also facilities allowing the transfer of freight by from road to rail or water. The Council would contend that transporting freight by rail is not feasible within West Dunbartonshire due to the location of our regeneration and other business and industrial sites from the main railway lines and the general lack of demand for freight transfer infrastructure within the area. It would potentially also be cost prohibitive and have operational issues for Network Rail and would therefore not be able to be feasibly delivered within the Plan period.

There is the potential to transport freight from road to water at Rothesay Dock; Carless; and the Esso City Deal site, but there are no firm or concrete plans in effect at this time for

provision of freight interchanges at these locations. Therefore, the Council is not convinced that it is prudent to modify the Plan as the Scottish Government wish in this regard, as the provision or delivery of a freight interchange may not be viable within the plan period. Therefore, the Council do not agree that the Plan needs to be modified.

In relation to the second representation from the Scottish Government (PLDP/659/21), the Council is of the view that it would be difficult to identify one settlement as an exemplar for walking and cycling to demonstrate how active travel routes can be significantly improved in line with the requirements of National Planning Framework 3 (CD 02) and the Scottish Governments vision. There are two strategic long distance walking and cycling routes running through the majority of the settlements within West Dunbartonshire: the Forth and Clyde Canal towpath and national cycle route (NCN7) and this is reflected within paragraph 1 on Page 107 of the plan.

In relation to the NCN 7, the Council and Sustrans have delivered five new links to this important cycle route and the Council secured an additional £375,000 worth of funding from Sustrans to upgrade two existing sections of the NCN in Bowling (1km) and Renton (3Km). The Council have submitted further bids to Sustrans for funding to create two additional new links: Clydebank North Circular Link, using the footway of the A82 to provide a link along the northern end of Clydebank between the Forth & Clyde Canal at Great Western Retail Park and Erskine Bridge, where it joins existing infrastructure.

The other proposed new link runs between Dumbarton Central Station and Jamestown using the footways of Townend Road and A813, as well as, Vale of Leven Industrial Estate. The existing upgraded NCN 7 will also be accessible via the existing bridges over the River Leven along the length of the route.

Similarly, Scottish Canals have made improvements to the Forth and Clyde Canal towpath, in partnership with the Council, and as it is a strategic green network project further funding can be used from the Councils developer contribution fund to provide further upgrades to the towpath for cycling and walking when and if required.

The Council therefore does not agree that the Plan needs modified to accord with NPF 3, as it is already in accordance with the Scottish Government's vision of providing an exemplar, namely the national cycle route, which demonstrates how active travel routes can be significantly improved for walking and cycling within West Dunbartonshire as a whole instead of focusing on one settlement.

The support of SEPA (PLDP/676/21) in relation to the aims of the strategy and policies within this section of the Plan is noted.

Policy CON1 - Transportation Requirements for New Development

The Council, in relation to the representation from Network Rail (PLDP/662/21), does not agree that the Plan requires to be modified to ensure that developer contributions are grouped and pooled across sites as an Infrastructure Levy for qualitative improvements towards rail infrastructure and/or station capacity facilities and level crossings. The Council is of the view that this modification would not be in conformity with the test of Developer Contributions as set out in the Scottish Governments Planning Circular 3/2012: Planning obligations and good neighbour agreements (CD 05) and would potentially make the delivery of the key regeneration sites and other development sites within area unviable. It should be noted that many of these sites have abnormal and higher than average site

development costs. Also the reference to an infrastructure levy is contained within the proposed Planning Bill and not current legislation, therefore the Council is of the view that there is no legal planning framework that exists at this present time that would allow the modification that Network Rail seek to be implemented.

The Council is also of the view that it does not need to provide more detail on how the provision of transport infrastructure would be implemented should developers require to provide it. The reason for this is that it would be on a case by case basis and is more a matter for the development management stage to address.

The support from SPT (PLDP/675/21) with regard the potential requirement for developers to contribute to transport services as well as infrastructure is welcomed.

Outdoor Access and Policy CON3 - Core Paths and Natural Routes

The Council would have no objection to the proposed modification to Paragraph 2 on Page 107 being made, as requested by SportScotland (PLDP/026/21), should the Reporter wish to amend the policy.

With regard to the representation from Susan Dick (PLDP/175/21), it should be noted that Policy CON3 does refer to Bridleways and Bridlepaths. No modification to the Policy is therefore required.

Policy CON4 - Installation of Superfast Broadband for New Development

Although the issues contained within the representations from Persimmon Homes West Scotland (PLDP/173/21) and Homes for Scotland (PLDP/669/21) are understood, the European Union and the Digital Scotland Superfast Broadband programme, which the Council and residents of West Dunbartonshire benefited from, defined superfast broadband as speeds of 30 Megabytes per Second (Mbps) or above. The Scottish Government's Digital Strategy (2017) (SI WDC04) seeks to ensure that every premise in Scotland is able to access broadband speeds of at least 30 Megabits per second by 2021. The Council believe that it is important to set a minimum speed so that the correct infrastructure is in place for new developments. This is the responsibility of the developer in conjunction with infrastructure providers, to ensure that each premise is future proofed for superfast broadband speed, which is in line with the Scottish Government's Digital Strategy. No modification to the Plan is therefore required.

Policy CON5 - Communications Infrastructure

With regard to the representation from the Scottish Government (PLDP/659/21), the Council is of the view that the Policy, whilst not regurgitating Paragraphs 295 and 296 of SPP (CD 03) verbatim, reflects the content of these Paragraphs and sets out the matters to be addressed in planning applications for developments associated with Communications Infrastructure. No modifications to the Policy are therefore required.

Reporter's conclusions:

General

1. Paragraph 283 of Scottish Planning Policy 2014 (SPP) states that, when preparing development plans, planning authorities should consider the need for improved and

additional freight transfer facilities and strategic freight sites should be safeguarded. This requirement extends to road, rail and water-based freight handling facilities.

2. I have not been made aware of any existing roadside facilities or lorry parking provision that require to be safeguarded in West Dunbartonshire, nor any demand for overnight parking of lorries. Consequently, I do not consider that road-based freight facilities are an issue for the proposed plan.

3. The proposed employment site E1(16) at Esso, Bowling adjoins the Glasgow to Helensburgh railway line and the proposed Carless employment site E1(17) and adjacent mixed-use site adjoin a disused railway line. These sites may present an opportunity for freight transfer to rail. However, paragraph 277 of SPP, which is concerned with the strategic case for new rail stations, sets out the need, through a 'complete and robust multimodal transport appraisal' to demonstrate demand, show that there would be no adverse impact on the operation of rail service franchises, identify funding partners and secure agreement with Transport Scotland and Network Rail before including potential station sites in development plans. I am of the view that similar considerations would apply to the identification of opportunities for rail-based freight facilities in the proposed plan. I have no evidence that preparatory work to this effect has taken place. Consequently, I consider that, notwithstanding the provisions of paragraph 283 of SPP, it would be premature, at best, to identify a site for rail-based freight handling in the proposed plan.

4. The planning permission granted for the marine fabrication plant at Carless includes proposed use of the existing jetties on the River Clyde and the modification to the proposed plan I have recommended in Issue 5 of this report includes access to the jetties as part of the employment site. This is consistent with paragraph SPP as it relates to transfer of freight from road to water.

5. The council advises that opportunities may also be available at the Esso site referred to above and at Rothesay Dock. Proposed Esso Bowling Policy 1 sets out the council's support for redevelopment proposals including 'maritime-related uses in relation to Dunglass Bay and other appropriate uses that require deep water channel access'. I find that this approach is also consistent with SPP.

6. Overall, I consider that the council has given appropriate consideration to the need for improved and additional freight transfer facilities in terms of SPP. I do not consider it appropriate to recommend a modification to the plan to address the Scottish Government's recommendation on this issue.

7. Paragraph 5.14 of the National Planning Framework 2014 (NPF) states that the Scottish Government 'will encourage local authorities to develop at least one exemplar walking- and cycling-friendly settlement to demonstrate how active travel networks can be significantly improved'. In response, the council points to the extensive work it has carried out in partnership with Sustrans to upgrade and provide links to that part of the national cycle route which falls within West Dunbartonshire (NCN7) and with Scottish Canals to improve the Forth and Clyde Canal towpath. The council also highlights its intention to carry out further improvements, subject to the availability of additional funding from Sustrans and from developer contributions. The council considers that these projects have benefitted, and will continue to benefit, communities throughout West Dunbartonshire.

8. I am sympathetic to the council's point of view. The national cycle route and towpath are linear routes. It would be a missed opportunity for the wider council area were improvements to focus around connections and improvements that benefitted a single community. It would also be politically difficult for the council, which represents a number of separate towns and villages, potentially to skew its capital programme in favour of one particular 'exemplar' community. Additionally, the proposed plan seeks to encourage development of cycling and walking routes both through general policies such as CP1, CP2, CON1 and CON3 and through site-specific policies such as Esso Bowling Policy 2 and Carless Policy 4. Furthermore, I note that paragraph 5.14 of the NPF is framed as an encouragement to councils, rather than a requirement. On balance, I find that there is plenty of evidence on the ground and in the proposed plan that the council is supportive of improvements to active travel networks. I do not consider it necessary to propose a modification to the plan on this matter.

Policy CON1 Transportation Requirements for New Development

9. Paragraph 32 of Scottish Government Circular 3/2012 Planning Obligations and Good Neighbour Agreements requires that the broad principles guiding the use of planning obligations should be set out in development plans and that methods and expected levels of contributions should be included in supplementary guidance. Proposed Policy CON1 indicates that, where appropriate and necessary, developers will be requested to enter into a legal agreement for the provision of transport infrastructure, public transport services or financial contributions directly related to a requirement arising from their development. This is consistent with Circular 3/2012. However, it would not be consistent with the circular also to include in proposed Policy CON1 more specific guidance on expected contributions. This should be included in supplementary guidance.

10. Paragraph 18 of the circular states that planning obligations should not be used to extract advantages, benefits or payments which are not directly related to a proposed development. Obligations are expected to specify clearly the purposes for which the contribution is required, including the infrastructure to be provided. This does not preclude developer contributions being pooled across sites to pay for improvements to infrastructure, as long as it is possible to demonstrate a direct link to the proposed development in relation to each contributing site. I do not consider it necessary to state this in the proposed plan specifically in relation to rail infrastructure as a similar approach may be appropriate in relation to bus services or road infrastructure, for example.

11. I do not consider it appropriate or necessary to recommend a modification to proposed Policy CON1 to address the representation from Network Rail.

Outdoor Access and Policy CON3 Core Paths and Natural Routes

12. Paragraph 228 of SPP requires local development plans to safeguard access routes and core paths. SportScotland considers that the proposed plan should make it clear that this extends to all important access rights, including 'off-path' access and recreational purposes other than walking and cycling, such as climbing or water-based activities. I consider that a change of this nature would strengthen the proposed plan as it relates to outdoor access by illustrating the wider value of green networks for access. I note that the council is supportive of the changes suggested to the supporting text. Although not explicit, I consider it is reasonable to assume that the council is also supportive of the suggested policy changes. I have recommended below modifications to proposed Policy CON3 and the supporting text in line with the changes sought by Sport Scotland.

13. The first paragraph of proposed Policy CON3 refers to bridleways. The second paragraph refers to bridle paths. The second paragraph of the policy seeks to prevent any proposed development that would disrupt or otherwise adversely impact upon bridle paths. I do not consider any changes to the proposed policy are required either to highlight that the scope of the policy includes horse-riding routes or to prevent proposed development from making such routes unsafe.

Policy CON4 Installation of Superfast Broadband for New Development

14. Proposed Policy CON4 requires that new development has a direct full fibre connection ensuring that broadband speeds in excess of 50 megabytes per second can be provided. The policy does not stipulate that it is the responsibility of the developer to deliver broadband at these speeds. I appreciate the point made by Persimmon Homes and Homes for Scotland that broadband speed is dependent on wider infrastructure. I have recommended below a modification to the preamble to the policy that makes this clear.

Policy CON5 Communications Infrastructure

15. Paragraphs 295 and 296 of SPP set out what the Scottish Government expects development plans to provide in terms of a policy framework for the development of digital communications infrastructure. This includes ensuring a number of specified options are considered when selecting sites and designing base stations and the matters to be addressed in planning applications. Proposed Policy CON5 goes some way to addressing these requirements but does not, in my view, go far enough in providing a robust policy that ensures operators will prepare planning applications with a sufficient level of detail to enable a full and fair assessment of proposals to be made by communities, consultees and the council itself. Therefore. I have recommended below a modification to the proposed policy which I consider satisfies the representation submitted by the Scottish Government.

Reporter's recommendations:

I recommend that the proposed plan is modified by:

1. Inserting a new fourth paragraph of introductory text before Policy CON3 Core Paths and Natural Resources to read as follows:

'Access rights extend beyond core paths and the formal path network. There is a number of activities in addition to walking and cycling that use and are dependent on the natural environment and exercising broader access rights for their practice, including off-path activities such as climbing and water-based sports. Development proposals will be expected to consider any impacts of proposals on access for these users.'

2. Retitling proposed Policy CON3 'Core Paths, Natural Routes and Access'.

Adding a new final sentence to the first paragraph of Policy CON3 to read as follows:

'Development proposals will be required to consider any impacts on access rights for outdoor sport and recreation interests.'

Deleting the first sentence of the second paragraph of proposed Policy CON3 and

inserting a new sentence to read as follows:

'The council, however, will not be supportive of development which disrupts or adversely impacts on any existing or potential core path, right of way, bridle path, or footpath, including off-path access rights, used by the general public for recreational or other purposes.'

3. Inserting a new sentence after the existing second sentence of the proposed introductory text that precedes Policy CON4 to read as follows:

'It is accepted that actual broadband speeds available at individual premises will depend on the wider digital infrastructure.'

4. Deleting existing proposed Policy CON5 Communications Infrastructure and substituting the following text:

'Policy CON5

Communications Infrastructure

New communications infrastructure associated with advancements in digital communications technology will be supported by the council where there is no significant, adverse visual impact on the streetscape, built heritage, green network or residential amenity. In particular, it will be necessary for the developer to demonstrate that:

- the proposed infrastructure is essential to support a wider network;
- the site is the most suitable available, taking account of options for mast or site sharing;
- the proposed equipment is the most unobtrusive suitable for the purpose, taking account of technological requirements;
- all equipment is to be disguised as effectively as practically possible;
- proposals take account of any cumulative impact in relation to existing equipment; and
- the proposed equipment and installation complies fully with the appropriate guidelines for public exposure to radiofrequency radiation.'

Issue 22	**Renewable Energy**	
Development plan reference:	Renewable Energy (Pages 110 - 116)	**Reporter:** Steve Field

Body or person(s) submitting a representation raising the issue (including reference number):

Persimmon Homes West Scotland (PLDP/173/22)
Silverton and Overtoun Community Council (PLDP/182/22) (Support)
East Dunbartonshire Council (PLDP/648/22) (Support)
RSPB (PLDP649/22) (Support)
Scottish Government (PLDP/659/22)
Homes for Scotland (PLDP/669/22)
SEPA (PLDP/676/22) (Support)

Provision of the development plan to which the issue relates:	This issue relates the development polices of the Plan in relation to renewable energy and the Councils requirements in this regard.

Planning authority's summary of the representation(s):

The representations to this chapter are broken down into the following sub-headings: General; Policy RE2 - Spatial Framework for Wind Energy; Policy RE3 - Wind Energy Developments outwith the Spatial Framework; Policy RE4 - Heat Generation; and Policy RE5 - Low and Zero Carbon Buildings.

General

Silverton and Overtoun Community Council (PLDP/182/22) support all policies within the Renewable Energy section of the Proposed Plan, particularly Policy RE5. The Community Council considers that these policies are contributing and providing urgent steps to helping Scotland achieve a low carbon economy.

RSPB (PLDP649/22) support Policies RE1 and RE2.

SEPA (PLDP/676/22) support the strategies and policies in the plan as they allow for renewable developments to be considered and that they are subject to the development management criteria set out in Scottish Planning Policy. The location, type and scale of the proposals will be clearly be critical in determining the potentially acceptability of the scheme and in all cases it will not be permitted unless it is demonstrated that these proposals will not case detrimental environmental impacts.

Policy RE2 - Spatial Framework for Wind Energy

East Dunbartonshire Council (PLDP/648/22) consider that the approach to Windfarm Development on the Kilpatrick Hills (see Issue 12) through Policy RE2 is consistent with the approach taken in East Dunbartonshire. The Council note that Supplementary Guidance will be prepared on Renewable Energy and wish to be consulted on the Guidance.

The Scottish Government (PLDP/659/22) is of the view that the Policy should not require wind energy proposals within the spatial framework to be acceptable in all terms of the development management criteria within Paragraph 169 of Scottish Planning Policy (CD 03) as the list of criteria is not exhaustive and that considerations will vary to the scale of the proposal and area characteristics. It therefore does not require all decisions to be assessed against all the considerations that are listed.

Policy RE3 - Wind Energy Developments outwith the Spatial Framework

The Scottish Government (PLDP/659/22) is of the view that the Policy is not clear that it applies to wind turbine proposals outwith the spatial framework.

Policy RE4 - Heat Generation

Persimmon Homes West Scotland (PLDP/173/22) raise concerns over the viability of incorporating heat generating technology into housing developments. They question the appropriateness of safeguarding land within new developments for future unknown technology as this cannot be factored into the land price.

The Scottish Government (PLDP659/22) is of the view that Paragraph 169 of Scottish Planning Policy (CD 03) does not require that decisions should always be assessed against all the considerations listed as they are not exhaustive and considerations will vary to the scale of the proposal and area characteristics.

Homes for Scotland (PLDP/669/22) state that they have consistently raised concerns over the potential that a requirement to deliver heat networks in new developments could further undermine the commercial viability of those developments. They refer to the fact that revisions to Building Standards have made new homes 75% more efficient than they were in 1990 and are likely to see further revisions to Building Standards will see new homes require next to zero space heating by 2021.

They are of the view that the continuation of a fabric first approach through building standards rather than a policy is appropriate. They further question the merit of safeguarding land within new developments which include new homes with a far higher efficiency energy performance than older housing stock and are of the view that this land could be better utilised for more beneficial uses such as new homes or green space rather than future projects which are not currently planned and do not have funding agreed.

SEPA (PLDP/676/22) are supportive of the requirements on all developments to prepare and submit energy statements with their planning applications and the need to set aside land, in certain circumstances, for the installation of appropriate infrastructure i.e. pipe networks.

SEPA refer to the Queens Quay Developments as an excellent example of alternative sources of heat being delivered within a large mixed use development but do recognise that the provision of district heating networks will not always be achievable. In these circumstances, alternative options are available which still result in the promotion of lowering the carbon footprint on new developments as detailed in Policy RE5 and Table 9.

Policy RE5 - Low and Zero Carbon Buildings

Homes for Scotland (PLDP/669/22) is of the view the continuation of a fabric first approach through building standards rather than a policy is appropriate. The ambition of the policy, to reduce emissions, is already covered by Building Standards and does not need to be replicated. Furthermore, the reliance on brownfield sites, may already with challenging viability, means that further policy requirements need to be weighed against the desirability of new development coming forward on vacant land.

Modifications sought by those submitting representations:

Policy RE2 - Spatial Framework for Wind Energy

The Scottish Government (PLDP/659/22) seek the following changes to the Policy:

Amend the Policy so that it does not require a proposal to be acceptable in terms of all of the development management criteria contained within Paragraph 169 of SPP (CD 03) in every case.

Policy RE 3 - Wind Energy Developments outwith the Spatial Framework

The Scottish Government (PLDP/659/22) seek the following changes to the Policy:

The Policy should be clarified to make clear that the policy only refers to applications within the Local Authority area.

Policy RE4 - Heat Generation

Persimmon Homes West Scotland (PLDP/173/22) suggest that Policy RE4 is amended by omitting the following wording from the second paragraph:

Proposals for new development should ensure that the site can be connected to Energy Centres and Heat Networks, including district heating, which may be developed in the future. Developers should ensure that the necessary capacity, infrastructure and land for future connections and the potential development of Energy Centres are safeguarded within the site.

The Scottish Government (PLDP659/22) seek the following changes to the Policy:

Amend sentence 2 of paragraph 3 to read: ‘All proposals will require to meet with the relevant development management criteria set out in paragraph 169 of SPP’.

Homes for Scotland (PLDP/669/22) seek the following changes **additions/deletions** to:

Policy RE4 - Developments associated with the renewable generation of heat will be supported. Where non-renewable generation of heat is proposed, the Council will support these developments only where greenhouse gas emissions are significantly reduced; form part of a carbon capture development; or where the applicant can demonstrate plans for conversion to renewable or low carbon sources of heat in the future.

The Council will also be supportive of the provision of energy centres, where appropriate, within new development. All new heat generating developments should, where possible,

be located close to potential heat users and the possibility of developing heat networks, including district heat networks, should be investigated. Proposals for new development should **give consideration to whether connection to existing** ~~ensure that the site can be connected to~~ Energy Centres and Heat Networks, including district heating **could be achieved.** ~~, which may be developed in the future. Developers should ensure that the necessary capacity, infrastructure and land for future connections and the potential development of Energy Centres are safeguarded within the site.~~

Where heat networks are not viable, micro-generation and heat recovery technologies, within or associated with individual properties, will be encouraged by the Council. All proposals will require to meet with the Development Management criteria set out in Paragraph 169 of Scottish Planning Policy. Thermal treatment plants will also require to meet with SEPA's Thermal Treatment of Waste Guidelines 2014 (CD 51).

Policy RE5 - Low and Zero Carbon Buildings

Homes for Scotland (PLDP/669/22) state that the policy should be deleted.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations to this chapter are broken down into the following sub-headings: General; Policy RE2 - Spatial Framework for Wind Energy; Policy RE3 - Wind Energy Developments outwith the Spatial Framework; Policy RE4 - Heat Generation; and Policy RE5 - Low and Zero Carbon Buildings.

General

The support for policies within the section by Silverton and Overtoun Community Council (PLDP/182/22) and RSPB (PLDP649/22) is welcomed.

The support for the strategy and policies within the section by SEPA (PLDP/676/22) is welcomed.

Policy RE 2 - Spatial Framework for Wind Energy

The support of East Dunbartonshire Council (PLDP/648/22) is welcomed.

In relation to the representation from the Scottish Government (PLDP/659/22) in response to Policy RE2, the Council accept that an amendment to Policy RE2 to specify that wind energy developments within the spatial framework should be assessed against the relevant considerations contained within Paragraph 169 of Scottish Planning Policy (CD 03). Should the Reporter wish to amend the policy, the Council would have no objection to the policy being changed and would suggest the following amendments (the proposed amendments are in bold):

"Significant protection will be given to Group 2 areas as shown on Spatial Framework for Wind Energy Development Map over. Development may be appropriate in some circumstances within these areas but only in cases where it can be demonstrated that any significant adverse effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation and where the proposal is acceptable in terms of ***the relevant*** *Development Management criteria set out in Paragraph 169 of Scottish Planning Policy.*

Within Group 3 areas, as shown on Spatial Framework for Wind Energy Development Map over, proposals for wind energy developments will only be supported where it can be demonstrated that they are acceptable in terms of ***the relevant*** *Development Management criteria contained within Paragraph 169 of Scottish Planning Policy and accord with the guidance set out in the Renewable Energy Supplementary Guidance."*

Policy RE 3 - Wind Energy Developments outwith the Spatial Framework

The Council believes that Policy RE3 is adequately clear enough from its title to differentiate that it applies to those wind energy developments outwith the spatial boundary and that it clearly applies to the areas within the West Dunbartonshire Local Planning Authority Boundary. The area that is outwith this, but within the Local Authority Boundary, is the responsibility of the Local Lomond and Trossachs National Park Planning Authority and the Local Development Plan in force within that area. No modifications are required as a result of the representation by the Scottish Government (PLDP/659/22).

Policy RE 4 - Heat Generation

With regard to the Scottish Government's (PLDP659/22) suggested modification to Policy RE4, the Council consider that an amendment to the policy may be appropriate to ensure that the policy applies to the relevant development management criteria set out in paragraph 169 of Scottish Planning Policy (CD 03). Should the Reporter wish to amend the policy, the Council would have no objection to the policy being changed as the Scottish Government suggest.

However, the Council does not share the views of Persimmon Homes West Scotland (PLDP/173/22) and Homes for Scotland (PLDP/669/22) that Policy RE4 is required to be amended as they suggest, as the Policy is fully compliant with paragraphs 158, 159 and 160 of Scottish Planning Policy and should not be left solely to the requirements of the Building Standards regulations. The Policy is also fully compliant with the Scottish Government's aims of moving towards a low carbon economy and will help to meet the climate change targets set in this regard by the Government. No modification to the Policy is required.

Policy RE5 - Low and Zero Carbon Buildings

The Council is of the view that Policy RE 5 should not be deleted as Homes for Scotland (PLDP/669/22) suggest, as Local Development Plan 2 is required to conform to Section 3F of the Town and Country Planning (Scotland) Act 1997 (as amended) (CD 01) by requiring low and zero-carbon generating technologies to be installed on new buildings in order to deliver a percentage of the carbon dioxide emissions reduction required in Building Standards. Policy RE 5 is designed to ensure that the percentage reduction to be achieved through low and zero-carbon generating technology is always a part of the Building Standard at any point in time. No modification to the Plan is therefore required.

Reporter's conclusions:

Policy RE2 Spatial Framework for Wind Energy

1. Paragraph 169 of Scottish Planning Policy, 2014 (SPP) sets out nineteen considerations to be taken into account when processing planning applications for energy infrastructure developments. SPP makes it clear that 'considerations will vary relative to

the scale of the proposal and area characteristics'. The second paragraph of proposed Policy RE2 requires that, in areas of significant protection, proposals must be acceptable in terms of all the development management criteria set out in paragraph 169 of SPP. The third paragraph of proposed Policy RE2 sets out the same requirement in relation to areas with potential for wind energy development. I agree with the Scottish Government's view that these aspects of the proposed policy are not consistent with SPP. The council accepts the Scottish Government's view. I have recommended below a modification that endorses the council's suggestion for bringing the policy into line with government policy.

Policy RE3 Wind Energy Developments outwith the Spatial Framework

2. The Scottish Government proposes a change to clarify that proposed Policy RE3 refers only to applications within the council area. The reason given for requesting this change is that it is not clear that the policy applies to wind turbine proposals which do not trigger application of the spatial framework. It seems to me that this representation covers two related but distinct points: the spatial application of proposed Policy RE3 and how proposed Policy RE3 relates to proposed Policy RE2. I have sought to address both issues in paragraphs 3 and 4 below.

3. Table 8 states that 'part of the council area is within the Loch Lomond and the Trossachs National Park, for which the national park planning authority has jurisdiction in planning matters'. This division of responsibility is also illustrated graphically on the Spatial Framework for Wind Energy Development Map and the SPP Group 2 Designations Context Map. However, the former map does not show the council boundary extending around the planning authority boundary in the same way as the latter map. Generally, I consider that the geographic coverage of proposed Policy RE3 is clear but would be improved by a revision to the spatial framework map to make it consistent with the SPP Group 2 designations map. I have recommended below a modification to this effect.

4. The title of proposed Policy RE3 states that it relates to wind energy proposals outwith the spatial framework. That is, it relates to wind energy proposals where the turbines are less than 50 metres in height or do not contain three or more turbines where one turbine is over 30 metres in height, including extensions and proposals for repowering. However, for the avoidance of doubt regarding the scope of proposed Policy RE3, I have recommended below a modification to the proposed policy that provides a cross-reference to proposed Policy RE2.

Policy RE4 Heat Generation

5. Paragraph 159 of SPP states that, 'Policies should…give consideration to the provision of energy centres within new development' and that 'where a district network exists, or is planned, or in areas identified as appropriate for district heating, [local development plan] policies may include a requirement for new development to include infrastructure for connection, providing the option to use heat from the network.' The second paragraph of proposed Policy RE4 requires that proposals for new development should ensure that the site can be connected to energy centres and heat networks which may be developed in the future and that developers should ensure that the necessary capacity, infrastructure and land for future connections and the potential development of energy centres are safeguarded within their sites. I consider that the proposed policy does not align fully with SPP for two reasons.

6. Firstly, SPP requires that policies give consideration to the provision of energy centres within new development whereas proposed Policy RE4 requires capacity, infrastructure and land for future connections and the potential development of energy centres to be safeguarded within the site. The wording of the proposed policy would apply to all sites whereas the requirement set out in SPP is for the consideration of these matters. Therefore, I have recommended below a modification to the proposed policy that requires safeguarding in situations only where the development of an energy centre is potentially viable.

7. Secondly, SPP allows for plan policies to require that new development includes infrastructure for connection where a district network exists, is planned or has been identified as being appropriate for district heating. Proposed Policy RE4 states new development, without qualification, should ensure the site can be connected to energy centres and heat networks, including district heating, which may be developed in the future. I have recommended below a modification that requires this capacity is built into new development only where there is a realistic prospect of it being utilised.

8. I have recommended below a modification to proposed Policy RE4 to make clear that proposals for heat generation will be required to comply with only those development management considerations set out in paragraph 169 of SPP that are relevant to the scale of the proposal and characteristics of the area. The council supports this change.

Policy RE5 Low and Zero Carbon Buildings

9. Section 3F of the Town and Country Planning (Scotland) Act 1997 requires that local development plans include policies requiring new buildings to be designed to ensure that they avoid a specified and rising proportion of the projected greenhouse gas emissions from their use. This is to be calculated on the basis of the approved design and plans through the installation and operation of low and zero-carbon generating technologies. The second paragraph of proposed Policy RE5, read with Table 9: Sustainability Standards, is designed to address this legislative requirement. Deletion of the policy, as proposed by Homes for Scotland, would result in the council failing to meet its statutory duty to contribute to sustainable development and to help deliver climate change targets. I do not consider that a modification to the proposed plan on the lines suggested would be appropriate.

Reporter's recommendations:

I recommend that the plan is modified by:

1. Deleting the second sentence of the second paragraph of proposed Policy RE2 Spatial Framework for Wind Energy and substituting the following sentence:

'Development may be appropriate in some circumstances within these areas but only in cases where it can be demonstrated that any significant adverse effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation and where the proposal is acceptable in terms of the relevant development considerations set out in paragraph 169 of Scottish Planning Policy 2014.'

Deleting the third paragraph of proposed Policy RE2 and substituting the following paragraph:

'Within Group 3 areas, as shown on the Spatial Framework for Wind Energy Development Map over, proposals for wind energy developments will only be supported where it can be demonstrated that they are acceptable in terms of the relevant development management considerations contained within paragraph 169 of Scottish Planning Policy 2014 and accord with the guidance set out in the Renewable Energy Supplementary Guidance.'

2. Extending the red line which represents the West Dunbartonshire Council boundary on the Spatial Framework for Wind Energy Development Map around the full extent of the local authority area and changing the colour used to outline the Group 2 Areas of Significant Protection from red to another colour.

3. Deleting the first sentence of proposed Policy RE3 Wind Energy Proposals outwith the Spatial Framework and substituting the following sentence:

'Proposals for wind energy that do not trigger the application of the spatial framework, as set out in the first paragraph of Policy RE2, will be supported by the council where it can be demonstrated that there will be no unacceptable significant adverse impacts on the local area and the wider landscape and where they: *etc*'.

4. Deleting the third and fourth sentences of the second paragraph of proposed Policy RE4 Heat Generation and substituting the following sentences:

'Where there is a realistic prospect of it being utilised, proposals for new development should ensure that the site can be connected to energy centres and heat networks, including district heating, which may be developed in the future. Developers should ensure that the necessary capacity, infrastructure and land for future connections and the potential development of energy centres are safeguarded within the site where there is realistic potential for such development to take place.'

5. Deleting the second sentence of the third paragraph of proposed Policy RE4 Heat Generation and substituting the following sentence:

'All proposals will be required to be acceptable in terms of the relevant development management considerations set out in paragraph 169 of Scottish Planning Policy 2014.'

Issue 23	**Minerals and Coal**	
Development plan reference:	Minerals, Aggregates and Coal Extraction Chapter (Pages 118 - 119); Policy MIN1; Policy MIN2; Policy MIN3; and Unconventional Oil and Gas	**Reporter:** Steve Field
Body or person(s) submitting a representation raising the issue (including reference number):		
East Dunbartonshire Council (PLDP/648/23) (Support) RSPB (PLDP/649/23) (Support) Scottish Government (PLDP/659/23) SEPA (PLDP/676/23) (Support)		
Provision of the development plan to which the issue relates:	This issue relates to Minerals, Aggregates and Coal Extraction chapter of the Plan, particularly Policy MIN1: Minerals and Aggregates Extraction; Policy MIN2: Financial Guarantees; and Policy MIN3: Coal.	
Planning authority's summary of the representation(s):		

The representations to this section of the Plan have been grouped into the following sub-headings: Minerals, Aggregates and Coal Extraction Introductory text; Policy MIN1 - Minerals and Aggregates Extraction; Policy MIN2 - Financial Guarantees; Policy MIN3 - Coal; and Unconventional Oil and Gas.

Minerals, Aggregates and Coal Extraction Introductory text

SEPA (PLDP/676/23) support the safeguards provided in the text and policies proposed in the plan and state that the aim of the planning authority will be to ensure that where these type of activities are to be permitted, they will be subject to appropriate assessment, mitigation and financial provision. In addition, current sites with existing reserves will continue to ensure there is an adequate supply of minerals/aggregates to support economic growth.

Policy MIN1 - Minerals and Aggregates Extraction

RSPB (PLDP/649/23) states that it would be useful to give some examples of the end-uses that would be supported following restoration and recommends that uses, such as tourism, leisure, forestry, nature conservation and agriculture, are added to the Policy.

Scottish Government (PLDP/659/23) seek a change to the Policy to bring it into alignment with Paragraph 237 of SPP in order to make reference to the fact that all workable mineral resources which are of economic or conservation value are not sterilised by other development.

Policy MIN2 - Financial Guarantees

RSPB (PLDP/649/23) recommend that the Council set out guidance in this regard along similar lines to that of East Ayrshire Council. Whilst this is particularly required for opencast coal sites, this is also a relevant issue for other industries including landfill, onshore wind and, potentially, unconventional gas development. The respondent also

recommends that consideration is given to the new approach by East Ayrshire Council to compliance monitoring.

Furthermore, the respondent states that the Council should conduct annual reviews of the provision of financial guarantees for major developments with significant restoration and aftercare liabilities. This will help avoid a situation where liabilities pass to local authorities in the case of failure of the developer to make adequate financial provision.

Policy MIN3 - Coal

East Dunbartonshire Council (PLDP/648/23) support the approach to mineral resources in Policy MIN3 and the presumption against coal extraction within the Antonine Wall Heritage Site Buffer Zone.

RSPB (PLDP/649/23) supports this Policy.

Scottish Government (PLDP/659/23) seek a change to the Policy to ensure that there is a presumption against development within a buffer zone of 500 metres from the edge of settlements, unless there are overriding benefits which outweigh the likely benefits from development. This is required to bring the Policy into alignment with Paragraph 237 of SPP (CD 03).

Unconventional Oil and Gas

RSPB (PLDP/649/23) supports the position on unconventional oil and gas.

Modifications sought by those submitting representations:

RSPB (PLDP/649/23) suggest Policy MIN1 should be amended to include the following Paragraph:

'Restoration proposals are required to restore the land to the highest possible standards to ensure its suitability for appropriate uses, including tourism, leisure, forestry, nature conservation and agriculture to the benefit of local communities.'

Scottish Government (PLDP/659/23) seek a change to Policy MIN1 to make reference to the need to safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development.

RSPB (PLDP/649/23), although not seeking a specific amendment to Policy MIN2, seem to suggest the at the Policy is amended to commit the Council to bringing forward Supplementary Guidance on Financial Guarantees and to reference this within Policy MIN2.

Scottish Government (PLDP/659/23) seek a change to Policy MIN3 to reference the need to ensure that there is a presumption against development within a buffer zone of 500 metres from the edge of settlements, unless there are overriding benefits which outweigh the likely benefits from development.

Summary of responses (including reasons) by planning authority:

The Councils responses to the representations to this section of the Plan have been grouped into the following sub-headings: Minerals, Aggregates and Coal Extraction Introductory text; Policy MIN1 - Minerals and Aggregates Extraction; Policy MIN2 - Financial Guarantees; Policy MIN3 - Coal; and Unconventional Oil and Gas.

Policy MIN1 - Minerals and Aggregates Extraction

The Council have no objections to the proposed modifications to the Policy as requested by RSPB (PLDP/649/23), should the Reporter be agreeable to this amendment and considers that a change to the Policy is required. Should this be the case then the Council suggests that last paragraph of the Policy is amended as suggested by the RSPB.

With regard to Scottish Government (PLDP/659/23), the Council is of the view that an amendment to the Policy may be required to make specific reference to the requirements of SPP (CD 03) in relation to the sterilisation of mineral resources. Should the Reporter wish to amend the policy, the Council would have no objection to the policy being changed and would suggest the following wording is inserted after paragraph 2:

"When assessing development proposals, the Council will ensure that that all workable minerals resources, which are of economic or conservation value, are safeguarded. There will be a presumption against other forms of developments which would permanently sterilise these resources, unless their retention in the ground can be fully justified."

The support and comments from SEPA (PLDP/676/23) are welcomed and noted.

Policy MIN2 - Financial Guarantees

Although the recommendation by RSPB (PLDP/649/23) is noted and understood, the Council is of the view that the provisions of the Policy itself is considered to be robust and effective to not require Supplementary Guidance on Financial Guarantees to be provided.

The Council, on an annual basis, reports to Planning Committee on the monitoring of the conditions attached to existing operational Quarries and the developers compliance with them. The report would also flag up any other issues that the Council's Compliance Officer and the Planning Officer has noted when monitoring the sites. The Council is of the view that this approach is effective, but benchmarking with other authorities and learning from them will ensure that our approach is flexible and can be updated to take on board best practice elsewhere.

No modification to the Policy is therefore required in this regard.

Policy MIN3 - Coal

The support of East Dunbartonshire Council (PLDP/648/23) and the RSPB (PLDP/649/23) is welcomed.

In response to the representation made by Scottish Government (PLDP/659/23), the Council would point out that it has a presumption against the extraction of coal in West Dunbartonshire, which is reinforced through the Policy itself. The Council is therefore of the view that the modification sought by the respondent does not require to be inserted

into the policy, as the Policy is not supportive of any application for coal extraction. One of the reasons for this is that the coal reserves within West Dunbartonshire are in close proximity to existing communities.

Unconventional Oil and Gas

The support of RSPB (PLDP/649/23) is welcomed.

Reporter's conclusions:

Policy MIN1 Minerals and Aggregates Extraction

1. I consider that the change to the policy suggested by the Royal Society for the Protection of Birds Scotland (RSPB) would provide helpful guidance on what, in the council's view, constitutes acceptable restoration. It would also be consistent with paragraph 235 of Scottish Planning Policy 2014 (SPP) which requires the planning system to 'secure the sustainable restoration of sites to beneficial afteruse after working has ceased'. The council supports the change suggested. I have recommended below a modification to proposed Policy MIN1 that endorses the additional wording proposed by the RSPB.

2. Paragraph 237 of SPP requires local development plans to 'safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development'. The Scottish Government points out that this requirement is not addressed by proposed Policy MIN1. The introductory text which precedes the proposed policy does state that developments which would sterilise workable mineral resources will not be supported, other than in specified circumstances, but the council accepts that a change to the policy is required. I agree that a change is required to provide conformity with SPP. I have recommended below a modification which endorses the additional wording suggested by the council.

3. The RSPB advocates the inclusion of a policy to protect areas of peatland. The council does not address this suggestion in its summary of responses above. However, paragraph 241 of SPP requires development plans to include a provision of this nature. I do not have information on peat resources in the plan area but consider it likely that the Kilpatrick Hills will include areas of peatland. Therefore, I consider that it would be prudent to include a policy statement in line with the requirements of government policy. I have recommended below a modification to proposed Policy MIN1 which aligns with SPP.

Policy MIN2 Financial Guarantees

4. Paragraph 139 of Scottish Government Circular 6/2013: Development Planning indicates that setting out the exact levels of developer contributions or methodologies for their calculation is a suitable topic for supplementary guidance, provided there is an appropriate context in the plan. Proposed Policy MIN2 would provide a suitable policy hook on which to hang supplementary guidance on minerals bonds. However, there is no requirement on the council to provide such guidance. The proposed policy indicates that financial guarantees will be required to ensure appropriate standards of restoration and aftercare and that these must be inflation-proofed to ensure the bond remains effective as costs rise over time. I consider that this provides a clear and reasonable statement of policy such that appropriate financial guarantees can be put in place as part of the development management process. Whilst supplementary guidance would provide

greater detail as to how any guarantee would be calculated, I do not consider this to be a significant shortcoming of the proposed plan. I do not consider it necessary to recommend a modification to the plan to address this suggestion by the RSPB.

5. Paragraph 248 of SPP requires planning authorities to 'ensure that rigorous procedures are in place to monitor minerals consents, including restoration arrangements, at appropriate intervals, and ensure that appropriate action is taken when necessary.' I consider this to be an operational requirement for the council's development management service and not one that I would expect to see included in the local development plan. I note the council's advice that elected members receive annual reports on minerals monitoring. The council has also indicated its willingness to ensure that its development management service takes on board best practice from other councils. I do not consider it necessary to recommend a modification to address the RSPB's comments on monitoring.

Policy MIN3 Coal

6. Paragraph 244 of SPP states that surface coal extraction should not be permitted within 500 metres of the edge of settlements unless local circumstances, such as the removal of dereliction, justify a lesser distance. The Scottish Government points out that this requirement is not reflected in proposed Policy MIN3. However, as the first paragraph of the proposed policy makes clear, surface coal reserves in West Dunbartonshire are located either close to existing communities or within the Antonine Wall World Heritage Site buffer zone which is protected by proposed Policy AW1 Antonine Wall. In these circumstances, I do not consider that it is appropriate to reflect the terms of SPP paragraph 244 in proposed Policy MIN3. Consequently, I do not consider it necessary to recommend a modification to the proposed plan to address this aspect of the Scottish Government's representation.

Reporter's recommendations:

I recommend that the plan be modified by:

1. Inserting a new paragraph before the existing first paragraph of proposed Policy MIN1 Minerals and Aggregates Extraction, to read as follows:

'When assessing development proposals, the council will ensure that all workable mineral resources which are of economic or conservation value are safeguarded. There will be a presumption against other forms of development which would sterilise these resources permanently, unless their retention in the ground can be justified fully.'

2. Deleting the last sentence of proposed Policy MIN1 Minerals and Aggregates Extraction and substituting the following sentence:

'Restoration proposals are required to restore the land to the highest possible standards to ensure its suitability for appropriate uses including tourism, leisure, forestry, nature conservation and agriculture to the benefit of local communities'.

3. Inserting a new paragraph after the existing third paragraph of proposed Policy MIN1 Minerals and Aggregates Extraction, to read as follows:

'Proposed commercial extraction of peat will only be supported in areas of peatland

suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.'

Issue 24	**Private Housing Sites - Clydebank**	
Development plan reference:	Policy H2 (Page 78) and Schedule 2: Opportunity for Private Housing (Pages 123 - 125)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Clydebank Engineering & Fabrication Ltd (PLDP/009) Stephen Laurie (PLDP/012) Linda Walker (PLDP/013) Marc Walker (PLDP/015) Petr Josifek (PLDP/017)	SportScotland (PLDP/026) SNH (PLDP/640/24) Taylor Wimpey West Scotland (PLDP/664/24) Councillor John Mooney (PLDP/667/24) Clydebelt (PLDP/673/24)	
Provision of the development plan to which the issue relates:	This issue relates to the private housing opportunity sites within Clydebank.	

Planning authority's summary of the representation(s):

H2(8) Braidfield High School

Petr Josifek (PLDP/017) raises a number of issues about the allocation, design and construction work on this consented housing site and the impact on his property, which is surrounded on 3 sides by the development site. He states that his property will be overshadowed and overlooked by the proposed development. Mr Josifek also raises issues regarding the proposed rerouting of a power cable and mains water switch, land ownership for the boundaries of his garden, the potential removal of a tree within his garden as a result of the development, and alleged damage to a fence through spraying, and dust creation from drilling of the adjacent land. He also requests details about the siting of new dwellings relative to wastewater infrastructure.

SportScotland (PLDP/026/24) state that as the site comprises a former Secondary school and two synthetic grass pitches it is likely that sportscotland would be a statutory consultee, should a planning application be submitted for development of the Site. They note that as the school merged with Clydebank High School compensatory sports provision may have already been provided locally following the school redevelopment. They request details of this when being consulted on any such planning application to ensure that the development complies with SPP (CD 03).

H2(9) Cable Depot Road

Please note that this issue is also considered within Issue 3: Queens Quay, Clydebank.

Clydebank Engineering & Fabrication Ltd (PLDP/009) state that they currently occupy numbers 30,31,33 and 111 Cable Depot Road employing 40 staff. Their business is laser cutting and steel fabrication, which can generate noise. As such they are concerned that having housing so close by would be problematic.

H2(11) Queens Quay

Please note that this issue is also considered within Issue 3: Queens Quay, Clydebank.

L Walker (PLDP/013) object to housing on this site as it will restrict the light coming into the respondents property; it will increase traffic; and put a strain on traffic. Housing should not be allowed adjacent to Glasgow Road and if buildings were to be erected, they should be no taller than the existing buildings on Glasgow Road.

M Walker (PLDP/015) objects to the proposed change from commercial to residential development due to the detrimental effect on the light entering the respondents property; will heavily impact upon the road infrastructure; and would have environmental issues. Also seeks clarification on the height of the housing on the site and states that it cannot be any higher than the original building.

H2(25) Carleith

Clydebelt (PLDP/673/24) states that any future proposed housing at this site should be of a design and layout that is appropriate to its setting as part of a farmyard, backed by the greenbelt, Kilpatrick Hills and Antonine Wall World Heritage Site. They would object to any additional greenbelt land beyond this site being used for residential or tourist facilities.

Clydebelt (PLDP/673/24), separate to their other representation, are supportive of the residential designation of the site.

H2(33) Carless

Clydebelt (PLDP/673/24)

Please note this representation is fully considered and addressed within Issue 5: Carless.

H2(36) Clydebank Health Centre

SNH (PLDP/640/24) support the designation of the site, however, to ensure the development relates to the key landscape characteristics and reduces visual effects, they recommend the Council sets out developer requirements which cover green links and pathways through and around the site, tree planting and tree retention, and the siting and design of the new housing.

Taylor Wimpey West Scotland (PLDP/664/24) call into question the effectiveness of the site and whether the 40 units can be delivered by 2024.

Councillor John Mooney (PLDP/667/24) states that as his constituents need modern community facilities, the site should be designated for mixed uses rather than housing.

H2(37) Hardgate Health Centre

Stephen Laurie (PLDP/012) states that he does not think residential use of the site is sensible, given that the site is currently used by the NHS and has no parking facilities onsite. He also states the building is in a difficult position on the corner of Stewart Drive and Kilbowie Road, with a school (Goldenhill Primary) on Stewart Drive and a crossing controlled by lights adjacent to the site, on Kilbowie Road, which make it very difficult to

get cars in and out of his house and the site. He is also concerned that as his property is joined on to the Health Centre, there may be damage to the house if the building is taken down.

Taylor Wimpey West Scotland (PLDP/664/24) call in the questions the effectiveness of this site as there is no indication of when it will be made available to the market.

Site H2(38) RHI Site

Taylor Wimpey West Scotland (PLDP/664/24) question the effectiveness of this site and state there is no planning proposal in the pipeline, as far as they are aware, that could see 40 units delivered by 2024.

Modifications sought by those submitting representations:

H2(8) Braidfield High School

Petr Josifek (PLDP/017) is seeking the removal of the residential designation on the site.

SportScotland (PLDP/026/24) request to be consulted on any future planning application for the site.

H2(9) Cable Depot Road

Please note that this issue is also considered within Issue 3.

Clydebank Engineering & Fabrication Ltd (PLDP/009) seek removal of the residential designation on the site.

H2(11) Queens Quay

L Walker (PLDP/013) and M Walker (PLDP/015) seek removal of the residential designation on the site.

H2(25) Carleith

Clydebelt (PLDP/673/24) are seeking a modification to only allow the ground proposed in the previous consent to be developed.

H2(33) Carless

The representation from Clydebelt (PLDP/673/24) is fully considered and addressed within Issue 5.

H2(36) Clydebank Health Centre

SNH (PLDP/640/24) are seeking a modification to include setting out developer requirements for the site covering the following:

- Establishment of green links and pathways alongside West Thomson Street and Kilbowie Road, across the site and between Kilbowie Primary School and Boquhanran Park.

- The need for tree planting and streetscape design along the edges of West Thomson Street and Kilbowie Road.
- Retention of existing trees by the junction of West Thomson Street and Kilbowie Road.
- Siting and design of the housing to reduce visual effects from existing residents, especially to the north and south.

Councillor John Mooney (PLDP/667/24) is seeking that the designation of the site is changed from residential to mixed use.

H2(37) Hardgate Health Centre

Stephen Laurie (PLDP/012) is seeking the removal of the allocation of the site for residential use.

Summary of responses (including reasons) by planning authority:

H2(8) Braidfield High School

With regard to the representation from Petr Josifek (PLDP/017), the Council notes that this site now has detailed planning consent (SI WDC15) and that construction of the site has commenced. It is further noted that most of the detailed site design and layout issues, and other issues that the respondent has raised, were addressed as part of the Development Management consideration of the planning application. No modification to the Plan is therefore required in this regard.

The comments of SportScotland (PLDP/026/24) are duly noted; however, the site has been granted planning permission and development has commenced.

H2(9) Cable Depot Road

Please note that this representation is also considered within Issue 3 and the response below is the same that is given within that particular Issue.

With regard to the representation from Clydebank Engineering & Fabrication Ltd (PLDP/009), the site is considered to be an effective housing site and is required as part of the wider housing land requirement for the plan; will assist with the removal of a vacant and potentially contaminated land; and will contribute to the wider regeneration of Queens Quay as a whole. Policies CP1 and CP2 of the Plan will help to ensure that the amenity of the new housing site is not unduly affected by its location close to existing businesses. Issues with noise and amenity are detailed design considerations which will be addressed at the Development Management stage. The Council is therefore of the view that the site should not be deleted from the Plan for the reasons set out above.

H2(11) Queens Quay

Please note that this representation is also considered within Issue 3 and the response below is the same that is given within that particular Issue.

With regard to the representations from L Walker (PLDP/013) and M Walker (PLDP/015), the Council would point out that this site already has full planning permission (SI WDC16) for residential development. No modification to the Plan is therefore required.

H2(25) Carleith

The Council notes the support of Clydebelt (PLDP/673/24) for designation of the site, and acknowledges their concerns expressed in their separate representation (PLDP/673/24) regarding potential proposals beyond the proposed site. The Council would point out that planning consent for residential use has been previously granted – although this has now lapsed, and no additional uses, or areas beyond the site, are proposed for development within the Plan. The land beyond remains designated as Greenbelt in Local Development Plan 2. No modification to the Plan is therefore required in this regard.

H2(33) Carless

The representation to this site from Clydebelt (PLDP/673/24) is fully considered and addressed within Issue 5.

H2(36) Clydebank Health Centre

With regard to the representation from SNH (PLDP/640/24) the Council would point out that the developer requirements sought by the SNH are matters that would normally be considered through the Development Management process for a planning application. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an application is considered. No modification to the Plan is therefore required in this regard.

With regard to Taylor Wimpey West Scotland's (PLDP/664/24) representation, the NHS Greater Glasgow and Clyde indicate that disposal of this site will be before 2024 based on the timescale for the construction and completion of the new Clydebank Health Centre on Queens Quay. As a result of this information, the site is programmed for delivery before 2024 and the Council is of the view that this is sufficient information to consider that the site is effective, contrary to the view of Taylor Wimpey.

In response to the representation from Councillor John Mooney (PLDP/667/24), the Council would note that in order to allocate a site for a particular use, the Council must have a reasonable expectation that the proposed use is realistic and deliverable within the Plan period. This site was proposed to the Local Development Plan process by the NHS as a residential site, and they have committed to releasing the site for development before 2024. There is a continuing requirement to maintain a varied and effective housing land supply, and this site is considered to be able to contribute to this supply. Equally, the Council is not aware of any established need for, or proposals for, new community facilities or mixed uses for the site. As such it is considered that the residential allocation is justified and appropriate and that no modifications are required.

H2(37) Hardgate Health Centre

In response to the representation by Mr Stephen Laurie (PLDP/012), the Council acknowledges his concerns regarding development of the site. However, the site has been put forward for residential use by NHS Greater Glasgow and Clyde, who intend to vacate the site once the new Clydebank Health Centre at Queens Quay is open. Detailed design and layout issues, including parking and access arrangements, and the connection to Mr Laurie's property, are a matter for the Development Management process once a planning application for the site is received. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an

application is considered. It is also noted that residential use of the site may potentially involve the reuse and adaption of the existing building, rather than demolition, given that it is already of a broadly domestic scale and design. Overall, the Council considers that the site is suitable and effective as a residential site, and that no modification to the Plan is required.

With regard to the representation from Taylor Wimpey West Scotland (PLDP/664/24), they do not provide any substantive evidence or reasoning for their assertion that this site is not effective. Not knowing the timescales for bringing a site to market is not a reason for determining that a site is not effective. The NHS Greater Glasgow and Clyde indicate that disposal of this site will be before 2024 based on the timescale for the construction and completion of the new Clydebank Health Centre on Queens Quay. As a result of this information, the site is programmed for delivery before 2024 and the Council is of the view that this is sufficient information to consider that site is effective, contrary to the view of Taylor Wimpey.

H2(38) RHI Site

Contrary to the view of Taylor Wimpey West Scotland (PLDP/664/24), the site has been purchased by a Homes for Scotland Member who has submitted a Pre-application Notice (PAN) (SI WDC17) for the site on 14th February 2019 and prior to that, the Council had pre-application discussions about the planning application for the site. It is anticipated that a planning application for the site will be brought forward in summer 2019. The Council is of the view that this site is indeed effective and will delivered within the Plan period.

Reporter's conclusions:

H2(8) Braidfield High School

1. It was apparent from my site inspection that the development of this site was underway, and indeed was partially complete. The points of detail raised by Mr Josifek do not relate to the principle of the housing use, which the Proposed Plan seeks to establish, and appear to have been superseded in any event by the planning permission which now exists for this development. The matters raised fell to be resolved through the development management and building warrant processes, which are now largely complete. Given the planning permission which now exists, and the activity on site, I am content that the housing allocation be maintained.

2. Similarly, the representation from Sportscotland seeking to be consulted on any planning application has been superseded by the granting of planning permission. No change to the plan is therefore required.

H2(9) Cable Depot Road

3. The issue raised in this representation is wholly dealt with under Issue 3. There a modification is recommended that introduces a cross-reference to Policy H4 into proposed Queens Quay Policy 2 in order to alert prospective developers that it may be necessary to take account of potential noise nuisance in designing houses to be built on site H2(9). No changes to the plan beyond those set out at Issue 3 are required.

H2(11) Queens Quay

4. The issue raised in this representation is also dealt with under Issue 3, where it was found to be appropriate for the development strategy map to show the site as a housing opportunity. On this basis I conclude that it is also appropriate to continue to show the site as a housing opportunity on the proposals map.

5. These representations refer to site H2(11), but it may be that the concern in fact relates to site H2(49) or site H3(2), which are located closer to Glasgow Road. However, be that as it may, I consider that the same considerations would apply as are discussed at Issue 3 for site H2(11), and that no change to the plan is therefore required.

H2(25) Carleith

6. No representations oppose the development of this site in principle. Any development proposal would have to comply with other policies of the plan, including Policy CP1 Creating Places and ENV2 Landscape Character. If properly applied, these policies should ensure that the matters of concern to Clydebelt are addressed at the development management stage. There is no suggestion in the Proposed Plan that any additional green belt land beyond the identified site will be built on, or that any other uses apart from housing are contemplated. On this basis I conclude that no modification to the plan is required.

H2(33) Carless

7. The matters raised by Clydebelt regarding this site are fully considered under Issue 5. There it is concluded that this area should remain identified for housing, that it would not create an isolated community, and that a new access from the A814 is required. I therefore conclude that no further changes (beyond those recommended at Issue 5) are required in relation to this site.

H2(36) Clydebank Health Centre

8. The development requirements for this site sought by Scottish Natural Heritage enter in to a level of detail beyond what I would expect to see for a site of this scale in a local development plan. The matters raised in this representation can be satisfactorily addressed at the development management stage through the application of general plan policies including Policy CP1: Creating Places and Policy CP2: Green Infrastructure. I therefore conclude that no modification is required.

9. I have some sympathy that redevelopment sites should be considered for a mix of uses as these can contribute to more varied, vibrant and dynamic neighbourhoods. Paragraph 40 of Scottish Planning Policy suggests that land within settlements should be used for a mix of uses. However, in this case there is an evidenced need and demand for additional housing in the area but no such evidence has been presented supporting other uses. The site is also relatively small giving less potential for there to be a range of development types. I am therefore content for the housing opportunity designation to remain in place.

10. The existing health centre on this site is still in use, and so its redevelopment for housing is clearly not imminent. It does not appear from the council's evidence that the site has yet been sold to a prospective developer or been the subject of a planning

application for housing. However, planning permission for a replacement health centre at Queens Quay is now in place, which demonstrates to me that there is a likelihood of the H2(36) site becoming available for development well before 2024. Beyond the relocation of the current use, the site has no other obvious constraints, and I therefore conclude that it is capable of becoming effective for housing development within the plan period. No modification to the plan is required.

11. I discuss the effectiveness of various housing opportunity sites further at Issue 15: Housing Land.

H2(37) Hardgate Health Centre

12. This building is due to be vacated by the health service after the new health centre at Queens Quay has been completed. At that time, a new use will have to be found for the land, be this a conversion of the existing building or a redevelopment scheme. Given the character of the surrounding area, housing would appear to be an appropriate new use.

13. The site is located on a corner plot at a relatively busy junction close to a light-controlled pedestrian crossing on Kilbowie Road. I therefore agree that achieving a satisfactory vehicular access to the site could be challenging. However, on-street parking is available nearby on Stewart Drive and Gavins Road, and the site is well-related to local shops, schools and bus routes. Therefore, it may be that on-site parking is not required.

14. Regarding the structural implications for the respondent's house, this matter would not arise were the existing health centre building to be retained and converted. Should there be a redevelopment scheme the effect on the neighbouring property would need to be considered through the development management and building warrant processes. However, there is no indication that this matter is not capable of satisfactory resolution.

15. Regarding the effectiveness of this allocation for housing development, similar considerations as for site H2(36) (above) apply. Furthermore, because of the domestic character of the architecture of the Hardgate Health Centre, there seems a good possibility that the existing building could be converted for residential use. This factor increases the likelihood of the site producing housing units in the short to medium term.

16. Overall, I conclude that this proposed housing allocation should be retained.

Site H2(38) RHI Site

17. During the course of the examination, the council supplied information (email of 23 January 2020) that planning permission had been granted for 135 homes on this site. This is a strong indication that this is an effective housing site, and on this basis I conclude that it should be retained in the plan.

Reporter's recommendations:

No modifications.

Issue 25	**Private Housing Sites - Dumbarton**	
Development plan reference:	Policy H2 (Page 78); Schedule 2 - Opportunities for Private Housing (Pages 123 - 125); and Schedule 3 - Opportunities for Social Rented Housing (Page 126)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
SportScotland (PLDP/026/25) Silvertoun and Overtoun Community Council (PLDP182/25) SNH (PLDP/640/25) Avant Homes (Scotland) (PLDP/642/25) (Support) Taylor Wimpey West Scotland (PLDP/664/25) SEPA (PLDP/676/25)		
Provision of the development plan to which the issue relates:	This issue relates to the housing opportunity sites within Dumbarton that are included within Schedule 2; Schedule 3 and Policy H2 - Housing Sites.	
Planning authority's summary of the representation(s):		

H2(17) Crosslet Estate, Dumbarton

Silvertoun and Overtoun Community Council (PLDP182/25) request the removal of this site as it is immediately adjacent to the Local Nature Conservation Site of Overtoun Estate, Overtoun Burn and Barrwood Hill. They state that the Environmental Report suggests that there would be a potential adverse impact on the Local Nature Conservation Site.

H2(18) Castlegreen Street, Dumbarton

SNH (PLDP/640/25) seek modifications to the notes in Schedule 2 (p.125) of the Plan, relating to the Inner Clyde Special Protection Area (SPA) and Site of Scientific Interest (SSSI) to provide additional clarity and consistency across the Plan and with the Habitats Regulation Appraisal (HRA) text.

H2(20) Kiel School Phase 2, Dumbarton

Avant Homes (Scotland) (PLDP/642/25) support the residential designation of the site.

H2(22) Notre Dame Convent

Taylor Wimpey West Scotland (PLDP/664/25) state that, although Homes for Scotland have not challenged the programming, there is considerable uncertainty over the delivery of this site, as it has been in the housing land supply since 1998 with little progress shown. It is evident that there remain many constraints to bringing this site forward in a reasonable timescale.

H2(23) Our Lady & St Patrick's High School

SportScotland (PLDP/026/25) state that as this site contains a synthetic pitch, Sportscotland would likely be a statutory consultee under the Development Management (2013) Regulations (CD 52), for any application for development that would impact on the pitch, and consideration will need to be given to compensation requirements.

H2(24) Sandpoint Marina

SNH (PLDP/640/25) seek modifications to the notes in Schedule 2 (p.125) of the Plan, relating to the Inner Clyde Special Protection Area (SPA) and Site of Scientific Interest (SSSI) to provide additional clarity and consistency across the Plan and with the Habitats Regulation Appraisal (HRA) text.

SEPA (PLDP/676/25) suggest that the site may not be capable of delivering the number of housing units presented within the plan in order to avoid putting people and property at risk.

Modifications sought by those submitting representations:

H2(17) Crosslet Estate, Dumbarton

Silvertoun and Overtoun Community Council (PLDP182/25) seek the removal of this site from the Plan.

H2(18) Castlegreen Street, Dumbarton

SNH (PLDP/640/25) seek that the wording in the Notes on Schedule 2, page 125, relating to the site should be replaced with the following:

"Development at Castlegreen Street Dumbarton must also not have an adverse effect on the Endrick Water Special Area of Conservation (SAC) for which Atlantic salmon, Brook lamprey and River lamprey are the qualifying interests or on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA).This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development".

H2(22) Notre Dame Convent

Taylor Wimpey (PLDP/664/25) seek to remove this site from the housing land supply as contributing towards the LDP Housing Supply Target.

H2(23) Our Lady & St Patrick's High School

SportScotland (PLDP/026/25) seek to be consulted on any planning application for the site. Any proposals affecting the synthetic pitch will require compensation measures.

H2(24) Sandpoint Marina

SNH (PLDP/640/25) seek that the wording in the Notes on Schedule 2, page 125, relating to the site should be replaced with the following:

"Development at Sandpoint Marina, Dumbarton must also not have an adverse effect on the Endrick Water Special Area of Conservation (SAC) for which Atlantic salmon, Brook lamprey and River lamprey are the qualifying interests or on the Inner Clyde Special Protection Area (SPA) for which Redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA).This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this Proposed Plan, including measures potentially required to address disturbance both during construction and operation of the Development".

Summary of responses (including reasons) by planning authority:

H2(17) Crosslet Estate, Dumbarton

In relation to the representation from Silvertoun and Overtoun Community Council (PLDP182/25), the Council does acknowledge that the Environmental Report highlights likely adverse impacts on biodiversity, such as the natural assets that the Community Council raise; however, this has been taken out of context as the Environmental Report states that the assessment of this site in terms of biodiversity has been undertaken on a precautionary principle due to the layout of the site being unknown. The Environmental Report has then suggested mitigation measures, which any developer of the site will have to address to be in conformity with Policy ENV10 of the Plan. The revised assessment, assuming that the mitigation measures would be implemented, concluded that there were likely to significant positive impacts on the site. The Council therefore disagrees with the Community Council that the site should be removed on these grounds and is of the view that this site will improve the environment that surrounds it through good design in accordance with Policies CP1 and CP2 of the Plan. No modification to the Plan is therefore considered necessary.

H2(18) Castlegreen Street, Dumbarton

The Council has no objection to the proposed modification to the Note on Schedule 2 on page 125 of the Plan as requested by SNH (PLDP/640/25), should the Reporter wish to amend the note.

H2(20) Kiel School Phase 2, Dumbarton

The Council welcomes the support of Avant Homes (Scotland) (PLDP/642/25) for the residential designation of the site.

H2(22) Notre Dame Convent, Dumbarton

It should be noted that the representation by Taylor Wimpey (PLDP/664/25) relates more closely to Housing Land Supply matters, which are considered in full within Issue 15. However, the Council considers that the position agreed with Homes for Scotland for the 2017 Housing Land Audit (CD 23) (and reflected in Tables 1 and 2 and Schedule 2 of

LPD2) is reasonable, and that the site is capable of being effective, with 50 units programmed by 2024. The Council would point out that detailed planning consent was granted in 2010 with a PAN (SI WDC18) process completed in 2016, indicating a recent commitment and interest in delivering the site. It is further considered that there are no apparent constraints that would render the site non-effective. As such no modification is considered necessary.

H2(23) Our Lady & St Patrick's High School

The Council welcomes the comments of SportScotland (PLDP/026/25) and confirms that they would be statutory consultees on any planning application for proposed development of the site.

H2(24) Sandpoint Marina

The Council has no objection to the proposed modification to the Note on Schedule 2 on page 125 of the Plan as requested by SNH (PLDP/640/25), should the Reporter wish to amend the Note.

In response to the representation from SEPA (PLDP/676/25) suggesting the site may not be capable of delivering the indicative capacity, the Council is of the view that the site can, through good design and layout, achieve 87 units on site. However, this number is indicative and it would be up to the detailed design of the site at planning application stage to demonstrate that 87 units could be delivered at the site. No modification to the Plan is therefore necessary.

Reporter's conclusions:

H2(17) Crosslet Estate, Dumbarton

1. This site constitutes an attractive central area of open space with areas of mature and younger trees in the western and southern parts of the allocated area. A public footpath runs through the north-western part of the site. A recently completed care home, Crosslet House, lies to the east, and the stablished residential area of Sutherland Drive/ Dumbuck Road to the north.

2. The environmental report (core document 20) indicates that development could have potential adverse impacts on the setting of the Overtoun Estate, Overtoun Burn and Barwood Hill Local Nature Conservation Site (which apparently exists to the south of the allocated site). However, the report states that this potential impact could be satisfactorily mitigated by the development avoiding any impact on the local nature conservation site. It seems to me that it would be possible to avoid adversely affecting the setting of the local nature conservation site by limiting new development to the northern part of the site, though this could still involve the loss of some trees. I note that the indicative capacity of six units given in Schedule 2 of the Proposed Plan implies a low density that would allow for southern parts of the site to remain undeveloped.

3. The site is largely the remaining portion of a larger housing opportunity that was included in both the adopted West Dunbartonshire Local Plan (2010) and the unadopted West Dunbartonshire Local Development Plan of 2016. The 2015 report of the examination into the unadopted plan recommended retaining the site in the plan. Since that time a care home has been built on the eastern part of the original allocation, so

circumstances have changed. However, I have seen nothing to indicate that the likely impact on the local nature conservation site would be different from that which was found to be acceptable in 2015.

4. The current proposed allocation also differs from previous plans in including a small additional piece of wooded land between the originally identified site and Sutherland Drive. I assume this addition has been made to facilitate an access being taken from Sutherland Drive or Dumbuck Road, now that the construction of the care home appears to have precluded an access being taken from the east. My expectation is that only a small number of trees would need to be lost to create this access, and on this basis I consider that the additional of this land is acceptable.

5. Sutherland Drive/ Dumbuck Road are narrow and subject to significant levels of on-street parking. As such, I do not consider them well-placed to handle additional traffic. That said, the Proposed Plan only envisages six houses on this site, which would generate only a small number of additional journeys. Therefore, while the traffic impact of these additional houses would be negative, I do not consider it would be so severe as to preclude development.

6. Overall, for the reasons stated, I conclude that this allocation should be retained in the plan.

H2(18) Castlegreen Street, Dumbarton

7. Scottish Natural Heritage advises various changes be made to the notes accompanying Schedule 2 of the Proposed Plan relating to this site, including to refer to avoiding adverse effects on the Endrick Water Special Area of Conservation. The Endrick Water flows into Loch Lomond, but the species for which it is of interest use the River Leven adjoining this site. The draft habitats regulation appraisal indicates that works to stabilise the basin and harbour walls at Castle Street could disturb these species. On this basis I agree that it is sensible to include a reference to the Endrick Water Special Area of Conservation.

8. I am also content to make the other changes to this note advocated by Scottish Natural Heritage, given that it is the national body with expertise in these matters, that the council states above that it has no objection, and in order to achieve consistent wording through the plan. I make the requisite modification below.

H2(22) Notre Dame Convent

9. The 2019 Housing Land Audit, which (as regards this site) has been agreed with Homes for Scotland, indicates that this site has a capacity of 90 units, of which 25 are expected to be delivered up to 2024. The council's evidence above is that the site has detailed planning consent, and a separate Proposal of Application Notice was received by the council in 2016. This indicates to me that there is ongoing interest in developing the site for housing. I am not aware of any major constraints associated with the site, and I therefore conclude that the site is effective, or capable of becoming effective in the plan period. There are no representations opposing the principle of housing development on this site. On this basis, I conclude that the site should remain identified as a housing opportunity.

H2(23) Our Lady & St Patrick's High School

10. The representation from Sportscotland does not appear to be seeking any change to the plan. The consultation arrangements associated with any future planning application for this site are not a matter for this examination. I conclude that no modification to the plan is required.

H2(24) Sandpoint Marina

11. Regarding references to habitats regulations appraisal, the considerations applicable to this site are largely similar to site H2(18) as discussed above. For the same reasons as stated above, I am content that the notes on Schedule 2 applying to this site are also changed along the lines proposed by Scottish Natural Heritage. As the same wording is proposed for both sites, it seems most sensible to combine the two existing notes into a single set of words. I have recommended this below.

12. SEPA's representation relates not to the principle of this site being identified as a housing opportunity, but to its indicative capacity. This is given as 87 in Schedule 2 of the Proposed Plan. While SEPA does not say that this number cannot be achieved, it raises the prospect that it might not be.

13. Clearly no certainty can be gained about how many houses this land could potentially accommodate until a detailed proposal has been put forward and subjected to a site specific flood risk assessment. At this stage I have no basis for including a different number in the plan from that stated, and take reassurance from the fact that the capacity is given as only indicative. On this basis, I conclude that no modification to the plan is required.

Reporter's recommendations:

I recommend that the proposed plan be modified by:

1. Deleting the fourth, fifth and sixth paragraphs of the notes on Schedule 2 on page 125, and replacing them with:

"Development at Castlegreen Street and Sandpoint Marina, Dumbarton, annotated with a '3' must not have an adverse effect on the Endrick Water Special Area of Conservation (SAC) for which Atlantic salmon, brook lamprey and river lamprey are the qualifying interests or on the Inner Clyde Special Protection Area (SPA) for which redshank are the qualifying interest. Proposals for development must be accompanied by an expert assessment to inform a project-level Habitats Regulations Appraisal (HRA). This may require a study of redshank behaviour in the affected area of the SPA, which is likely to involve survey over at least one overwintering season. Account should also be taken of the HRA of this plan, including measures potentially required to address disturbance both during construction and operation of the development."

2. Replacing superscript "4" after Sandpoint Marina in Schedule 2 with superscript "3".

Issue 26	**Private Housing Sites - Vale of Leven**	
Development plan reference:	Policy H2 (Page 78) and Schedule 2 - Opportunities for Private Housing (Pages 123 - 125)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Elizabeth McArdle (PLDP/001)
Jeremy Watson (PLDP/002/02)
Jim Conroy (PLDP/004)
Ann Neeson (PLDP/006)
SportScotland (PLDP/026/26)
SNH (PLDP/640/26)
Taylor Wimpey West Scotland (PLDP/664/26)
SEPA (PLDP/676/15)
Vale of Leven Trust (PLDP/677/26)
Grahame Wardlaw (PLDP/784)

Provision of the development plan to which the issue relates:	This issue relates to the housing opportunity sites within the Vale of Leven that are included within Schedule 2 and Policy H2: Housing Sites.

Planning authority's summary of the representation(s):

H2(2) Heather Avenue

Vale of Leven Trust (PLDP/677/26) raise parking and pedestrian access issues if the access to the site is taken from Wilson Street

H2(4) Haldane Primary School

SportScotland (PLDP/026/26) comment that because this site contains a grass pitch, they would likely be a statutory consultee, under the Development Management (2013) Regulations (CD 52), for any application for development that would impact on the pitch. In this event, consideration will need to be given to compensation requirements.

H2(29) Jamestown IE

Vale of Leven Trust (PLDP/677/26) are concerned that development of this substantial housing site would have an impact on road infrastructure and with traffic potentially going through a housing area.

H2(35) Former Council Office, Church Street, Alexandria

Elizabeth McArdle (PLDP/001) asks that any development on the site respects and maintains the existing views to open countryside from the adjacent St Andrew's Court properties.

Taylor Wimpey (PLDP/664/26) query the effectiveness and deliverability of this site. They point out that this is a brownfield site and it is not clear when it could come forward for

development.

Vale of Leven Trust (PLDP/677/26) question why this is being developed for housing when it could have been sold for the Church that wishes to lease land in the Town Centre.

H2(34) Dalquhurn

Jim Conroy (PLDP/004); Ann Neeson (PLDP/006); and Grahame Wardlaw (PLDP/784) state that the site boundary shown in the Vale of Leven Proposals Map is incorrect, as an area of land to the south side of Dalquhurn Lane is jointly owned and maintained by the residents of Dalquhurn Lane and is used for parking. It should not be part of the residential development site. Any change to this will result in it being almost impossible to park cars and allow access to waste collection, deliveries etc.

SEPA (PLDP/676/26) advise that, as the consent for the site is 10+ years old, if amendments to the site proposals subsequently come forward, there may be a need to re-examine the flood risk at the site (and for other 'legacy sites' in LDP2).

H2(42) Carman Waterworks

Jeremy Watson (PLDP/002/26) does not object to the proposed housing site but points out difficulties with the site in terms of its triangular shape, steep slope, access points and position on a sharp, hillside road corner with poor visibility and current poor road safety. However, any development is an opportunity to improve the road issues.

SNH (PLDP/640/26) agree that the site has capacity for the proposed allocation, however they wish for design criteria/requirements to be attached in order to ensure that development of the site is sensitive to the landscape setting and reduces visual effects.

Taylor Wimpey (PLDP/664/26) question the effectiveness of the site and state that as the site has a capacity of 3 units it should not be included in the housing land supply figures.

Vale of Leven Trust (PLDP/677/26) wish to register their concerns regarding vehicular access and road infrastructure for the site.

Wilson Street

Vale of Leven Trust (PLDP/677/26) express concern regarding the lack of parking provision in the street at the current time and the impact of further housing without suitable additional parking provision.

Modifications sought by those submitting representations:

H2(2) Heather Avenue

Vale of Leven Trust (PLDP/677/26) wish to see parking and access issues addressed, if access to the site is to be taken from Wilson Street.

H2(4) Haldane Primary School

Sport Scotland (PLDP/026/26) require that consideration be given to compensation requirements for any loss of the grass pitch that results from development of the site, and

that they be consulted as part of the planning application process.

H2(29) Jamestown IE

Vale of Leven Trust (PLDP/677/26) are not seeking specific modifications.

H2(34) Dalquhurn

Jim Conroy (PLDP/004); Ann Neeson (PLDP/006); Grahame Wardlaw (PLDP/784) seek that the site boundaries should be revised to exclude the area Mr Conroy and Mr Wardlaw have marked on their submitted maps, to reflect the land ownership.

SEPA (PLDP/676/26) advise that if any new or revised plans emerge for the site the flood risk may need to be re-examined. No specific modification is requested.

H2(35) Former Council Office, Church Street, Alexandria

Elizabeth McArdle (PLDP/001) is seeking that any redevelopment of the site takes into account the height of any new buildings in order to preserve the quality of life and views from existing properties on Church Street.

Taylor Wimpey (PLDP/664/26) are seeking that the site is shown within the Plan as non-effective.

Vale of Leven Trust (PLDP/677/26) are seeking that the site should be used for the Church group that wishes to lease land in the town centre, rather than for residential use.

H2(42) Carman Waterworks

Jeremy Watson (PLDP/002/26) insists that suitable conditions are applied to any residential development, relating to access points, roadway sight lines, massing etc. in order to address the road safety issues and enable sensitive development of the site.

SNH (PLDP/640/26) are seeking that the Council specifies developer requirements for the site, covering the following:

- The proposed houses should relate to existing houses nearby in terms of their rural character, scale, massing, materials and being set low upon the hillside.
- The siting and design of the houses should consider potential views of these from the surrounding landscape given the elevated and prominent position of the site.
- The existing stone wall should be retained and repaired where necessary to maintain this feature and improve integration of the houses with the landscape pattern (this may require access from Cardross Road to the north of the site to avoid having to create a wide bell-mouth opening in the wall).
- Tree planting to provide linkage to the woodland to the south west, improve integration of the housing with the landscape pattern and reduce visual effects.

Taylor Wimpey (PLDP/664/26) are seeking that this site should not be included within the housing land supply figures.

Vale of Leven Trust (PLDP/677/26) are not seeking specific modifications.

Wilson Street

Vale of Leven Trust (PLDP/677/26) are not seeking specific modifications.

Summary of responses (including reasons) by planning authority:

H2(2) Heather Avenue

The Council notes the concerns raised by Vale of Leven Trust (PLDP/677/26) but considers that there are issues of detailed site design, layout and parking provision and are a matter for the development management stage. No modification to the Plan is considered necessary.

H2(4) Haldane Primary School

The Council agrees with Sport Scotland (PLDP/026/26) that in the event of a planning application on the site that affects the grass pitches, Sportscotland will be consulted in line with normal Development Management procedures, and any resulting recommendations will be taken into account at that stage. No modification to the Plan is considered necessary.

H2(29) Jamestown IE

The Council notes the concerns raised by Vale of Leven Trust (PLDP/677/26) but considers that there are issues of detailed site design, layout and parking provision and are a matter for the planning application process. No modification to the Plan is considered necessary.

H2(34) Dalquhurn

In response to the representations by Jim Conroy (PLDP/004), Ann Neeson (PLDP/006) and Grahame Wardlaw (PLDP/784), the Council notes that the site boundary shown in the Plan reflects the 2009 planning consent for the site (ref. DC09/145/FUL) (SI WDC19, SI WDC20), rather than being an indication of current site ownership and use. While it is not considered that a modification is required, nonetheless, given the time elapsed since the 2009 planning consent, the Council would not be opposed to a change to the site map to reflect the revision sought by the representations, if the ownership of the site can be established, should the Reporter be of the view that a change to the site boundary is required.

The Council notes the comments made by SEPA (PLDP/676/26) and agrees that if revised plans come forward for this site, and other sites with older consents, this may trigger a requirement for a new flood risk assessment to be undertaken. However, this would be a matter for the Development Management process to consider at that time and it is not considered that a modification to the Plan is required.

H2(35) Former Council Office, Church Street, Alexandria

The concerns of Elizabeth McArdle (PLDP/001) regarding potential loss of views from any future development of site H2(35), would be addressed as part of the Development Management process as part of any future planning application on the site. No modification to the Plan is therefore considered necessary.

In terms of the representation by Taylor Wimpey (PLDP/664/26), the Council considers that the site is effective and the Council intend to dispose of the site within the Plan period. There are no constraints to the site that would render it undevelopable and existing services are nearby.

In response to the representation from Vale of Leven Trust (PLDP/677/26), the Council notes that the proposed allocation for housing was made based on the intentions of the Council's Asset Management Service. At the time of preparing Local Development Plan 2, the Council was not aware of any alternative interest in this site, and still has no evidence that an alternative use is being sought, or that residential use would be inappropriate. Notwithstanding, as a town centre site, any future proposals for alternative uses could be considered through the Development Management process. No modification to the Plan is therefore considered necessary.

H2(42) Carman Waterworks

The Council agrees with Jeremy Watson (PLDP/002/26) that the proposed site offers an opportunity to improve the existing road safety issues relating to the sharp corner and poor sightlines around the corner that are due to the site topography and the high boundary wall. Indeed, the environmental and road safety improvements that could be secured through limited residential development of this disused site were among the principal reasons for its allocation. Such issues, and any related planning conditions, will be addressed fully at the planning application stage. As such, no modification to the Plan is considered necessary.

In response to the representation by SNH (PLDP/640/26) the Council is not opposed to three of SNH's four recommended design requirements. However, it is considered that the requirement in bullet-point 3, to retain and repair the existing stone wall, and create a vehicle access further north of the site to avoid any down-taking of the wall, is likely to be odds with the need to create a safe and appropriate access point and the intention to improve road safety and sightlines around the tight corner (which may require the lowering of the existing wall). As such it is considered that it would be more appropriate to consider these detailed design matters at the Development Management stage of a future planning application. No modification is therefore considered necessary.

Likewise, the Council notes the concerns of Vale of Leven Trust (PLDP/677/26) regarding access and road infrastructure, but considers that these detailed design matters can be considered fully at the Development Management stage of a future planning application.

In terms of the representation by Taylor Wimpey (PLDP/664/26), the Council would point out that the site was promoted as an opportunity site in order to help realise the environmental and road safety improvements that can be delivered from limited residential redevelopment of this brownfield site within the greenbelt. However, as a small site (less than 4 units) the site is not included within the Local Development Plan 2 Housing Land calculations (Tables 1 and 2 of the Plan); nor is it in the Housing Land Supply and Audit (CD 23, CD 24). No modification to the Plan is considered necessary.

Wilson Street

The Council notes the concerns raised by Vale of Leven Trust (PLDP/677/26). While the representation does not refer to specific housing sites on Wilson Street, and none are included within the Plan, it is noted that there are two housing sites on Wilson Street within

the established housing land supply, for 24 units in total. However it is considered that issues of parking provision in relation to housing sites are a Development Management matter that would be considered at the planning application stage. As such, no modification to the Plan is considered necessary.

Reporter's conclusions:

H2(2) Heather Avenue

1. This is a relatively large brownfield site within the built-up area of Alexandria, for which Schedule 2 of the Proposed Plan states an indicative capacity of 84 units. The site is therefore of a scale that will generate a significant number of additional traffic movements that could potentially impact on the wider area. I do not therefore agree with the council that access and parking concerns are necessarily matters of detail that only need be addressed at the development management stage. Such matters can be of relevance in a development plan examination if they call into question the principle of development on the site.

2. Of the potential access routes to the site, Wilson Street is relatively wide, though the current end-on on-street parking and arrangements for right-turning traffic onto and from Main Street might need to be addressed as part of any development. The site could also potentially be accessed from Heather Avenue via Charleston Way, or from the Davies Drive estate, although these residential access roads may have limited capacity to accommodate additional traffic.

3. The site therefore seems to be capable of being accessed from a number of different points, and I am not persuaded that any access or parking issues that might arise are so serious that they could not be resolved relatively straightforwardly. As regards car parking, there appears to be no reason why parking to serve the new development could not be contained within the site. For these reasons I am content that no change needs to be made to the plan.

H2(4) Haldane Primary School

4. The development of this site was underway at the time of my site visit. The issue of consultation with Sportscotland, and of compensation for the loss of any pitches, has therefore presumably already been addressed through the development management process. In any event, these are not matters that I would expect to necessarily see addressed at a site specific level in the local development plan. No modification is therefore required.

H2(29) Jamestown IE

5. As noted for site H2(2) above, I do not necessarily agree with the council that access and parking concerns are matters of detail that only need be addressed at the development management stage. I consider it is important to establish that there are no significant constraints to the development of the proposed allocations.

6. Access to this greenfield site would most obviously be taken from Levenbank Road to the north. Various industrial uses exist to the north of Levenbank Road, but there would be no need for industrial traffic to pass through the residential area.

7. Levenbank Road itself is of a relatively high standard, but issues including the on-street and on-pavement parking that I observed at my site visit might need to be addressed at the development management stage. This does, however, appear possible, for instance by widening the road on its southern side, or introducing parking restrictions. Subject to these possible measures, I consider that Levenbank Road should be capable of handling the traffic that would be generated by the 60 houses envisaged for this site. No modification is therefore required.

H2(35) Former Council Office, Church Street, Alexandria

8. The representation from Elizabeth McArdle does not relate to the principle of housing development, but to the height of any future development and the need to avoid obscuring views. I am satisfied that the site is capable of being developed for low-rise housing that would not give rise to the problems identified in the representation. These are therefore matters that can be resolved at the development management stage. The proper application of policies in the Proposed Plan should serve to protect the interests of existing residents. In particular, criterion (d) of Policy CP1: Creating Places requires the form of new development to protect and enhance the amenity of existing communities.

9. Taylor Wimpey is not opposed to the principle of housing development on this site but questions its effectiveness. The effectiveness of the housing land supply is addressed more fully at Issue 15. However, here I note that the council has stated its intention to release the site for development in the plan period. I have not been made aware of any development constraints, nor were any apparent to me at my site visit. I therefore conclude that the site is likely to become effective in the plan period.

10. As regards the potential alternative use for the site by a nearby church, it appears from the council's statement above that it is the intention of the council's Asset Management Service to sell the site to a housing developer. This would therefore appear to be the most likely use for the land. While it would be possible for the plan to allocate the site for a different use, I do not have sufficiently detailed or persuasive evidence before me to justify such a change to the plan.

H2(34) Dalquhurn

11. An area of land on the northern edge of this site, to the south of Dalquhurn Lane has been separated from the rest of the allocated land by a high fence, and is being used by the residents of Dalquhurn Lane for parking. According to Mr Conroy this area is jointly owned by the residents of Dalqhurn Lane. The council does not dispute this fact but points out that the existing planning permission covers this land.

12. It is clear that the use of this land by the residents of Dalquhurn Lane is well-established, and I have no reason to doubt the residents' claims of ownership over it. I consider that the inclusion of this land within the H2(34) allocation is likely to be misleading as to the real extent of the development opportunity, and to cause unnecessary uncertainty to the residents of Dalquhurn Lane. I note that the council does not object to the removal of this area of land from the allocation, and I therefore conclude that this should be done. This change will only slightly reduce the overall size of the allocation, and so should not materially affect its capacity.

13. The environmental report accompanying the plan did not identify any likely effects from the development of this site on water. Nevertheless, SEPA points out the possible

need to re-examine flood risk at this site. The site benefits from planning permission, and there is no positive suggestion from SEPA that flooding is likely to be a serious problem, such as to call into question the principle of development. However, as the council states, should a new planning application come forward for the site, the matter of flooding, and any necessary mitigation, can be considered afresh. This is a matter for the development management process to address at the appropriate time, and no change to the plan is required.

14. Although not listed above, Taylor Wimpey also call into question the effectiveness of H2(34) as a housing site due to the length of time it has been included in the housing supply. This matter is addressed at Issue 15: Housing Supply, where I find that there does appear to be real progress in taking development forward at Dalquhurn (where a current planning application is under consideration). I therefore conclude that the site is likely to be effective.

H2(42) Carman Waterworks

15. With a stated capacity of only three units, this site is smaller than I would normally expect to see identified individually in a local development plan. However, I see no great harm in its being included, particularly as the council is especially supportive of development as a way of resolving the safety issue on the adjoining road. The council states that the plan does not account for the contribution from this site in its housing land calculations, and so this concern from Taylor Wimpey appears not to arise.

16. The site is located at a sharp bend in Cardross Road as it rises steeply to the west of Renton. Visibility rounding this bend is very poor, especially for eastbound drivers, due to the high wall enclosing the site being close to the highway edge. I can appreciate that the council might legitimately seek to improve this situation, and that this could be done in conjunction with the redevelopment of the site.

17. While redevelopment could help to secure improvements in road visibility, it would also create a new access (or increase the use of the existing site access) close to this dangerous bend. The overall effect of development on road safety would therefore have to be carefully considered by the roads engineers assessing any proposal. This matter can be fully addressed at the detailed design stage and through the development management process. At this stage, I accept that a net benefit to road safety is possible, and therefore that there is no basis for deleting the allocation on these grounds.

18. The site is located in the green belt and occupies a very prominent position overlooking the Vale of Leven. However, as a former waterworks it does qualify as a brownfield site, and I note the photographic evidence submitted by Jeremy Watson that a house once stood here. Nevertheless, I would not normally have considered this to be a suitable development site, were it not for the special circumstances discussed above.

19. As it is, any development proposal will require very careful design to minimise adverse landscape effects, including in terms of height, massing, materials, landscaping and boundary treatment. Scottish Natural Heritage mentions some of these factors in its representation but, overall, I agree with the council that, especially for a site of this scale, it is not necessary to set these detailed matters out in the plan. Rather, they can be considered through the development management process. Any redevelopment would have to comply with the relevant policies of the plan, including Policy GB1's requirements for proposals to have no unacceptable impacts on the environmental quality of the

greenbelt, countryside or landscape character.

20. I conclude that the allocation should be retained in the plan.

Wilson Street

21. The Proposed Plan does not allocate any sites for housing development in Wilson Street, though site H2(2) (discussed above) could be accessed from here. It may be that the Vale of Leven Trust is referring to other sites on Wilson Street that already benefit from planning permission. Both the sites brought to my attention by the council are large enough to accommodate on-site parking, which would not exacerbate any existing on-street problems. However, this is a matter that should have been addressed through the development management process at the time, and does not necessitate any change to the plan.

Reporter's recommendations:

I recommend that the plan be modified by redrawing the boundary of Site H2(34): Dalquhurn to exclude the area of parking along the northern boundary shown as black hatching on the map accompanying the representations from Grahame Wardlaw and Jim Conroy.

Issue 27	**Strauss Avenue, Clydebank**	
Development plan reference:	Policy H2 (Page 78), Schedule 2 - Site 39(H) (Page 123) and Clydebank Proposals Map	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Sportscotland (PLDP/026/27)	I Pexton (PLDP/420)
Elizabeth Moran (PLDP/109)	A Baldacci (PLDP/421)
M McGregor (PLDP/111/27)	K Pexton (PLDP/422)
Mary Lee (PLDP/112)	K Pexton (PLDP/423)
Carolyn Lee (PLDP/113)	S Gillespie (PLDP/424)
S Morrison (PLDP/114)	M Hunter (PLDP/425)
G & E Doogan (PLDP/119)	L McGeever (PLDP/426)
Margret Collins (PLDP/120)	F Cairns (PLDP/427)
W Paterson (PLDP/159)	J Allison (PLDP/428)
John Mackie (PLDP/160)	M Hopkirk (PLDP/429)
Jean Clark (PLDP/161)	R McCann (PLDP/430)
Dawn Fyfe (PLDP/167)	D Gibson(PLDP/431)
Carilann Costello (PLDP/170)	M Carr (PLDP/433)
Euphemia Oxford (PLDP/171)	A McKechnie (PLDP/434)
Kathleen Conlin (PLDP/172)	A Carcary (PLDP/435)
James Fleming (PLDP/176)	M Smith (PLDP/437)
Margaret Lang (PLDP/181)	J Naismith (PLDP/438)
D and G Hopkirk (PLDP/209)	M Yanny (PLDP/441)
L Hefford (PLDP/210)	J McCreath (PLDP/442)
R and I Martin (PLDP/213)	A Wallace (PLDP/443)
J McInnes (PLDP/214)	M Lyon (PLDP/444)
F Kelly (PLDP/216)	M Mathison (PLDP/445)
J McDonald (PLDP/217)	J Johnston (PLDP/446)
R Curran (PLDP/219)	L Kennedy (PLDP/447)
Anonymous (Address Provided) (PLDP/220) (Support)	J R McIntyre (PLDP/448)
C Fairweather (PLDP/221)	J Cosgrove (PLDP/449)
E Mackie (PLDP/222)	J Chisholm (PLDP/450)
A Duffy (PLDP/224)	J McLafferty (PLDP/451)
J Duffy (PLDP/225)	Anonymous (Address Provided) (PLDP/452)
K Pryde (PLDP/226)	I Walker (PLDP/453)
Brian Robert Allison (PLDP/229)	D Hopkins (PLDP/454)
B Wylie (PLDP/230)	W Bolling (PLDP/455)
S Gabriel (PLDP/231)	Anonymous (Address Provided) (PLDP/456)
M Hirst (PLDP/232)	A Rae (PLDP/457)
Eileen Cairns (PLDP/233)	J Maxwell (PLDP/458)
A & J McHugh (PLDP/234)	J White (PLDP/459)
M Rae (PLDP/235)	Mr & Mrs Feely (PLDP/460)
C Bell (PLDP/236)	J Yantren (PLDP/461)
A McElhinney (PLDP/238)	R Russell (PLDP/462)
L & M McKelvie (PLDP/239)	A Higgens (PLDP/463)
I and M Wilson (PLDP/240)	R Martin (PLDP/464)
T Hoss (PLDP/241)	Mr & Mrs Docherty (PLDP/465)
	M Smith (PLDP/466)

A McGee (PLDP/242)	M Moran (PLDP/467)
S Izett (PLDP/243)	E Molden (PLDP/468)
K Cameron (PLDP/244)	J McLaughlin (PLDP/469)
E & N Bell (PLDP/245)	W Cameron (PLDP/470)
E McInally (PLDP/246)	S McSporran (PLDP/471)
A King (PLDP/247)	C Barron (PLDP/472)
L Hay (PLDP/248)	M Yooh (PLDP/473)
L and Mr Breslin (PLDP/249)	D & R McGregor (PLDP/474)
H & S Barbour (PLDP/250)	A Dale (PLDP/475)
J Daly (PLDP/251)	P Abram (PLDP/476)
G & M Anderson (PLDP/252)	R Brown (PLDP/477)
L McElwee and Alan, Naimh & David	S Fuery (PLDP/478)
McNeil (PLDP/253)	A McKinney (PLDP/479)
M Cowie (PLDP/254)	C McLean (PLDP/480)
S McInally (PLDP/256)	T Campbell (PLDP/481)
D Holley (PLDP/257)	J T Nellis (PLDP/482)
P Stirling (PLDP/258)	M Buchanan (PLDP/483)
L McFarlane (PLDP/259)	C Kelly (PLDP/484)
D Hopkirk (PLDP/260)	J MacDonald (PLDP/485)
K Gallagher (PLDP/261)	C O'Donnell (PLDP/486)
W Hopkirk (PLDP/262)	C & L Maginn (PLDP/487)
K Brown (PLDP/263)	J Bartley (PLDP/488)
J McIlveney (PLDP/264)	D J McKinnie (PLDP/489)
A McElwee (PLDP/265)	J Guthrie (PLDP/490)
J Peter (PLDP/266)	A Biggerstaff (PLDP/491)
J McFarlane (PLDP/267)	Mr & Mrs McGuire (PLDP/492)
A McFarlane (PLDP/268)	A Campbell (PLDP/493)
B Callaghan (PLDP/269)	T Sweeney (PLDP/494)
J Cameron (PLDP/270)	E Ferguson (PLDP/495)
D McGeever (PLDP/271)	S Wright (PLDP/496)
K M Craggan (PLDP/272)	M Gallagher (PLDP/497)
M Wallace (PLDP/273)	J Macphee (PLDP/498)
M Sweeney (PLDP/274)	A Zalezny (PLDP/499)
B Wood (PLDP/275)	J Murray (PLDP/500)
G McIlveney (PLDP/276)	M Gibson (PLDP/501)
A Cameron (PLDP/277)	P Doyle (PLDP/502)
E Cameron (PLDP/278)	Anonymous (Address Provided) (PLDP/503)
M Narey (PLDP/279)	J Wilson (PLDP/504)
C A Lamb (PLDP/280)	J Morrow (PLDP/505)
J O'Neill (PLDP/281)	T McCord (PLDP/506)
M Cairns (PLDP/282)	E Hood (PLDP/507)
I Gabriel (PLDP/283)	R McColl (PLDP/508)
S Gallagher (PLDP/284)	L Nally (PLDP/509)
J & T Costello (PLDP/285)	M McGinley (PLDP/510)
S Gray (PLDP/286)	A McGowan (PLDP/511)
E Doohan (PLDP/287)	R McKay (PLDP/512)
K McColgan (PLDP/289)	A Stevenson (PLDP/513)
J McDermott (PLDP/290)	M McGeachie (PLDP/514)
G McDermott (PLDP/291)	S Campbell (PLDP/515)
A & K McLeod (PLDP/292)	S Ramage (PLDP/516)
M Milne (PLDP/293)	I McLeod (PLDP/517)
R Cameron (PLDP/294)	M Smith (PLDP/518)

J Rae (PLDP/295)	R McKinlay (PLDP/519)
P Gunnion (PLDP/296)	B & A McGarvie (PLDP/520)
J Hay (PLDP/297)	C Smith (PLDP/521)
J Cuthbertson (PLDP/298)	M Parsons (PLDP/522)
E Cooper (PLDP/299)	R MacPhee (PLDP/523)
M Lennie (PLDP/300)	V Flynn (PLDP/524)
E Briant (PLDP/301)	Saji Joseph (PLDP/525)
W Abraham (PLDP/302)	A Kenny (PLDP/526)
L Brown (PLDP/303)	M & A Bowman (PLDP/527)
J Mowatt (PLDP/304)	S Doogan (PLDP/528)
K McBain (PLDP/305)	L McGrath (PLDP/529)
S Lydon (PLDP/306)	V Wilson (PLDP/530)
D Richford (PLDP/307)	I Cairns (PLDP/531)
J McCallum (PLDP/308)	M T Quinn (PLDP/532)
Mrs Poles (PLDP/309)	V Edwards (PLDP/533)
E Clark (PLDP/310)	C & G Tait (PLDP/534)
W McConnell (PLDP/311)	L Ferrol (PLDP/535)
J McNeil (PLDP/312)	A Came (PLDP/536)
D Nicholson (PLDP/313)	L Buckley (PLDP/537)
B Kirkwood (PLDP/314)	P MacDonald (PLDP/538)
C Campbell (PLDP/315)	R Cathro (PLDP/539)
G Moir (PLDP/316)	L Fraser (PLDP/540)
L Connelly (PLDP/317)	Anonymous (Address Provided) (PLDP/541)
J & M McLucas (PLDP/318)	C Miller (PLDP/542)
E Markey (PLDP/319)	J Merry (PLDP/543)
T Drain (PLDP/320)	P Tyrrell (PLDP/544)
F McEwan (PLDP/321)	K and N Gill(PLDP/545)
S Owens (PLDP/322)	S Dixon (PLDP/546)
M Harris (PLDP/323)	S Aston (PLDP/547)
A Miller (PLDP/324)	A Beaton (PLDP/548)
S Aitken (PLDP/325)	C Rowlands (PLDP/549)
A Bell (PLDP/326)	B Hodgeson (PLDP/550)
M Quantich (PLDP/327)	F McCosh (PLDP/551)
S McCafferty (PLDP/328)	J McMillan (PLDP/552)
E Craig (PLDP/329)	G Stirling (PLDP/553)
T Rankin (PLDP/330)	S Feely (PLDP/554)
Mr & Mrs J Hart (PLDP/331)	M & P Shiach (PLDP/555)
M S McArthur (PLDP/332)	G and A Smith (PLDP/556)
R & M Scullion (PLDP/333)	E Walker (PLDP/557)
S L Williams (PLDP/334)	L Wightman (PLDP/558)
H Rae (PLDP/335)	A Hart (PLDP/559)
J Hynes (PLDP/336)	A Dickson (PLDP/560)
L Keenan (PLDP/337)	V Sweeney (PLDP/561)
N Morrison (PLDP/338)	J Dickson (PLDP/562)
M Bradley (PLDP/339)	R Sweeney (PLDP/563)
V Mason (PLDP/340)	G Daly (PLDP/564)
J, J & H McTaggart (PLDP/341)	R McKenzie (PLDP/565)
C Spence (PLDP/342)	E Hamilton (PLDP/566)
M Irvine (PLDP/343)	R & M Carroll (PLDP/567)
R Gallaher (PLDP/344)	C Maxwell (PLDP/568)
G Bowie (PLDP/345)	K Burns (PLDP/569)
S Cairns & S Gray (PLDP/346)	S Sheridan (PLDP/570)

R Anderson (PLDP/347)	J Thomson (PLDP/571)
L McArthur (PLDP/348)	G Alexander (PLDP/572)
A & K O'Donnell (PLDP/349)	J Drummond (PLDP/573)
M Pollok (PLDP/350)	C & E Connolly(PLDP/574)
D McGowan & F Mersey (PLDP/351)	M Kemmett (PLDP/575)
S Gorman (PLDP/352)	A Murray (PLDP/576)
T Taylor (PLDP/353)	M and S Savage (PLDP/577)
Hugh Mealyea (PLDP/354)	R Savage (PLDP/578)
L Allison (PLDP/355)	E Beaton (PLDP/579)
A & E Shepherd (PLDP/356)	R Fitzsimons (PLDP/580)
E Robertson (PLDP/357)	W Reid (PLDP/581)
V McClure (PLDP/358)	A Reid (PLDP/582)
J McGill (PLDP/359)	M Campbell (PLDP/583)
D McGrory (PLDP/360)	P McBryan (PLDP/584)
J Patrick & P McGrory (PLDP/361)	H Ingham (PLDP/585)
M Murray (PLDP/362)	A Walker (PLDP/586)
J Murray (PLDP/363)	S & C Monaghan (PLDP/587)
S Kilpatrick (PLDP/364)	E Harper (PLDP/588)
G Carlyle (PLDP/365)	S Hastings (PLDP/589)
J S & E McNeil (PLDP/366)	A Whitelaw (PLDP/590)
Mr & Mrs Bradley (PLDP/367)	Anonymous (Address Provided) (PLDP/591)
M Halfpenny (PLDP/368)	P Smith (PLDP/592)
K Farrell (PLDP/369)	G McNellan (PLDP/593)
A Welsh (PLDP/370)	M & J Meiklejohn (PLDP/594)
J Friel (PLDP/371)	D Martin (PLDP/595)
G Morrison (PLDP/372)	S W Sievewright (PLDP/596)
B W Chessell (PLDP/373)	D Gunnion (PLDP/597)
F Miller (PLDP/374)	S Greig (PLDP/598)
L Anderson (PLDP/375)	A Greig (PLDP/599)
D Kidd (PLDP/376)	T Cherian (PLDP/600)
D Kidd (PLDP/377)	S Watson (PLDP/601)
S Kidd (PLDP/378)	K Hendry (PLDP/602)
C Kidd (PLDP/379)	M Bruce (PLDP/603)
S McBride (PLDP/380)	P Cassidy (PLDP/604)
M Kauf (PLDP/381)	D Sinclair (PLDP/605)
R Smith (PLDP/382)	E Sinclair (PLDP/606)
L McDermott (PLDP/383)	M E Venables (PLDP/607)
K Johnston (PLDP/384)	G Cameron (PLDP/608)
I Hair (PLDP/385)	S Byren (PLDP/609)
J Turner (PLDP/386)	S Stirling (PLDP/610)
A Turner (PLDP/387)	Lennox (PLDP/611)
M Holloway (PLDP/388)	C and A Lees (PLDP/612)
C Hanlon (PLDP/389)	A Morgan (PLDP/613)
C Brash (PLDP/390)	W and B Chlosta (PLDP/614)
M Senior (PLDP/391)	A Chambers (PLDP/615)
G Little (PLDP/392)	I and A Forbs (PLDP/616)
G Kane (PLDP/393)	A Buchanan (PLDP/617)
M Fraser (PLDP/394)	I & P McCallum (PLDP/618)
I Campbell (PLDP/395)	Anonymous (Address Provided) (PLDP/619)
G Gallagher (PLDP/396)	A & E Edmonds (PLDP/620)
M and H Bain (PLDP/397)	W Kirkwood (PLDP/621)
S C Paterson (PLDP/398)	C Millar (PLDP/622)

T Paterson (PLDP/399) S Paterson (PLDP/400) C Cassidy (PLDP/401) T McLaughlin (PLDP/402) S Doogan (PLDP/403) K Stanley (PLDP/404) L Jordan (PLDP/405) M Jordan (PLDP/406) M Jennings (PLDP/407) S McCarthy (PLDP/408) A A Anderson (PLDP/409) S O'Conner (PLDP/410) J Stevenson (PLDP/411) M McHale (PLDP/412) M McCandlish (PLDP/413) S Carson (PLDP/414) W Fulton (PLDP/415) J MacPherson (PLDP/416) J Mirren (PLDP/417) N Robertson (PLDP/418) R Shields (PLDP/419)	S McGinley (PLDP/623) A Griffin (PLDP/624) M Young (PLDP/625) C Kemp (PLDP/626) M McGinley (PLDP/627) M McCowan (PLDP/628) J Brown (PLDP/638) N Bell (PLDP/639) SNH (PLDP/640/23) G Faller (PLDP/652) Logan Factoring and Management Ltd (PLDP/653) (Support) S Veeramootoo (PLDP/657) Taylor Wimpey (PLDP/664/27) Cllr J Mooney (PLDP/667/27) Clydebelt (PLDP/673/27) Karen McElwee (PLDP/760) Mrs Watson (PLDP/761) Roseleen Donnelly (PLDP/762) Scottish Canals (PLDP/786)
Provision of the development plan to which the issue relates:	This issue relates to the allocation of Land at Strauss Avenue, Clydebank (Site Ref: H2(39) for residential use with an indicative capacity of 100 units.

Planning authority's summary of the representation(s):

The representations made to the allocation of this site have been grouped under the following sub-headings: Support for Allocation of the Site; Loss of Open Space; Traffic; Development within Clydebank; Suitability of the Site for Development; Education and other.

<u>Support for Allocation of the Site</u>

Anonymous (Address Provided) (PLDP/220) supports the allocation of the site and states that the possible implications noted on the pre-printed form are not valid.

Logan Factoring and Management Ltd (PLDP/653) support the residential allocation at Strauss Avenue. The site would form a logical and sensitive extension to east of Clydebank, with the site adjacent to existing residential development to the west, east and south. The site is an appropriate and deliverable opportunity and can come forward through the emerging Local Development Plan. Strauss Avenue is considered an appropriate location for additional housing which can be delivered in a sustainable way to respond to the site location and incorporate the highest standards of placemaking as set out in Scottish Government Planning Policy. In carefully planning an appropriate housing mix and sensitive phasing of new development, Strauss Avenue can deliver new homes of quality and value within close proximity to Clydebank, Yoker and Drumchapel.

A detailed Access Statement was submitted alongside the response to the Main Issues Report in September 2017. The Access Statement (SI-653) established the principle of access into the development, with Option 7 being identified as feasible and providing

access onto Great Western Road, in line with the Council requirement. Figure 16 within the Access Statement illustrates where the signalised access from Great Western Road could be located. Great Western Road is a dual carriageway and there is an existing gap in the central reservation, as indicated by Figure 17 of the access statement. Figure 17 also illustrates the location of the speed change signs at this location.

The representation also states that the clients consultants act as strategic advisors to national housebuilders in the West of Scotland and that there have already been a number of notes of interest from a number of parties. No insurmountable barriers to the development of the site have been identified to date relating to transport and access, topography, flooding, cultural heritage or noise. As such, the land at Strauss Avenue should be included as a residential allocation along with a LDP policy to guide its future development.

Loss of Open Space

PLDP/109; PLDP/111; PLDP/112; PLDP/113; PLDP/114; PLDP/119; PLDP/120; PLDP/160; PLDP/170; PLDP/171; PLDP/172; PLDP/176; PLDP/181; PLDP/209; PLDP/210; PLDP/213; PLDP/214; PLDP/216; PLDP/217; PLDP/219; PLDP/221; PLDP/222; PLDP/224; PLDP/225; PLDP/226; PLDP/229; PLDP/230; PLDP/231; PLDP/232; PLDP/233/27; PLDP/234; PLDP/235; PLDP/236; PLDP/238; PLDP/239; PLDP/240; PLDP/241; PLDP/242; PLDP/243; PLDP/244; PLDP/245; PLDP/246; PLDP/247; PLDP/248; PLDP/249; PLDP/250; PLDP/251; PLDP/252; PLDP/253; PLDP/254; PLDP/256; PLDP/257; PLDP/258; PLDP/259; PLDP/260; PLDP/261; PLDP/262; PLDP/263; PLDP/264; PLDP/265; PLDP/266; PLDP/267; PLDP/258; PLDP/259; PLDP/260; PLDP/261; PLDP/262; PLDP/263; PLDP/264; PLDP/265; PLDP/266; PLDP/267; PLDP/268; PLDP/269; PLDP/270; PLDP/271; PLDP/272; PLDP/273; PLDP/274; PLDP/275; PLDP/276; PLDP/277; PLDP/278; PLDP/279; PLDP/280; PLDP/281; PLDP/282; PLDP/283; PLDP/284; PLDP/285; PLDP/286; PLDP/287; PLDP/228; PLDP/289; PLDP/290; PLDP/291; PLDP/292; PLDP/293; PLDP/294; PLDP/295; PLDP/296; PLDP/297; PLDP/298; PLDP/299; PLDP/300; PLDP/301; PLDP/302; PLDP/303; PLDP/304; PLDP/305; PLDP/306; PLDP/307; PLDP/308; PLDP/309; PLDP/310; PLDP/311; PLDP/312; PLDP/313; PLDP/314; PLDP/315; PLDP/316; PLDP/317; PLDP/318; PLDP/319; PLDP/320; PLDP/321; PLDP/322; PLDP/323; PLDP/324; PLDP/325; PLDP/326; PLDP/327; PLDP/328; PLDP/329; PLDP/330; PLDP/331; PLDP/332; PLDP/333; PLDP/334; PLDP/335; PLDP/336; PLDP/337; PLDP/338; PLDP/339; PLDP/340; PLDP/341; PLDP/342; PLDP/343; PLDP/344; PLDP/345; PLDP/346; PLDP/347; PLDP/348; PLDP/349; PLDP/350; PLDP/351; PLDP/352; PLDP/353; PLDP/354; PLDP/355; PLDP/356; PLDP/357; PLDP/358; PLDP/359; PLDP/360; PLDP/361; PLDP/362; PLDP/363; PLDP/364; PLDP/365; PLDP/366; PLDP/367; PLDP/368; PLDP/369; PLDP/370; PLDP/371; PLDP/372; PLDP/373; PLDP/374; PLDP/375; PLDP/376; PLDP/377; PLDP/378; PLDP/379; PLDP/380; PLDP/381; PLDP/382; PLDP/383; PLDP/384; PLDP/385; PLDP/386; PLDP/387; PLDP/388; PLDP/389; PLDP/390; PLDP/391; PLDP/392; PLDP/393; PLDP/394; PLDP/395; PLDP/396; PLDP/397; PLDP/398; PLDP/399; PLDP/400; PLDP/401; PLDP/402; PLDP/403; PLDP/404; PLDP/405; PLDP/406; PLDP/407; PLDP/408; PLDP/409; PLDP/410; PLDP/411; PLDP/412; PLDP/413; PLDP/414; PLDP/415; PLDP/416; PLDP/417; PLDP/418; PLDP/419; PLDP/420; PLDP/421; PLDP/422; PLDP/423; PLDP/424; PLDP/425; PLDP/426; PLDP/427; PLDP/428; PLDP/429; PLDP/430; PLDP/431; PLDP/433; PLDP/434; PLDP/435; PLDP/437; PLDP/438; PLDP/441; PLDP/442; PLDP/443; PLDP/444; PLDP/445; PLDP/446; PLDP/447; PLDP/448; PLDP/449; PLDP/450; PLDP/451;

PLDP/452; PLDP/453; PLDP/454; PLDP/455; PLDP/456; PLDP/457; PLDP/458; PLDP/459; PLDP/460; PLDP/461; PLDP/462; PLDP/463; PLDP/464; PLDP/465; PLDP/466; PLDP/467; PLDP/468; PLDP/469; PLDP/470; PLDP/471; PLDP/472; PLDP/474; PLDP/475; PLDP/476; PLDP/477; PLDP/478; PLDP/479; PLDP/480; PLDP/481; PLDP/482; PLDP/483; PLDP/484; PLDP/485; PLDP/486; PLDP/487; PLDP/488; PLDP/489; PLDP/490; PLDP/491; PLDP/492; PLDP/493; PLDP/494; PLDP/495; PLDP/496; PLDP/497; PLDP/498; PLDP/499; PLDP/500; PLDP/501; PLDP/502; PLDP/503; PLDP/504; PLDP/505; PLDP/506; PLDP/507; PLDP/508; PLDP/509; PLDP/510; PLDP/511; PLDP/512; PLDP/513; PLDP/514; PLDP/515; PLDP/516; PLDP/517; PLDP/518; PLDP/519; PLDP/520; PLDP/521; PLDP/522; PLDP/523; PLDP/524; PLDP/525; PLDP/526; PLDP/527; PLDP/528; PLDP/529; PLDP/530; PLDP/531; PLDP/532; PLDP/533; PLDP/534; PLDP/535; PLDP/536; PLDP/537; PLDP/538; PLDP/539; PLDP/540; PLDP/541; PLDP/542; PLDP/543; PLDP/544; PLDP/545; PLDP/546; PLDP/547; PLDP/548; PLDP/549; PLDP/550; PLDP/551; PLDP/552; PLDP/553; PLDP/554; PLDP/555; PLDP/556; PLDP/557; PLDP/558; PLDP/559; PLDP/560; PLDP/561; PLDP/562; PLDP/563; PLDP/564; PLDP/565; PLDP/566; PLDP/567; PLDP/568; PLDP/569; PLDP/570; PLDP/571; PLDP/572; PLDP/573; PLDP/574; PLDP/575; PLDP/576; PLDP/577; PLDP/578; PLDP/579; PLDP/580; PLDP/581; PLDP/582; PLDP/583; PLDP/584; PLDP/585; PLDP/586; PLDP/587; PLDP/588; PLDP/589; PLDP/590; PLDP/591; PLDP/592; PLDP/593; PLDP/594; PLDP/595; PLDP/596; PLDP/597; PLDP/598; PLDP/599; PLDP/600; PLDP/601; PLDP/602; PLDP/603; PLDP/604; PLDP/605; PLDP/606; PLDP/607; PLDP/608; PLDP/609; PLDP/610; PLDP/611; PLDP/612; PLDP/613; PLDP/614; PLDP/615; PLDP/616; PLDP/617; PLDP/618; PLDP/619; PLDP/620; PLDP/621; PLDP/622; PLDP/623; PLDP/624; PLDP/625; PLDP/626; PLDP/627; PLDP/628; PLDP/638; PLDP/639; PLDP/640/27; PLDP/652; PLDP/657; PLDP/673/27; PLDP/760; PLDP/761; and PLDP/762 all object to the proposed rezoning of Strauss Avenue from Open Space to residential as it is contrary to the Council's policies for open space.

J Clark (PLDP/161); D and G Hopkirk (PLDP/209); D Gunnion (PLDP/597); Clydebelt (PLDP/673/27); D Fyfe (PLDP/167) raise further issues with regard to open space; the impact that losing the open space would have on the community and children; that it has the potential for better sporting facilities or better facilities for the community.

Carol-Ann Lamb (PLDP/280); J O'Neil (PLDP/281); M Cairns (PLDP/282); I Gabriel (PLDP/283); S Gallacher (PLDP/284); J and T Costello (PLDP/285); S Gray (PLDP/286); E Doohan (PLDP/287); and K McColgan (PLDP/289) are also of the view that the rezoning of this site is against the Council's own 'Our Green Network' Planning Guidance and the policies formulated to protect green spaces i.e. Policy GN1. They raise further issues on the history of the site; cutbacks; and use of the developer contributions fund to redevelop the site.

Taylor Wimpey West Scotland (PLDP664/27) state that the proposed allocation H2(39) is designated as 'Protected Open Space' in the 2010 adopted Local Plan (CD 10) and again, the Local Development Plan: Proposed Plan 2016 (CD 13) shows the site as protected open space. The inclusion of the site as a housing allocation goes against the Council's policies of open space protection and retaining public open spaces.

<u>Traffic</u>

PLDP/109; PLDP/111; PLDP/112; PLDP/113; PLDP/114; PLDP/119; PLDP/120;

PLDP/160; PLDP/170; PLDP/171; PLDP/172; PLDP/176; PLDP/181; PLDP/209; PLDP/210; PLDP/213; PLDP/214; PLDP/216; PLDP/217; PLDP/219; PLDP/221; PLDP/222; PLDP/224; PLDP/225; PLDP/226; PLDP/229; PLDP/230; PLDP/231; PLDP/232; PLDP/233/27; PLDP/234; PLDP/235; PLDP/236; PLDP/238; PLDP/239; PLDP/240; PLDP/241; PLDP/242; PLDP/243; PLDP/244; PLDP/245; PLDP/246; PLDP/247; PLDP/248; PLDP/249; PLDP/250; PLDP/251; PLDP/252; PLDP/253; PLDP/254; PLDP/256; PLDP/257; PLDP/258; PLDP/259; PLDP/260; PLDP/261; PLDP/262; PLDP/263; PLDP/264; PLDP/265; PLDP/266; PLDP/267; PLDP/258; PLDP/259; PLDP/260; PLDP/261; PLDP/262; PLDP/263; PLDP/264; PLDP/265; PLDP/266; PLDP/267; PLDP/268; PLDP/269; PLDP/270; PLDP/271; PLDP/272; PLDP/273; PLDP/274; PLDP/275; PLDP/276; PLDP/277; PLDP/278; PLDP/279; PLDP/280; PLDP/281; PLDP/282; PLDP/283; PLDP/284; PLDP/285; PLDP/286; PLDP/287; PLDP/228; PLDP/289; PLDP/290; PLDP/291; PLDP/292; PLDP/293; PLDP/294; PLDP/295; PLDP/296; PLDP/297; PLDP/298; PLDP/299; PLDP/300; PLDP/301; PLDP/302; PLDP/303; PLDP/304; PLDP/305; PLDP/306; PLDP/307; PLDP/308; PLDP/309; PLDP/310; PLDP/311; PLDP/312; PLDP/313; PLDP/314; PLDP/315; PLDP/316; PLDP/317; PLDP/318; PLDP/319; PLDP/320; PLDP/321; PLDP/322; PLDP/323; PLDP/324; PLDP/325; PLDP/326; PLDP/327; PLDP/328; PLDP/329; PLDP/330; PLDP/331; PLDP/332; PLDP/333; PLDP/334; PLDP/335; PLDP/336; PLDP/337; PLDP/338; PLDP/339; PLDP/340; PLDP/341; PLDP/342; PLDP/343; PLDP/344; PLDP/345; PLDP/346; PLDP/347; PLDP/348; PLDP/349; PLDP/350; PLDP/351; PLDP/352; PLDP/353; PLDP/354; PLDP/355; PLDP/356; PLDP/357; PLDP/358; PLDP/359; PLDP/360; PLDP/361; PLDP/362; PLDP/363; PLDP/364; PLDP/365; PLDP/366; PLDP/367; PLDP/368; PLDP/369; PLDP/370; PLDP/371; PLDP/372; PLDP/373; PLDP/374; PLDP/375; PLDP/376; PLDP/377; PLDP/378; PLDP/379; PLDP/380; PLDP/381; PLDP/382; PLDP/383; PLDP/384; PLDP/385; PLDP/386; PLDP/387; PLDP/388; PLDP/389; PLDP/390; PLDP/391; PLDP/392; PLDP/393; PLDP/394; PLDP/395; PLDP/396; PLDP/397; PLDP/398; PLDP/399; PLDP/400; PLDP/401; PLDP/402; PLDP/403; PLDP/404; PLDP/405; PLDP/406; PLDP/407; PLDP/408; PLDP/409; PLDP/410; PLDP/411; PLDP/412; PLDP/413; PLDP/414; PLDP/415; PLDP/416; PLDP/417; PLDP/418; PLDP/419; PLDP/420; PLDP/421; PLDP/422; PLDP/423; PLDP/424; PLDP/425; PLDP/426; PLDP/427; PLDP/428; PLDP/429; PLDP/430; PLDP/431; PLDP/433; PLDP/434; PLDP/435; PLDP/437; PLDP/438; PLDP/441; PLDP/442; PLDP/443; PLDP/444; PLDP/445; PLDP/446; PLDP/447; PLDP/448; PLDP/449; PLDP/450; PLDP/451; PLDP/453; PLDP/454; PLDP/455; PLDP/456; PLDP/457; PLDP/458; PLDP/459; PLDP/460; PLDP/461; PLDP/462; PLDP/463; PLDP/464; PLDP/465; PLDP/466; PLDP/467; PLDP/468; PLDP/469; PLDP/470; PLDP/471; PLDP/472; PLDP/474; PLDP/475; PLDP/476; PLDP/477; PLDP/478; PLDP/479; PLDP/480; PLDP/481; PLDP/482; PLDP/483; PLDP/484; PLDP/485; PLDP/486; PLDP/487; PLDP/488; PLDP/489; PLDP/490; PLDP/491; PLDP/492; PLDP/493; PLDP/494; PLDP/495; PLDP/496; PLDP/497; PLDP/498; PLDP/499; PLDP/500; PLDP/501; PLDP/502; PLDP/503; PLDP/504; PLDP/505; PLDP/506; PLDP/507; PLDP/508; PLDP/509; PLDP/510; PLDP/511; PLDP/512; PLDP/513; PLDP/514; PLDP/515; PLDP/516; PLDP/517; PLDP/518; PLDP/519; PLDP/520; PLDP/521; PLDP/522; PLDP/523; PLDP/524; PLDP/525; PLDP/526; PLDP/527; PLDP/528; PLDP/529; PLDP/530; PLDP/531; PLDP/532; PLDP/533; PLDP/534; PLDP/535; PLDP/536; PLDP/537; PLDP/538; PLDP/539; PLDP/540; PLDP/541; PLDP/542; PLDP/543; PLDP/544; PLDP/545; PLDP/546; PLDP/547; PLDP/548; PLDP/549; PLDP/550; PLDP/551; PLDP/552; PLDP/553; PLDP/554; PLDP/555; PLDP/556; PLDP/557; PLDP/558; PLDP/559; PLDP/560; PLDP/561; PLDP/562; PLDP/563; PLDP/564; PLDP/565; PLDP/566; PLDP/567; PLDP/568; PLDP/569; PLDP/570; PLDP/571; PLDP/572;

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M McGregor (PLDP/111); W Patterson (PLDP/159); J Clark (PLDP/161); D Fyfe (PLDP/167); D and G Hopkirk (PLDP/209); K Pryde (PLDP 226); Carol-Ann Lamb (PLDP/280); J O'Neill (PLDP/281); M Cairns (PLDP/282); I Gabriel (PLDP/283); S Gallagher (PLDP/284); J and T Costello (PLDP/285); S Gray (PLDP/286); E Doohan (PLDP/287); K McColgan (PLDP/289) D Gunnion (PLDP/597); N Bell (PLDP/639); C Milne (PLDP/622) and Clydebelt (PLDP/673/27) also raise further and specific issues in relation to traffic congestion and delay and the impact the site would have on this; site capacity; road design issues; capacity of the existing road network to cope with increased traffic throughout the year; impact that congestion would have on emergency vehicles; the proposed emergency/secondary access; road and child safety; the need to upgrade roads; traffic assessment of the site; car parking and speeding; vehicle drive through; impact the development would have on the town centre; the need to have access to Whitecrook and the new bridge; and the development would create a fragmented community centre

Development within Clydebank

D Fyfe (PLDP/167) is of the view that until such times as the waterfront is development, it is unrealistic to ask a community to make a decision on other allocations whilst this development remains outstanding.

Suitability of the Site for Development

D Fyfe (PLDP/167) states that the site floods in bad weather and is akin to a marshland. There is an underground stream which contributes to the dampness of the ground. Raises issues that properties on Kirkwood Avenue suffer from the same ground dampness in their back gardens in wet weather. Is of the view that if the ground cannot be suitable dried for residents then how can it for new housing, which the respondent is of the view that the flats will subside and sink over time.

J Friel (PLDP/371) states that area floods and has an impact on gardens facing the field, making them unwalkable.

Taylor Wimpey West Scotland (PLDP 664/27) object to the allocation of Strauss Avenue and seeks the removal of the site and Duntiglennan Fields allocated in its place. **(*The representation should also be read in conjunction with Issue's 15, 24, 27, 28, 29 and 30 as the representation also covers these issues seeking to challenge the Housing Land Requirement and the New Housing Sites H2(35) to H2(42) of Schedule 2 of the Plan to demonstrate that Duntiglennan Fields should be allocated instead of Strauss Avenue and also to meet a perceived shortfall in the private sector housing land***

supply.) A supporting statement (SI-664) has been submitted with the representation and the main points are summarised below:

- The site is designated as protected open space within both the adopted Local Plan and the Local Development Plan Proposed Plan, 2016 and forms an extensive area of open space that provides a green buffer between Clydebank and Glasgow City, the administrative boundary between WDC and Glasgow City Council being Duntreath Avenue to the east. Great Western Road forms the boundary to the north, with the Forth and Clyde Canal to the south.
- Site access is not good and it would appear difficult to secure access from a road safety perspective.
- There are a number of constraints to development and as such the site would appear to be difficult to develop and has a number of significant environmental constraints. There seems little ambition from volume housebuilders to undertake a large-scale development at this location. Also questions the assessment of the SEA and describes the mitigations as questionable.
- The allocation is premature in their view to base housing land supply and Proposed Local Development Plan 2 Housing Allocations on sites that have not been properly assessed with regards to their developability and delivery; therefore, these sites cannot be considered effective. The Proposed Local Development Plan 2 site at Strauss Avenue (H2(39)), clearly, in addition to significant access constraints, has significant surface water drainage issues and is prone to ponding and at risk of flooding. The site in their view has therefore not been fully assessed to merit inclusion in the Proposed Local Development Plan 2. The site is shown on plans as playing fields and is one of the few open spaces in a wide area that allows access for passive recreation, dog walking, etc.
- The site provides a buffer of protected open space between West Dunbartonshire and Glasgow City and is bound by major transport routes, on the north by the A82 Great Western Road and to the east by the elevated Duntreath Avenue, whilst the site is constrained to the south by the Forth and Clyde Canal. It is, in terms of accessibility, almost inaccessible and the Council makes it clear that access cannot be taken through the existing road network. The former Yoker Burn also used to transect the site and it is unclear how this has been addressed. The low lying nature of the site is compounded by the fact that the roads to the north and east sit at a higher surface level.

The inclusion of this site in the Proposed Local Development Plan 2 has no therefore justification according to Taylor Wimpey.

SNH (PLDP/640/27) state that the site is unlikely to be able to accommodate the indicative capacity of the site due to the requirements of the Environmental Report (CD 20) in relation to a high quality gateway design that maintains, as far as possible, the natural environment that exists at present whilst enhancing the site to provide a high-quality urban landscape. The capacity of the site will be strongly influenced by the need to relate to the existing scale and density of houses to the west; include green space and access links, and protect the amenity of the Canal. The capacity level should therefore be reconsidered. SNH also suggests that a series of developer requirements should be set in order to reduce visual effects on the landscape character of the area.

Clydebelt (PLDP/673/27) state that the proposed housing site is under the Glasgow Airport Flight Path and houses could also be subject to air pollution from the A82. They also state that that the present situation has a relatively pleasant landscape with houses looking

outward towards the main road.

Education

D and G Hopkirk (PLDP/209) ask if the School is big enough for new families.

Other

Sportscotland (PLDP/026/27) request that as the site is a former playing field, they would require details relating to the site history and ongoing pitch demand/supply locally at the time of the submission of a planning application for the site.

J Wilson (PLDP/504) questions why they were not notified of the site and why it was left so late to notify them.

Cllr J Mooney (PLDP/667/27) states that local residents have concerns about the capacity of local services.

In terms of improvements to the natural environment of the area, Clydebelt (PLDP/673/27) state that the site could plant a natural wildlife/woodland strip along A82 and Canal side to soak up fumes from traffic and provide the much need wildlife corridor which is supposed to exist along the canal.

Scottish Canals (PLDP/786) are keen to understand more about the potential housing site at Strauss Avenue and engage with the Council and any developer to ensure that the site fully respects and integrates with the canal.

Modifications sought by those submitting representations:

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W Patterson (PLDP/159) seeks a reduction in the number of houses and that consideration is given to improving parking facilities within Linnvale itself to accommodate the new vehicles and people that will arrive.

D Fyfe (PLDP/167) does not specifically propose a modification but would like to see the site used for recreation and allotments etc.

SNH (PLDP/640/27) state that the capacity of the site should be re-appraised and that a series of developer requirements should be inserted into the plan as follows:

- Establish a green buffer including trees along the A82 which will reduce the effects

of vehicles along the road upon existing residents and the proposed housing and focus attention towards the canal to the south;
- Develop a housing layout that relates to the existing pattern and scale of houses to the west as well as the distinct landscape elements of the A82 and the canal;
- Develop a network of paths that provides links across the site and with the canal-side path;
- Include green, open spaces within the site, including the creation of some focal spaces for public amenity; and
- Design the site to protect and enhance the landscape characteristics, qualities and visual amenity along the canal-side path.

Logan Factoring and Management Ltd (PLDP/653) seek an Policy within the LDP to guide the future development of Strauss Avenue and request the following modification to the Plan:

Housing Allocation H2 39 - Strauss Avenue, Clydebank
Capacity: 100 units
Masterplan for the redevelopment of the site to be brought forward to include the following requirements:
• *A masterplan layout drawing;*
• *A transport assessment;*
• *A Flood Risk Assessment may be required.*

Summary of responses (including reasons) by planning authority:

The Councils responses to the representations made to the allocation of this site have been grouped under the following sub-headings: Support for Allocation of the Site; Loss of Open Space; Traffic; Development within Clydebank; Suitability of the Site for Development; Education and other.

Support for the Allocation of the Site

The support from Anonymous (Address Provided) (PLDP/220) is noted.

The support from Logan Factoring and Management Ltd (PLDP/653) is noted. However, the Council does not agree that a Policy within the Plan is required to guide the development of this site. Policy CP3 of the Plan and the Notes within Schedule 2 already cover these requirements.

Loss of Open Space

In response to the majority of the representations stating that the allocation of Strauss Avenue is contrary to the Council's policies on the protection of Open Space and the 'Our Green Network' Planning Guidance, the Council is of the view that the allocation of this site for residential purposes will have significant positive impacts on improving/enhancing the quality of open space within the site boundary and the wider area for the benefit of the community, which is line with the Policy GI1 of LDP2 (CD 19) and also in line with Policy requirements of the Adopted Local Plan 2010 (CD 10) and the Local Development Plan: Proposed Plan (2016) (CD 13).

Currently, the open space on the site is for general recreation and amenity use and it is considered that the vegetation on the site does not allow it to be used for any recreational

use other than dog walking etc. Therefore, the open space is considered to be of low quality and is in need of significant improvement. However, contrary to some of the views expressed within the representations, the level of investment needed to improve the open space cannot be addressed solely from developer contributions. Residential development is required to be able to cross-fund the necessary improvements to enhance the quality of open space in this location.

The proposed development of the site was considered by the Place and Design Panel in order to provide some independent and expert context to the issues raised by the representations, namely the impact on the existing open space and on traffic. The Panel considered that development of the site would create a good and connected housing site, designed from a green-infrastructure first approach. It was stated within the Place and Design Panel Report (March 2019) (SI WDC07), stated that:

"the Panel considered the concerns of the residents over loss of open space and amenity and access at every stage of the conversation and suggested ways that might allow the site to be developed successfully while addressing the concerns with balanced and well thought out solutions. This included linkage of existing and future communities by careful consideration of how the open space and pedestrian and cycling permeability was achieved across the site…… A strong theme of the discussions was around recognising the nature of the site as a real pedestrian bridge between the pedestrians and cyclists on the cycle path and the communities south of the canal over to the retail park."

The Panel were also supportive of some residential development to the edge of the Forth and Clyde Canal to allow passive surveillance and create a place. The Panel however suggested that:

"a development brief or future design guidance on the site should set out how the landscape and the edge at the canal should be treated"

The housing site will be designed around a significantly higher quality open space environment which provides opportunities for the current use of the site to continue, whilst introducing new multi-functional uses, such as community gardens etc. The Council considered that this approach to the layout of the site will help to strengthen the existing and adjacent community whilst creating a new one through shared high quality greenspace and high quality design.

The Panel also felt that an area of open space, to the south of the site and on the opposite side of the Canal, could be considered as a wider development framework for the whole area. This would maximise the opportunity for connected amenity and outdoor spaces within the area and would help to create a much more integrated place with higher quality green infrastructure centred around the new housing development.

The area of open space in question is also considered to be of low quality and in need of improvement and can be accessed by the existing road bridge at Duntreath Avenue and also via the existing bridge over the Canal to the south west of the site. The Council is strongly of the view that there should be a policy requirement for the developer to significantly upgrade the open space for multi-functional use and to compensate for the loss of open space on the Strauss Avenue site.

Taking all of the above on board, the Council is of the view that the proposed development of the site will create a high quality environment, based on a green-infrastructure first

approach to its design, which will provide enhanced green space provision for a multitude of recreational and community uses.

The Council will prepare a Development Brief for the site which will be based on the advice contained within the Place and Design Panel Report. A masterplan for the site will also be required to prepared by the developer of the site, which must fully reflect the provisions of the development brief.

Should the Reporter wish to amend the schedule, the Council would have no objection to Schedule 2 being changed and would suggest the following wording is inserted as a new paragraph 2 and 3 to the note:

"In accordance with Policy CP3 of the Plan, the Developer will be required to provide a masterplan for development of the site which must fully incorporate the provisions of the Development Brief. The Masterplan will also be required to be submitted to the Council's Place and Design Panel.

Development of the site must ensure that the there is a substantial area of enhanced multi-functional open space provided onsite. The Developer will also be required to enhance the area of open space to the south of the site on the opposite side of the Forth and Clyde Canal."

Traffic

Referring to the representations in relation to traffic, access and parking issues, the Council's Roads and Transportation Service and Glasgow City Council's Roads Section have raised no objections to the development of the site but requested that the note contained within Schedule 2 should be added to Local Development Plan 2. Transport Scotland have also not objected to the site.

It should also be noted that the at Main Issues Stage, an access statement was submitted by Logan Factoring and Management Ltd (PLDP/653) (SI-653) which demonstrates there are number of access options to enable the site to be developed. The Council's Roads and Transportation Service and Glasgow City Council's Roads and Transportation Section have reviewed this document and are both of the view that the access could potentially come from the A82.

The Place and Design Panel considered the issue of access as one of its deliberations on the proposed development of the site. The Place and Design Panel Report stated that:

"a site under 100 units could be supported with one access/egress option with another access for emergency vehicles only. It was a key suggestion that the language around this secondary access avoided using the words 'secondary access' and focused on this being called 'emergency access'.

Considering the possible access arrangements that could be achieved on the site the most practical solution was to take access from the A82. The transport planning Panellist suggested the geometry of the junction in relation to the slip road would have to be considered carefully, possibly incorporating a give way or stop junction treatment. It is a difficult and unpleasant junction currently but traffic is slowing in anticipation of the lights just beyond the junction. It was thought this was an achievable solution but that this would be resolved in the Traffic Assessment for the site."

The Council would point out that a Transport Assessment will be required for the site, as detailed in the Notes contained within Schedule 2 of the Plan.

In relation to the representation from W Patterson (PLDP/159), the Council would point out that these are detailed matters which are best addressed at the Development Management and Roads Construction Consent stages. The Council would also reiterate the Note contained within Schedule 2 of the Plan states that there will not be any primary access to Linnvale from the site. The only intention is to have an emergency access to the site for emergency vehicles but this will be taken from Duntreath Avenue in Glasgow.

In relation to the issues raised by M McGregor (PLDP/111); J Clark (PLDP/161); D Fyfe (PLDP/167); D and G Hopkirk (PLDP/209); K Pryde (PLDP 226); M Yooh (PLDP/473); A Dale (PLDP/475); J Wilson (PLDP/504); G Daly (PLDP/564); D Gunnion (PLDP/597) and N Bell (PLDP/639), the Council would reiterate that there will only be an emergency access between Duntreath Avenue and the Strauss Avenue sites; therefore, there will be no additional traffic within the Linnvale area as a result of this development. In relation to the emergency access and how this will operate in practice is a detailed matter which should be addressed at the Development Management Stage.

In relation to issues raised by M McGregor (PLDP/111); J Fleming (PLDP/176); J Lafferty (PLDP/451); C McLean (PLDP/480) and D Gunnion (PLDP/597) with regard to child/road safety, the Council reiterates that there will be no access from the Strauss Avenue site into Linnvale. Therefore, there will be no impact on the road network within Linnvale. It should also be noted that the Council's Roads and Transportation Section have not objected to the allocation of the site or raised any issues with road safety.

In relation to issues raised by M McGregor (PLDP/111); Mr and Mrs J Hart (PLDP/331) and S Williams (PLDP/324) with regard to parking etc at School drop off and pick up times and speeding, the Council would point out that this is not an issue that the Plan can address; however, the Council do not see the development adding to this situation as the primary access will be from the A82 and that the Council's Roads and Transportation Section have not objected to the development of this site on these grounds. The matter of speeding cars is an issue that is required to be dealt with by Police Scotland and is outwith the remit of the Council and the Plan.

In relation to the representation by J Clark (PLDP/161) with regard to access to and from the A82 being voted against twice, no information on what was proposed at that time has been provided; therefore, it is not possible to comment on this point. However, it is considered that the site can be accessed from the A82, subject to a Transport Assessment demonstrating that safe access can be provided, and that there is no intention of creating a 'rat run' into Linnvale. With regard to the point raised by the respondent in relation to Construction Traffic, the Council is of the view that this would come from the A82 and would require the primary access to be formed before any construction would be allowed to start. The Council will not allow construction traffic to come through Linnvale.

In relation to the issues of delay onto the A82 and a divided community centre raised by Clydebelt (PLDP/673/27), the Council would state that its Roads service, Glasgow City Council's Roads Section and Transport Scotland have raised no objections to the development of the site on this basis. The Council is also of a view that the development of Strauss Avenue, especially in relation to requirements of Policies CP1, CP2, CP3 and CP4 of LDP2, will ensure that the development of the site integrates with Linnvale and

Clydebank thus strengthening the existing community. The issue of maintaining an strong landscape/open space buffer will also be addressed by the Development Brief and masterplan

Taking all of the above on board, the Council is strongly of the view that development of the site will not exacerbate existing traffic, parking and congestions issues within Linnvale. The Council is however of the view that an amendment to the Note attached to Strauss Avenue within Schedule 2 of the Plan should be made to remove the word 'Secondary' from the text and replace it with 'emergency' and allow emergency access to come from Duntreath Avenue in Glasgow if required.

Should the Reporter wish to amend the schedule, the Council would have no objection to Schedule 2 being changed and would suggest that the Note is amended as follows (~~deletions/~~ additions are in **bold**):

"Strauss Avenue, annotated with '6', requires a primary access to be formed from the A82, or from other appropriate roads within Glasgow City Councils boundary. A Transport Assessment for the site is required to be provided, which among other requirements, should demonstrate the optimum point for this new primary access to the site and that safe access to the site can be satisfactorily demonstrated to the satisfaction of both West Dunbartonshire Council and Glasgow City Council, whilst meeting the appropriate Roads geometric standards of both Councils. West Dunbartonshire Council will not support a primary access from Livingstone Street and Strauss Avenue. ~~*Strauss Avenue*~~ ***Duntreath Avenue in Glasgow City Council's boundary*** *will only be allowed to provide a****n emergency*** ~~*secondary*~~ *access for emergency vehicles* ~~*and as an emergency access.*~~ *Early discussions with West Dunbartonshire Council's Roads Service and Glasgow City Council's Roads and Transportation Service are required in this regard."*

Development within Clydebank

With regard to the points made by D Fyfe (PLDP/167), the Council would point out that to meet the requirements of Scottish Planning Policy (CD 03), Local Development Plan 2 is required to provide a range and choice of land suitable for housing, which meets the Housing Land Requirement of the Plan, otherwise it will not be in conformity with Scottish Government policy.

The Council has identified a wide range of housing sites of varying scales from vacant brownfield sites within settlements to greenfield sites on the edge of towns and within villages, whilst protecting the integrity, character and appearance of the Greenbelt. As brownfield sites can take a period of time to develop, there also needs to be a supply of 'shovel ready' sites which are capable of being developed in the short term to ensure that there is not an undersupply of housing land within the Plan period. Strauss Avenue has therefore been allocated as a new greenfield release to ensure that there is a supply of 'shovel ready' land within Clydebank to meet the housing land requirements of the Plan. No modifications are therefore required in this instance.

Site Capacity

A number of respondents have raised issues in relation to the capacity of the site. The number of units allocated for the site is 100 and it must be stressed this is indicative at this stage in the planning process. The masterplan for the site will ultimately decide the exact amount of units that can be delivered, but the Council is satisfied that the site could deliver

100 units. No modifications to the Plan are therefore considered necessary.

Suitability of the Site for Development

With regard to the issues raised by D Fyfe (PLDP/167) and J Friel (PLDP/371), in relation to ground stability and flooding, the Council have assessed the sites suitability for development in terms of infrastructure capacity (water, drainage, flood risk, access, wider road/public transport network, schools). The land also has no known infrastructure development constraints that would make the site undevelopable. However, the Council does acknowledge that the ground does not properly drain from its site inspections and some of the site can become quite boggy in wet conditions. That being said, the Council is satisfied that the site is appropriate for development and will alleviate the issues that the respondent has raised.

In relation to the representation from Taylor Wimpey West Scotland (PLDP/664/27), the Council would respond as follows:

- The site can be developed whilst maintaining a green buffer between Clydebank and Glasgow;
- The access statement, submitted by Logan Factoring and Management Ltd (PLDP/653), provides a high level analysis of access to the site and both the Council's Roads Service and Glasgow City Council are of the view that safe access from the A82 is achievable. It should be noted that the Taylor Wimpey has not provided any transport assessment or other information to substantiate their claims;
- There are no known constraints to development on the site and, as detailed above, the Council's proposed modification to the plan will ensure that a substantial area of safeguarded and enhanced open space will be provided thus complying with the Councils own development polices in this regard;
- In relation to the Environmental Report (CD 20), the respondent has respectfully mis-interpreted some of the criteria and the assessment in this regard i.e. there is likely to be a significant positive impact on air quality as the site is close to a public transport stop and near to a railway station, which will mitigate against the increase of cars thus having positive impacts. The mitigation measures are also considered to be appropriate for a high level SEA of the site and Taylor Wimpey has provided no quantifiable information to back up their claims that the environmental assessment of the site is questionable;
- The significant environmental constraints that the respondent refers to are addressed in the Environmental Report alongside the mitigation measures, which address the identified significant adverse environmental impacts. The assessment concluded that the site was likely to have significant positive/negative impacts. It should be noted that the Consultation Authorities have not disagreed with the proposed mitigation measures and, in fact, Historic Environment Scotland has requested that a buffer zone, to protect the setting and integrity of the Forth and Clyde Canal Scheduled Monument, is added to the mitigation measures.
- Taylor Wimpey claim that the site has significant surface water drainage issues; is prone to ponding; and is at risk of flooding. The Council would point out that ponding will occur on any undeveloped site and can be addressed through construction and design. The issues regarding flooding are not disputed; however, again this can be addressed through appropriate mitigation measures detailed in a Flood Risk Assessment. It should be noted both Scottish Water and SEPA have not objected to development of the site;
- The site has been fully assessed by the Council and is considered to be in a much more sustainable location than the Duntiglennen Fields site that Taylor Wimpey

wishes to be included in preference to this site. The Place and Design Panel commented that it is unusual to have such a well-connected site, in close proximity to facilities and public transport links.

- The consultants acting on behalf of Logan Factoring and Management Ltd (PLDP/653) indicate that there have already been notes of interest from a number of housebuilders (some are Homes for Scotland members) which is at odds with Taylor Wimpey's view that there is little ambition from volume housebuilders to develop this site. The notes of interest from these housebuilders can be made available to the Reporter should they be required to demonstrate interest in the site;
- In relation to the point raised regarding the Yoker Burn; historical information shows that the burn is culverted within the site. The Place and Design Panel considered this issue and, whilst acknowledging that it is a potential constraint, also saw it as an excellent opportunity as part of a wider greenspace offering. The Panel also felt that the burn could be utilised as sustainable drainage solution via an attenuated feed. Overall, the Panel felt that the Yoker Burn could be a real asset to the site if treated carefully.

The Council therefore disagrees with Taylor Wimpey's view that the inclusion of the site has no justification. It is the Councils view that the site has been through a rigorous assessment process and is justified for inclusion as a viable greenfield release site, which is in an much more sustainable location than the site proposed by Taylor Wimpey.

In relation to the representations from W Patterson (PLDP/159) and SNH (PLDP/640/27), the Place and Design Panel did not raise any issues with the proposed capacity of the site, which reflects the Councils view that the indicative capacity of the site should be 100 units. The Council is also of the view that the developer requirements suggested by SNH (PLDP/640/27) are detailed matters to be addressed within the development brief and masterplan for the site. No modification to the Plan is therefore required.

In relation to the representation from Clydebelt (PLDP/673/27), the Council is of the view that the air noise and pollution would apply to most sites within this area of Clydebank and into Glasgow. It should be noted that Glasgow Airport have not objected to the inclusion of this site and it would be for the developer of the site to ensure that the effects of aircraft noise are mitigated as far as is practically possible.

In response the comments made in relation to the current character of the area, the Council is of the view that although development would change the nature of the site, the design of the site will ensure that there the area still provides a pleasant landscape whilst upgrading the quality of open space within the area.

<u>Education</u>

With regard to the representation from D and G Hopkirk (PLDP/209), the Council is of the view that there is sufficient capacity within the nearby Schools to cope with the development of this site at its indicative capacity.

<u>Other</u>

The Council will ensure that Sportscotland (PLDP/026), as a statutory consultee, is provided with the information that they require, by the developer, at planning application stage. For information, the Council's Greenspace section have stated that there is no demand for sports pitches within this part of Clydebank.

In relation to the comments of J Wilson (PLDP/504), the site was contained within the Main Issues Report as a preferred housing site and that the consultation on the Main Issues Report followed the Development Plan Scheme Participation Statement (CD 14) and the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) (CD 01). In relation to the proposed plan, the Council are only required by legislation to neighbour notify properties within 20 metres of the site boundary and the consultation and publication requirements set out in Legislation and those contained with the Participation Statement. The Council has complied with all requirements set within legislation and detailed in the Participation Statement and is of the view that site was preferred for residential development from an early stage in the plan preparation process.

With regard to the point raised by Cllr J Mooney (PLDP/667/27**)**, the Council would point out that the Councils Education Service, the NHS Greater Clyde and Glasgow and other service providers have not objected to the allocation of this site. Therefore, the Council is of the view that local services will be able to cope with the indicative capacity of this site.

The suggestions for improvements to the natural environment from Clydebelt (PLDP/673/27) will be considered when the development brief is being prepared.

The comments from Scottish Canals (PLDP/786/27) are noted. The Council will seek to engage with Scottish Canals as proposals for the site are progressed through preparation of a development brief, masterplan and planning application.

Reporter's conclusions:

Landscape and Visual Impact

1. The Strauss Avenue site is an area of existing greenspace located on the eastern edge of West Dunbartonshire between the A82 Great Western Road and the Forth and Clyde Canal. According to the evidence, the land was formerly used for sports pitches, but is currently an area of informal grassland.

2. While the site is on the boundary between Clydebank and north-west Glasgow, it does not form part of a continuous green gap between the two communities. Indeed, especially to the south of the site, the residential areas of Clydebank and Glasgow are largely contiguous. I do not therefore consider that the site has a strong landscape role, for instance in defining the character of any settlement.

3. The site is, however, visually prominent, most notably to the large volumes of people travelling along the Great Western Road. In its current state, the site is rather featureless and not particularly attractive. However, the openness of this land does form something of a visual marker of the transition from Glasgow to Clydebank. The undeveloped nature of the site also brings a sense of openness to the canalside paths along the southern boundary, which I expect are relatively well-used. This allows for open views to the north that contrast pleasantly with the built-up character of much of this section of the canal. Though the planning system does not exist to preserve private views, the openness of the land will also be appreciated by residents of Strauss Avenue that overlook the site.

4. The council points to the comments contained in the report of the West Dunbartonshire Place and Design Panel. This report is useful, but I note that the Panel did not appear to have been primarily tasked with making a judgement on the principle of development, but with considering how a development of 100 units could best be accommodated. Doubtless

it would be possible to design a high quality housing development on this site that could itself be of visual interest, but any such development would, at the same time, inevitably reduce the openness of the site and the value that brings.

5. Overall, I consider that the development of this site would have some limited negative visual impacts, as described. However, I doubt that these would, on their own, be sufficient to outweigh the advantages of development.

Loss of Open Space

6. It is clear from the number and content of the representations on this issue that the loss of this area of open space is of great concern to many local people. At the time of my site visit, the grass was long and rather unkempt, and appeared to have been subject to only occasional maintenance for some time. Though the site has been used as playing fields in the past, in its current state it is largely unsuitable for most formal or informal outdoor activities. Tarmac and informal paths through the site do indicate, however, that the land is used by local people, most likely for dogwalking and to access the Great Western Road and Retail Park and the canal towpath.

7. The site is also adjacent to the linear greenspace associated with the Forth and Clyde Canal. While development would not sever this green network link, it would narrow it and thereby diminish its value to some extent at this point. The site also currently serves to extend the green network from the canal to the Great Western Road and the Great Western Retail Park.

8. In the adopted local plan and the earlier proposed local development plan of 2015, the site was designated as open space and subject to policy protection. It now appears that the council is willing to support residential development partly in order to generate funds to enhance some residual open space on the site and nearby. I agree that the promotion of enabling development for this purpose might be appropriate in some circumstances. However, in this case, a development of 100 houses, as proposed and assuming similar densities to neighbouring areas, would occupy the vast majority of the site. I therefore question how an improvement to the overall open space resource can be argued, when only a small residual area of open space would remain.

9. The council also argues that the vegetation on the site does not allow it to be used for any recreational use other than dog walking etc. I agree that this is largely true with the land in its current state, but would note that paragraph 230 of Scottish Planning Policy states that poor maintenance and neglect should not be used as a justification for development for other purposes. It appears to me that the land does have good potential to be more intensively managed, as it has been in the past, for the benefit of local people. For instance, the council's open space strategy highlights the potential of this site to meet the identified gap in parks provision in this part of Clydebank.

10. The council also suggests that another existing area of open space, to the south of the Forth and Clyde Canal, could be upgraded through developer contributions from the Strauss Avenue site. I am sceptical as to whether improvements to this ill-defined area of open space could be said to adequately compensate for the loss of the much larger area of open space at Strauss Avenue.

11. Paragraph 224 of Scottish Planning Policy states that local development plans should identify and protect open space identified in the open space audit and strategy as valued

and functional or capable of being brought into use to meet local needs. Planning Advice Note 65: Planning and Open Space (PAN 65) states that development plans should safeguard important open spaces from development in the long term. However, it also acknowledges that in some cases, it may be better value to promote a consolidated high quality network of open spaces, rather than a more extensive pattern of spaces where management and maintenance of many areas are neglected.

12. Policy 12 of the Clydeplan Strategic Development Plan requires local authorities to identify and protect the green network. Clydebank is identified as a green network strategic delivery area where the opportunity exists to address matters including health issues associated with low activity levels and poor access to greenspace. Among the land uses identified as opportiunities for delivery is underperforming greenspace.

13. The council's Open Space Strategy identifies this site as being of low quality but high value. The policy approach to these spaces is stated to be to enhance their quality and for the planning system to seek to protect them. The specific action recommended for the Strauss Avenue land is to work with landowners and investigate the potential to develop this site to further meet the needs of gaps identified in parks provision. (The West Dunbartonshire Open Space Assessment and Audit found the southern part of Clydebank, including the Linnvale area, to have a significant gap in coverage for public parks and gardens.) It is stated this could include further landscaping and provision of formal facilities such as a play area, seating etc.

14. Bringing these policy provisions together, and applying them to the Strauss Avenue site, I find that there is strong evidence, both from the open space strategy and the representations to this examination, that this open space is valued. As a level area of grassland formerly used as playing pitches, the land appears capable of being brought into more effective use to better meet local needs. Particular shortfalls, in this case in parks provision, have been identified in this part of Clydebank. In these circumstances, the national and strategic policy framework points largely to the site being retained as open space.

15. I note the PAN 65 reference to promoting a consolidated high quality network of open spaces. However, in this case, where a particular local shortfall in parks provision has been identified, I do not believe this reference justifies the loss of of large parts of this open space, despite its existing neglected appearance.

16. The poor drainage of parts of the site (which may also constrain housing development) could limit the use of the site for formal sports facilities, but would be less likely to limit the use of the land as parkland or less formal open space.

17. I recognise the challenges that local authorities are facing in maintaining open spaces in the current financial climate. I also note that a proportion of the site (perhaps around a third) is in private ownership, which will limit the council's freedom of action to an extent. I would not therefore rule out the possible use of some enabling development to cross-fund the enhancement of the remaining space. However, as noted above, I consider the proposed capacity of 100 units to be excessive due to the high proportion of the land that would be required.

Access and Traffic

18. Many representations express concerns about access to the site, and particularly the

impact on traffic in the Linnvale housing area to the west. The landowner of part of the site has prepared an access statement, which investigates a number of options for accessing the site. Of these, it would appear that the creation of an access onto the A82 Great Western Road may be the most realistic. It is this option (or access from other appropriate roads within Glasgow City Council's boundary) that the council favours.

19. The evidence indicates that an access onto the A82 Great Western Road would be likely to require a signal controlled junction linked to the retail park access. I accept that such an arrangement may be possible, but note that the proposed new access point would be around 100 metres east of the existing signalised access to the retail park, and less than 50 metres from the western end of the entry slip from the Dunreath Avenue junction. There may, therefore, be some challenges in designing a successful access here, and the resulting junction arrangements might need to be quite complex.

20. There is no suggestion from the council that there would be anything more than an emergency access onto Strauss Avenue and into the Linnvale estate. On this basis, I consider that the concerns raised about increased traffic, parking and congestion in Linnvale are largely unfounded.

21. The site is well located in terms of accessibility by modes other than the private car. Being within the core urban area, it is relatively well served by public transport and close to employment, shopping and educational facilities, including the Great Western Retail Park. Footpaths associated with the Forth and Clyde Canal provide access to the wider off-road walking and cycling network. Overall, I consider this to be a sustainable location for new housing development in transport terms.

Amenity

22. In terms of amenity my main concern is with the potential impact of aircraft noise on future residents. At its nearest point, the site is 3.3 kilometres away from the end of the Glasgow Airport runway, and the site is directly under the flightpath of aircraft approaching or departing from the airport to the north-west. At my site inspection I experienced several aircraft passing low overhead.

23. According to the Glasgow Airport Noise Action Plan (core document 48), in 2017 the site was subject to average summer day noise exposure of between 60 and 63 dB LA_{eq}, 16h, and average summer night noise exposure of between 54 and 57 dB LA_{eq}, 8h. As discussed at Issue 16, development which is proposed within the 51dB LA_{eq} noise contour is required to be accompanied by an initial noise risk assessment and the preparation of an acoustic design statement. Aircraft noise is clearly a significant consideration at this site.

24. No representation relating to this proposal has been received from Glasgow Airport. It is also the case that significant numbers of houses currently exist beneath the flight path, including in the Whitecrook area south-west of, and closer to the airport than, the Strauss Avenue site. I therefore am in little doubt that it may be possible to build houses on this site with sufficient sound insulation to achieve generally accepted noise levels within dwellings. Some noise disturbance would be unavoidable in gardens and communal areas within the development, but again it may be that this would fall within limits generally deemed acceptable for established residential areas. However, the ability to meet standards does not translate into this necessarily being a good location to actively promote additional housing or that this would be a desirable place to live. I cannot avoid the view that the fact that future residents of this site would be exposed to significant levels of

aircraft noise points to the unsuitability of this land for housing development.

25. I note the council's comments that it would be for the developer to mitigate the effects of aircraft noise. It is the case that under the terms of the supporting text to Policy E7 of the plan, any planning application would need to be accompanied by an initial noise risk assessment and the preparation of an acoustic design statement. However, the role of the local development plan is to establish the principle of development. In judging whether the Strauss Avenue site is a good one to promote for housing development, account needs to be taken of the range of factors, including the likely standard of amenity that would be enjoyed by future residents. It would not be in the interests of good planning for the principle of housing development to be established on a site which would not enjoy a good standard of amenity.

Flooding and Drainage

26. I noted on my site inspection that the land was poorly drained in places and contained some standing water, despite the weather having been relatively dry. The environmental report acknowledges that the site has a medium probability of flooding and is within a 1 in 200 year flood event area.

27. The presence of the culverted Yoker Burn is mentioned in representations and in the Place and Design Panel Report. If the flood risk is associated with a watercourse then paragraph 263 of Scottish Planning Policy indicates that residential development may be suitable only where appropriate flood protection measures exist or are planned. I have been given no indication that such measures are in place. Furthermore, I cannot assume from the fact that SEPA has not commented on this proposal that flooding is therefore not a constraint. The Proposed Plan's requirement for a flood risk assessment to accompany any planning application does not guarantee that an acceptable resolution to the flooding issue is viable.

28. Overall, I consider that a degree of doubt remains as to the significance of the flooding constraint on this site. While it may be that flood risk can be adequately mitigated, it has not been demonstrated that this is the case, or what effect this might have on site capacity (for instance, if the lowest-lying areas needed to be kept free of development).

Proximity to Forth and Clyde Canal

29. The Forth and Clyde Canal ancient monument forms the southern boundary of the land, but I do not consider that the Strauss Avenue site in its current condition has any particularly important role in the setting of the monument. I have identified above that the current openness of the land to the north of the canal at this point contrasts pleasantly with the built-up character of much of this section of the canal. However, it is also the case that the canal provides an opportunity in urban design terms to be a focus for an attractive development. Overall, I do not consider that the presence of the canal is a particularly significant constraint to the potential development of the site.

Contribution to the Housing Land Supply

30. At Issue 15 I found that a significant shortfall existed in the Clydebank portion of the Greater Glasgow North and West Housing Sub-Market Area fior the 2019-24 period. The Strauss Avenue site was not included in the council's housing land supply calculations for

the proposed plan, but could potentially contribute some completions towards the 2019-24 supply. However, the site does not currently benefit from planning permission, and there are certain constraints to the early development of the site, as identified above. These include issues around flooding and drainage, and potentially complex access arangements. Even if the site were to be identified for housing development, I therefore doubt that any completions would occur until towards the end of the 2019-24 period. The scale of contribution towards the short-term supply would therefore be likely to be small.

31. As a medium-sized urban site, Strauss Avenue is not dissimilar to a range of other sites the plan identifies in this part of Clydebank. I therefore do not consider that the site particularly contributes to extending the range and choice of site available.

Conclusion

32. My overall conclusions are that the development of this site would make a modest contribution towards meeting an identified short-term shortfall in the Clydebank housing land supply. It might generate funds towards the improvement of some residual and nearby open space. The site is also well-located with regard to sustainable travel. However, I consider that these factors are outweighed by the harm that would be caused by the loss of a large area of public open space which has potential to address identified local open space deficiencies. I am also concerned about the poor residential environment that could be expected to be delivered on this site due to the effects of aircraft noise, and also the uncertainty regarding whether flood risk can be adequately mitigated.

33. I have considered whether to recommend reducing the estimated capacity for this site, as suggested by Scottish Natural Heritage. However, I have no basis for calculating what amount of development could reasonably be expected to bear the cost of enhancements to the residual open space and/or avoid areas of greatest flood risk. Given the potential development costs associated, in particular, with drainage and accessing the site, I am also wary of promoting a smaller development that might prove unviable. For these reasons, I have preferred to recommend the removal of this housing allocation from the plan.

34. Given that the site was designated in the adopted local plan and earlier proposed local development plan as open space, I consider this is the most sensible designation for the site to revert to.

35. The housing land supply implications of deleting this site are covered at Issue 15 of this report.

Reporter's recommendations:

I recommend that the proposed plan is modified by:

1. Deleting site H2(39) from schedule 2 and the proposals map; and

2. Identifying the site as open space on the proposals map.

Issue 28	**H2(40) Main Street, Jamestown**	
Development plan reference:	Policy H2 (Page 78) and Schedule 2: Opportunity for Private Housing (Pages 123 - 125)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

M Nixon (PLDP/005)
Annette Falconer (PLDP/016)
Eileen Cairns (PLDP/233)
SNH (PLDP/640/28)
Taylor Wimpey West Scotland (PLDP/664/28)
Pauline Healy (PLDP/678)
Caroline Malkron (PLDP/679)
M Lynch (PLDP/680)
Lynda McCoshan (PLDP/681)
Sandra Burrowes (PLDP/682)
Taylor McNaught (PLDP/683)
Linsay McLean (PLDP/684)
Rebecca Shanks (PLDP/685)
Agnes Ann Kelly (PLDP/686)
Connor O'Neill (PLDP/687)
Marc Queen (PLDP/688)
Donna Urbanik (PLDP/689)
Matthew Goodwin (PLDP/690)
Lynn Skinner (PLDP/691)
John Urbanik (PLDP/692)
Abby McNaught (PLDP/693)
Margaret Stephens (PLDP/694)
Michelle Stephens (PLDP/695)
Frank Michael Stephens (PLDP/696)
Natasha Walker (PLDP/697)
Stephaine Chalmers (PLDP/698)
Ryan Baxter (PLDP/701)
Scott Ewing (PLDP/702)
Megan Carmichael (PLDP/703)
Sharon MacKay (PLDP/704)
Lawrence Millar (PLDP/705)
Dylan James McLean (PLDP/706)
Ann Marie Brockett (PLDP/707)
Lisa Gray (PLDP/708)
Jade McDade (PLDP/709)
Melissa Queen (PLDP/710)
Matilda Brockett (PLDP/711)
Lauren Cairns (PLDP/712)
Aiden Cairns (PLDP/713)
John Cairns (PLDP/714)
Anne Queen (PLDP/715)
Liz Cunningham (PLDP/716)

Provision of the development plan to which the issue relates:	This issue relates to representations received in relation to a Private Housing Opportunity Site H2(40) Main Street, Jamestown

Planning authority's summary of the representation(s):

PLDP/005; PLDP/016 PLDP/233; PLDP/678; PLDP/679; PLDP/680; PLDP/681; PLDP/682; PLDP/683; PLDP/684; PLDP/685; PLDP/686; PLDP/687; PLDP/688; PLDP/689; PLDP/690; PLDP/691; PLDP/692; PLDP/693; PLDP/694; PLDP/695; PLDP/696; PLDP/697; PLDP/698; PLDP/701; PLDP/702; PLDP/703; PLDP/704; PLDP/705; PLDP/706; PLDP/707; PLDP/708; PLDP/709; PLDP/710; PLDP/711; PLDP/712; PLDP/713; PLDP/714; PLDP/715; and PLDP/716 all object to the principle of development on the site and all raise the following issues:

- Concerned about loss of open space, which is used for access and dog walking;
- Concerned about loss of trees;
- Questions the ability for the site to comply with the council's design policies particularly in relation to Policy CP1 Creating Places point a) as well as Policy CP2 Green Infrastructure points d) and e);

- Would like to know if the Council will ensure that the houses are affordable;
- Would like to ensure that the site will fit with the existing residential character;
- Question if development of site can comply with Policy GI2 – Open Space Standards;
- Believe that the residents will not benefit from the development because the site is unlikely to have associated developer contributions;
- Concerned that development will increase flood risk;
- Believe that new development will have a negative impact on public transport services, which are already considered to be poor;
- Highlight potential negative and unknown impacts from the Environmental Report
- (CD 20);
- Concerned that existing parking issues will be exacerbated by the development.

SNH (PLDP/640/28) believe that the site to has capacity for the proposed allocation and that it may be able to fit within the existing landscape pattern. To relate to the landscape character and reduce visual effects, SNH recommend the Council sets developer requirements within the plan and/or associated development briefs.

Taylor Wimpey West Scotland (PLDP/664/28) questions the deliverability and/or programming of site and is of the view that this brownfield site is not effective.

Modifications sought by those submitting representations:

PLDP/005; PLDP/016; PLDP/233; PLDP/678; PLDP/679; PLDP/680; PLDP/681; PLDP/682; PLDP/683; PLDP/684; PLDP/685; PLDP/686; PLDP/687; PLDP/688; PLDP/689; PLDP/690; PLDP/691; PLDP/692; PLDP/693; PLDP/694; PLDP/695; PLDP/696; PLDP/697; PLDP/698; PLDP/701; PLDP/702; PLDP/703; PLDP/704; PLDP/705; PLDP/706; PLDP/707; PLDP/708; PLDP/709; PLDP/710; PLDP/711; PLDP/712; PLDP/713; PLDP/714; PLDP/715; and PLDP/716 all wish the site to be removed from the Plan.

SNH (PLDP/640/28) recommend that the Council sets developer requirements, in the plan and/or associated development briefs, covering the following:

- Maintain existing mature trees along the southern edge which are valuable as landscape features;
- Maintain/reinforce the belt of trees along the northern boundary to protect the green link along the path to the River Leven;
- Maintain/establish a green buffer along the A813 that mirrors that on the eastern side of the main road, to protect residents' amenity and relate to the existing landscape pattern;
- Provide access across the site or to link with the existing path to the River Leven; and
- Repair/rebuild the stone wall along the northern boundary of the site to reinforce the landscape pattern and link to the River Leven.

Summary of responses (including reasons) by planning authority:

The Council's response to the representations made to the allocation of this site have been grouped under the following sub-headings: Allocation and Effectiveness of the Site; Open Space and Green Network; Affordable Housing; Residential Character; Flood Risk;

Public Transport; Construction Noise; Parking; and Developer Requirements.

Allocation and Effectiveness of the Site

In response to the representations seeking removal of the site from the Plan, in order to meet the requirements of Scottish Planning Policy (SPP) (CD 03), Local Development Plan 2 is required to provide a range and choice of land suitable for housing, which meets the Housing Land Requirement of the Plan.

The Council has identified a wide range of housing sites of varying scales from vacant brownfield sites within settlements to greenfield sites on the edge of towns and within villages, whilst protecting the integrity, character and appearance of the Greenbelt. Although this site has re-naturalised, it has previously been developed and meets with the SPP and the Council's strategy of regenerating brownfield land in preference to greenfield land. The site is within the settlement boundary and close to existing facilities and public transport. There are no known constraints to its development and the site is located in a sustainable location and is an effective housing site, which contributes to meeting the housing land requirement of the Plan.

In response to the representation from Taylor Wimpey West Scotland (PLDP/664/28) the Council is of the view that the site is effective, for the reasons set out above, and that the landowner is willing to sell the site for residential development. The site is therefore capable of being delivered within the Plan period.

No modification to the Plan is therefore required in this regard.

Open Space and Green Network

The development of this site for a small number of houses will not have a significant detrimental impact on the green network and open space within Jamestown and could result in an enhancement of the greenspace through good design in accordance with Policies CP1 and CP2 of the site. The Council is confident that the site is large enough to meet the open space standards specified in Policy GI2 of the Plan. However, these detailed issues raised by the majority of the respondents are matters which are best addressed at the Development Management stage.

No modification to the Plan is therefore required in this regard.

Affordable Housing

In response to the comments relating to the affordability of the proposed housing, the Council has allocated this site for private housing to assist with meeting the housing supply target for this tenure. Clydeplan (CD 06) sets out the housing land requirement for both private and social rented housing and the Plan is required to allocate a range and choice of sites to meet the targets for both tenures. Therefore, the allocation of this site is needed for the Plan to accord with housing land requirement in relation to private housing.

The Council would further point out that it has allocated a number of sites throughout West Dunbartonshire to meet with the requirements of the Local Housing Strategy 2017 - 2022 (CD 30) and the Council's strategic priority of providing affordable housing. This site has not been identified by the Council's Housing service for that purpose.

No modification to the Plan is therefore required in this regard.

Residential Character

The Council considers that the representations regarding the ability of the development to fit with the residential character of the area is a detailed design matter that is best addressed at the Development Management stage. However, it should be pointed out that Policies CP1 and CP2 will help to ensure that the design of the development will not have an adverse impact on the existing character and appearance of the area. No modification to the Plan is therefore required in this regard.

Flood Risk

The environmental report indicated that the site had a medium probability of flooding. SEPA has not objected to its allocation but did advise that early contact should be made with them when a planning application comes forward for the site. Mitigation measures for potential flooding on the site are considered to be detailed matters which are best left to the Development Management stage to address. However, the Council considers that these issues can be overcome and that the site is deliverable. No modification to the Plan is therefore required in this regard.

Public Transport

In relation to representation with regard to public transport, the Council considers that a development of this size proposed is unlikely to have a significant impact on public transport provision in the area. No modification to the Plan is therefore required in this regard.

Environmental Report

The Council would point out the purpose of the Environmental Report is to anticipate the likely significant environmental impacts (positive or negative) that may arise from development of the site and to put forward mitigation and/or enhancement measures to alleviate and/or improve these environmental impacts. The Environmental Report has put mitigation measures in place to alleviate these issues and Policy ENV10 of the Plan requires the developer of the site to provide these mitigation and/or enhancement measures, otherwise the proposed development will not be in accordance with the Plan.

It is also considered that the Policies within the plan in relation to flooding and archaeological sites will also help to ensure that development with unacceptable impacts will not take place or that potential impacts are mitigated where possible.

No modification to the Plan is therefore required in this regard.

Noise During Construction

With regard to the representation from Annette Falconer (PLDP/016), the Council would point out that all development will generate noise when it is being constructed and that construction noise is considered at the Development Management stage. No modification to the Plan is therefore required in this regard.

Parking

Issues relating to the amount of parking and whether this exacerbates existing parking issues or not is a detailed matter which is best considered at the Development Management stage and is not an issue for the Plan to address. No modification to the Plan is therefore required in this regard.

Developer Requirements

In response to SNH (PLDP/640/28), the Council considers that these requirements provide more detail than is appropriate for inclusion within Local Development Plan 2 for a site of this size. However, given that the site is a sensitive infill development, the Council will prepare a development brief for the site, in line with Policy CP3 of the Plan, and will take incorporate SNH's comments at that stage. No modification to the Plan is therefore required in this regard.

Reporter's conclusions:

1. The site constitutes a small area of undeveloped land set within a residential area of Jamestown.

Allocation and Effectiveness of the Site

2. With an indicative capacity of four houses, the site contributes in a very small way towards meeting the housing land requirements set out in Tables 1 and 2 of the Proposed Plan. The site is vacant and appears to be available for development, accessible, in a marketable location and have no other obvious constraints (I discuss flooding below). I am therefore satisfied that the land would form an effective housing site, or would be capable of becoming so in the plan period.

3. As a smaller allocation, located in a suburban area, the site also contributes usefully to the range and choice of housing land being made available by the plan, alongside the more central brownfield opportunities identified elsewhere in the plan area.

Open Space, Green Network and Habitats

4. The site mainly constitutes rough grassland and regenerating scrub, with mature trees along the northern and southern boundaries. There is no indication that it has any special value for wildlife, but it will be valued as a semi-natural greenspace by local residents and passing traffic on Main Street. The trees are the most important natural features of the site, but their peripheral location means that it should be possible for these to retained after any development. Policy CP2(a) requires new proposals to take account of such existing green infrastructure assets. However, I am not convinced by the council's argument that the development of four houses on the land could ever be said to represent a greenspace enhancement, even if sensitively designed.

5. The land does not appear to have any formal recreational use, though an unmade footpath has developed running east-west across the site. It seems to me that this footpath is likely to be a useful informal link for residents of Levenbank Gardens wishing to walk north to Balloch or access the formal footpath across the River Leven. The retention of a footpath link through the site would appear to be possible as part of any development proposal, and, in this regard, I note that Policy CON3 of the Proposed Plan

serves to protect existing footpaths used by the general public.

Affordable Housing

6. The Proposed Plan identifies the site as a private housing opportunity. It is necessary for the plan to allocate sufficient land to meet both the demand for private housing and the need for affordable housing, as identified in the Clydeplan Strategic Development Plan and based ultimately on the findings of the Housing Need and Demand Assessment. I consider the housing land supply in more depth at Issue 15, but I do not identify any over-riding area-wide requirement to repurpose proposed private housing sites for affordable development.

7. Site H2(40) appears to be suitable for private housing given its apparently marketable location and the private tenure of the neighbouring housing in Levenbank Gardens. I am not aware of any particular local need to build additional affordable housing in Jamestown specifically. Furthermore, I understand the site to be privately owned, whereas most of the sites identified for affordable housing are owned by the council or a registered social landlord. In my experience it is more challenging to achieve the development of 100% affordable housing on privately-owned land because there can be less incentive for the landowner to willingly sell land for this purpose. For these reasons, I am content that the site be identified for private housing.

Residential Character

8. I agree with the need for any development on this site to be sympathetic to the established residential character of the area. This is a matter to be secured at the development management stage, but here I note that various policies in the plan are aimed at securing high standards of design. These include Policy CP1, which requires new development to retain, reinforce and respond to established patterns of development. No change to the plan is required.

Flood Risk

9. The environmental report states that the site is within an area at risk of flooding. This is a potentially serious matter that could affect the principle of development here. I do not therefore necessarily agree with the council that consideration of this matter can be wholly deferred to the development management stage.

10. I note that the Scottish Environment Protection Agency has not made a representation regarding this allocation, but this fact cannot be taken as any form of guarantee that the site does not flood. It was, however, clear from my site inspection that the site sat well above the level of the River Leven and, indeed, above the level of the existing adjoining residential development in Levenbank Gardens. There were no physical signs of poor drainage or past flooding on the land, and there are no watercourses through or adjoining the site. Overall, I find that the land appears to be at no more at risk of flooding than other developed land nearby. On this basis, I conclude that the evidence does not exist to justify deleting the allocation on flooding grounds.

Public Transport

11. The site adjoins Main Street, which is a bus route, and bus stops exist close by. A development of only around four houses would be unlikely to increase pressures on these

services to a noticeable extent. I conclude that the site is relatively well located to encourage the use of public transport, and would not cause any significant undesirable impact on services.

Construction Noise

12. Construction noise cannot be eliminated entirely, but I see no reason why this should be more of a problem here than on any other potential development site within a residential area. Conditions may, however, be imposed on any grant of planning permission to limit construction noise, for instance by restricting hours of working. This is a matter to consider at the development management stage. I conclude that no modification is required.

Parking

13. The site is sufficiently large to allow for all the parking requirements of the development to be met on-site. A small existing parking area, which is presumably currently used by residents of and visitors to properties in Levenbank Gardens, is located to the west of site H2(40). This area appears to be totally outwith the H2(40) allocation. The Proposed Plan does not specify whether vehicular access to the allocation will be taken from Levenbank Gardens but, if this were to be the case, it is possible that this existing parking area could be affected to some degree. However, given the configuration of the land, I do not expect that more than one or two parking spaces would be lost at most. I do not consider this potential impact to be significant and, on this basis, conclude that no change to the plan is required.

Developer Requirements

14. The proposed developer requirements listed by Scottish Natural Heritage appear sensible in themselves. However, I agree with the council that they enter into a level of detail for this small site that is unnecessary for a local development plan and would be inconsistent with the approach taken for other sites of this scale in the plan. These are matters that can be fully addressed at the development management stage through the proper application of the generic plan policies, and, on this basis, I conclude that no change to the plan is required.

Overall Conclusion

15. Overall, I conclude that development would have some negative impact through the loss of existing semi-natural greenspace, but this can be balanced against the useful contribution the site could make to the range and choice of housing land in the plan area. It should be possible to avoid other potential impacts, such as on mature trees and footpath links, through careful site planning and the proper implementation of plan policies at the development management stage.

Reporter's recommendations:

No modifications.

Issue 29	**Glebe, Old Kilpatrick**	
Development plan reference:	Policy H2 (Page 78), Schedule 2 - Site H2(41) (Page 123) and Clydebank Proposals Map	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Linda Mount (PLDP/003)
Eileen McGarvie (PLDP/011)
Church of Scotland General Trustees' Secretary's Department (PLDP/018)
Gordon Boyd (PLDP/019)
George Millar Greig (PLDP/020)
Ross MacLeod (PLDP/021)
Andrea MacLeod (PLDP/022)
Lorna Carter (PLDP/024)
Ann Marie Boyd (PLDP/025)
Ethel Bunniss (PLDP/110)
David Stuart Graham (PLDP/115)
Rhona Jean Young (PLDP/118)
Margaret Spence (PLDP/162)
Ian Spence (PLDP/163)
Yvonne ODonnell (PLDP/168)
Brian O'Donnell (PLDP/169)
Susan Dick (PLDP/175/29)
Angela Harkness (PLDP/180)
Gordon McNee (PLDP/183)
Brian O'Donnell (PLDP/184)
A Cairns (PLDP/186)
Sandra Hay (PLDP/211)
David Hay (PLDP/212)
Derek Cameron (PLDP/215)
Daphne V MacKay (PLDP/218)
David Kidd (PLDP/223)
Elizabeth Sharp (PLDP/227)
David Sharp (PLDP/228)
Mrs McDowell (PLDP/629)
Cyril Lees (PLDP/630)
Shirley Black (PLDP/631)
Rena & Catherine McKenzie (PLDP/632)
Elizabeth Fairlie (PLDP/633)
Christine & William Frame (PLDP/634)
Elizabeth Henry (PLDP/635)
Helen Conboy (PLDP/636)
Hugh & Jean Lyon Lester (PLDP/637)
SNH (PLDP/640/29)
Julie Chappelle (PLDP/643)
George Chappelle (PLDP/644)
Paul Thomson (PLDP/654)
Karen Thomson (PLDP/655)
Claire Hamilton (PLDP/658)
Old Kilpatrick Community Council (PLDP/661)
Taylor Wimpey West Scotland (PLDP/664/29)
Jim Thomson (PLDP/665)
Marianne Docherty (PLDP/666)
Allan Savage (PLDP/670)
Clydebelt (PLDP/673/29)
Lesley McEwan (PLDP/718/29)
R McEwan (PLDP/720/29)
Graham Parton (PLDP/721/29)
Linda McGregor (PLDP/738)
Peachy Trainer (PLDP/763)
Moira Harkness (PLDP/764)
Mr & Mrs McGregor (PLDP/765)
John McLachlan (PLDP/779)
Bowling and Milton Community Council (PLDP/782/29)

Provision of the development plan to which the issue relates:	This issue relates the allocation of Land at the Glebe, Old Kilpatrick (Site Ref: H2(41)) for residential use with an indicative capacity of 15 units.

Planning authority's summary of the representation(s):

The representations made to the allocation of this site have been grouped under the following sub-headings: Allocation of the Site, Site Capacity and Site Effectiveness; Greenbelt, Green Network, Biodiversity and Landscape Character; Character and Amenity; Traffic and Access; Infrastructure, Ground Conditions and Services; Built Heritage and Archaeology; Compliance with Other Policies; and Consultation on the Site

Allocation Of The Site, Site Capacity and Site Effectiveness

Linda Mount (PLDP/003); Eileen McGarvie (PLDP/011); Ethel Bunniss (PLDP/110); Yvonne O'Donnell (PLDP/168); Susan Dick (PLDP/175/29), Lesley McEwan (PLDP/718/29), R McEwan (PLDP/720/29), Graham Parton (PLDP/721/29), Linda McGregor (PLDP/738), Mr & Mrs McGregor (PLDP/765); Brian ODonnell (PLDP/184); A Cairns (PLDP/186); David Kidd (PLDP/223); Helen Conboy (PLDP/636); Paul Thomson (PLDP/654); Karen Thomson (PLDP/655); Jim Thomson (PLDP/665); and Moira Harkness (PLDP/764) object to the allocation of the site.

Andrea MacLeod (PLDP/022); Lorna Carter (PLDP/024); Ann Marie Boyd (PLDP/025); Ian Spence (PLDP/163); Gordon McNee (PLDP/183); George Chappelle (PLDP/644) raise issues relating to Brownfield land.

Marianne Docherty (PLDP/666) understands the need for housing in West Dunbartonshire, but thinks previously developed land should be found.

Eileen McGarvie (PLDP/011); George Millar Greig (PLDP/020) and David Stuart Graham (PLDP/115) question the number and type of dwellings to be provided.

Church of Scotland General Trustees' Secretary's Department (PLDP/018) states that the site, which is 2.4 acres, has the capacity to provide 30 units and that the indicative capacity should be changed to this higher density.

SNH (PLDP/640/29) state that the capacity of the site will depend on its layout and recommend that this is considered further through the design of the site and type of properties within it.

Susan Dick (PLDP/175/29), Lesley McEwan (PLDP/718/29), R McEwan (PLDP/720/29), Graham Parton (PLDP/721/29), Linda McGregor (PLDP/738), Mr & Mrs McGregor (PLDP/765) state that the site has been in use for grazing and is used by the Church for its fetes. They also state that an alternative proposal has been put forward which would not involve development.

Taylor Wimpey West Scotland (PLDP/664/29) call into question the effectiveness of the site and its deliverability and/or programming.

Greenbelt, Green Network, biodiversity and landscape character

Linda Mount (PLDP/003) is of the view that the residents of Mansefield Crescent had been informed that the site was greenbelt and would not be built on.

Eileen McGarvie (PLDP/011); Gordon Boyd (PLDP/019); Ross MacLeod (PLDP/021); Andrea MacLeod (PLDP/022); Ann Marie Boyd (PLDP/025); Rhona Jean Young (PLDP/118); Yvonne O'Donnell (PLDP/168); Gordon McNee (PLDP/183); Brian ODonnell (PLDP/184); Elizabeth Sharp (PLDP/227); Julie Chappelle (PLDP/643); George Chappelle (PLDP/644); Paul Thomson (PLDP/654); Karen Thomson (PLDP/655); Claire Hamilton (PLDP/658); Jim Thomson (PLDP/665); Marianne Docherty (PLDP/666); and Allan Savage (PLDP/670); raise concerns relating to loss of open space and potential impact on biodiversity.

George Millar Greig (PLDP/020); Lorna Carter (PLDP/024); Ethel Bunniss (PLDP/110);

David Stuart Graham (PLDP/115); Angela Harkness (PLDP/180); Peachy Trainer (PLDP/763); and Moira Harkness (PLDP/764) raise concerns relating to a loss of open space.

Clydebelt (PLDP/673/29) is of the view that the site should be kept for community use such as allotments, play park etc.

Margaret Spence (PLDP/162); Brian O'Donnell (PLDP/169); Susan Dick (PLDP/175/29), Lesley McEwan (PLDP/718/29), R McEwan (PLDP/720/29), Graham Parton (PLDP/721/29), Linda McGregor (PLDP/738), Mr & Mrs McGregor (PLDP/765); David Kidd (PLDP/223); Bowling and Milton Community Council (PLDP/782/29) raise concerns relating to potential impact on biodiversity on the site.

Margaret Spence (PLDP/162); Ian Spence (PLDP/163) raise concerns relating to the potential impact that development would have on the Inner Clyde Special Protection Area (SPA) and the redshank.

SNH (PLDP/640/29) recommend the Council sets developer requirements in relation to landscape character and the reduction of visual effects, within the plan and/or associated development briefs.

Character and Amenity

Linda Mount (PLDP/003); Ross MacLeod (PLDP/021); Lorna Carter (PLDP/024); Ethel Bunniss (PLDP/110); David Stuart Graham (PLDP/115); Gordon McNee (PLDP/183); Cyril Lees (PLDP/630); Hugh & Jean Lyon Lester (PLDP/637); Paul Thomson (PLDP/654); Karen Thomson (PLDP/655); and Marianne Docherty (PLDP/666) raise concerns relating to a loss of amenity for residents.

Eileen McGarvie (PLDP/011); Elizabeth Fairlie (PLDP/633); Christine & William Frame (PLDP/634); Helen Conboy (PLDP/636); and Hugh & Jean Lyon Lester (PLDP/637) raise concerns related to disruption, noise and dirt during construction.

Gordon Boyd (PLDP/019); Yvonne O'Donnell (PLDP/168); Paul Thomson (PLDP/654); Karen Thomson (PLDP/655); and Claire Hamilton (PLDP/658) state that the development would alter the character of the area.

Traffic and Access

Linda Mount (PLDP/003); Gordon Boyd (PLDP/019); George Millar Greig (PLDP/020); Ross MacLeod (PLDP/021); Andrea MacLeod (PLDP/022); Lorna Carter (PLDP/024); Ann Marie Boyd (PLDP/025); Ethel Bunniss (PLDP/110); David Stuart Graham (PLDP/115); Rhona Jean Young (PLDP/118); Margaret Spence (PLDP/162); Ian Spence (PLDP/163); Yvonne O'Donnell (PLDP/168); Brian O'Donnell (PLDP/169); Angela Harkness (PLDP/180); Gordon McNee (PLDP/183); Sandra Hay (PLDP/211); David Hay (PLDP/212); Derek Cameron (PLDP/215); Daphne V MacKay (PLDP/218); David Kidd (PLDP/223); Elizabeth Sharp (PLDP/227); David Sharp (PLDP/228); Rena & Catherine McKenzie (PLDP/632); Helen Conboy (PLDP/636); Julie Chappelle (PLDP/643); George Chappelle (PLDP/644); Claire Hamilton (PLDP/658); Allan Savage (PLDP/670); Peachy Trainer (PLDP/763); Moira Harkness (PLDP/764); and John McLachlan (PLDP/779) state that Mansefield Crescent and/or Erskine View are not suitable for forming a safe access to the site.

Linda Mount (PLDP/003); Ross MacLeod (PLDP/021); Lorna Carter (PLDP/024); Rhona Jean Young (PLDP/118); Angela Harkness (PLDP/180); Sandra Hay (PLDP/211); David Hay (PLDP/212); Elizabeth Sharp (PLDP/227); David Sharp (PLDP/228) state that there is a ransom strip at the end of Mansefield Crescent which prevents access.

Eileen McGarvie (PLDP/011); Ethel Bunniss (PLDP/110); Rhona Jean Young (PLDP/118); Margaret Spence (PLDP/162); Ian Spence (PLDP/163); Yvonne O'Donnell (PLDP/168); Brian O'Donnell (PLDP/169); Gordon McNee (PLDP/183); David Hay (PLDP/212); David Kidd (PLDP/223); Elizabeth Fairlie (PLDP/633); Christine & William Frame (PLDP/634); George Chappelle (PLDP/644); Paul Thomson (PLDP/654); Karen Thomson (PLDP/655); Claire Hamilton (PLDP/658); Old Kilpatrick Community Council (PLDP/661); Marianne Docherty (PLDP/666); Allan Savage (PLDP/670); Peachy Trainer (PLDP/763); raise specific concerns in relation to traffic, access and parking.

A Cairns (PLDP/186); Mrs McDowell (PLDP/629); Cyril Lees (PLDP/630); Shirley Black (PLDP/631); Elizabeth Fairlie (PLDP/633); Christine & William Frame (PLDP/634) raise concerns relating to access for elderly people with mobility or visual impairments.

David Kidd (PLDP/223) states that access through the church's own property would be preferred.

Elizabeth Henry (PLDP/635) and Hugh & Jean Lyon Lester (PLDP/637) state that no safe access can be formed for the development. Hugh & Jean Lyon Lester (PLDP/637) also state that requests to make Erskine View a one way system have gone unnoticed.

Old Kilpatrick Community Council (PLDP/661) raises issues for traffic congestion along Dumbarton Road and the impact of development on this issue. They are of the view that a comprehensive review of traffic management arrangements are carried out.

Infrastructure, Ground Conditions and Services

Linda Mount (PLDP/003); Gordon Boyd (PLDP/019); Lorna Carter (PLDP/024; Ann Marie Boyd (PLDP/025); Ethel Bunniss (PLDP/110); Rhona Jean Young (PLDP/118); Angela Harkness (PLDP/180); Julie Chappelle (PLDP/643); and George Chappelle (PLDP/644) raise issues related to potential impact on a sewer which runs through the field and there have been issues in the past.

Eileen McGarvie (PLDP/011) questions how power, water and sewerage services can be accessed.

Gordon Boyd (PLDP/019); Andrea MacLeod (PLDP/022); Angela Harkness (PLDP/180); David Hay (PLDP/212); David Kidd (PLDP/223); Elizabeth Sharp (PLDP/227); David Sharp (PLDP/228); George Chappelle (PLDP/644); and Allan Savage (PLDP/670) raise concerns about a disused oil pipeline running through the field.

Rhona Jean Young (PLDP/118); Angela Harkness (PLDP/180) raise issues relating to ground conditions.

Angela Harkness (PLDP/180) states the site is a landfill site going back to 1949 which carries a statutory grant of servitude.

Andrea MacLeod (PLDP/022); Ann Marie Boyd (PLDP/025); Rhona Jean Young

(PLDP/118); Margaret Spence (PLDP/162); Ian Spence (PLDP/163); Yvonne O'Donnell (PLDP/168); Brian O'Donnell (PLDP/169); Angela Harkness (PLDP/180); Brian ODonnell (PLDP/184); Sandra Hay (PLDP/211); Derek Cameron (PLDP/215); David Kidd (PLDP/223); Elizabeth Sharp (PLDP/227); David Sharp (PLDP/228); Paul Thomson (PLDP/654); and Karen Thomson (PLDP/655) raise concerns in relation to flooding and drainage.

Lorna Carter (PLDP/024) and Hugh & Jean Lyon Lester (PLDP/637) raise issues in relation to the capacity of local amenities to support new residents.

Built Heritage and Archaeology

Gordon Boyd (PLDP/019) and Margaret Spence (PLDP/162) raises issues in relation to impact on the Forth and Clyde Canal.

Susan Dick (PLDP/175/29), Lesley McEwan (PLDP/718/29), R McEwan (PLDP/720/29), Graham Parton (PLDP/721/29), Linda McGregor (PLDP/738), Mr & Mrs McGregor (PLDP/765) (PLDP/670), Jim Thomson (PLDP/665) raise issues with the site being in close proximity to the Antonine Wall; roman remains under the site; and impact on the Forth and Clyde Canal.

Margaret Spence (PLDP/162); Yvonne O'Donnell (PLDP/168); Gordon McNee (PLDP/183); Paul Thomson (PLDP/654); Karen Thomson (PLDP/655); Jim Thomson (PLDP/665); Allan Savage (PLDP/670); and Bowling and Milton Community Council (PLDP/782) raise concerns relating to potential archaeological remains under the site.

Compliance with other policies

Rhona Jean Young (PLDP/118) and Claire Hamilton (PLDP/658) believe that the proposed development would not comply with other parts of Local Development Plan 2.

Consultation on the Site

Susan Dick (PLDP/175/29), Lesley McEwan (PLDP/718/29), R McEwan (PLDP/720/29), Graham Parton (PLDP/721/29), Linda McGregor (PLDP/738), Mr & Mrs McGregor (PLDP/765) state that the proposal was not mentioned in the Main Issues Report and that the there is considerable local opposition to the inclusion of the site for housing.

Eileen McGarvie (PLDP/011) specifically questions how the designation of the site can be changed without consultation or information provided to residents.

Modifications sought by those submitting representations:

PLDP/003; PLDP/011; PLDP/019; PLDP/021; PLDP/022; PLDP/024; PLDP/025; PLDP/110; PLDP/115; PLDP/162; PLDP/163; PLDP/168; PLDP/169; PLDP/175/29; PLDP/180; PLDP/183; PLDP/184; PLDP/186; PLDP/211; PLDP/212; PLDP/215; PLDP/223; PLDP/227; PLDP/228; PLDP/629; PLDP/633; PLDP/634; PLDP/635; PLDP/636; PLDP/637; PLDP/643; PLDP/644; PLDP/654; PLDP/655; PLDP/658; PLDP/665; PLDP/666; PLDP/670; PLDP/673/29; PLDP/718/29; PLDP/720/29; PLDP/721/29; PLDP/738; PLDP/763; PLDP/764; PLDP/765; PLDP/782 seek removal of the site from the Plan

PLDP/011; PLDP/110; PLDP/180; PLDP/658; PLDP/666; PLDP/673/29; and PLDP/763 also seek retention of the site as green open space.

Church of Scotland General Trustees' Secretary's Department (PLDP/018) request that the indicative capacity of the site increase to 30 units

George Millar Greig (PLDP/020), Derek Cameron (PLDP/215), David Kidd (PLDP/223) and John McLachlan (PLDP/779) seek modifications to the Plan so that Manse Crescent is not used as an access to the site.

George Millar Greig (PLDP/020) seeks a modification to the Plan so that access to the site is taken via a new road off Dumbarton Road.

David Stuart Graham (PLDP/115), Rhona Jean Young (PLDP/118) and David Kidd (PLDP/223) seek a modification to the Plan requiring access to be taken via the church's current access.

Rhona Jean Young (PLDP/118) requests that flood risk assessment of the site be undertaken and that requirements should be placed on the site to ensure that wildlife is protected.

Daphne V MacKay (PLDP/218) requests that the existing exit in Erskine View is not used as access to and/or from the site and that she is notified if and when construction starts in the future.

Rena & Catherine McKenzie (PLDP/632) requests that Erskine View/Church Place made into a one way system.

SNH (PLDP/640/29) request that the capacity of the site is reviewed and are seeking a modification to include setting out developer requirements for the site covering the following:

- Protect the existing trees along the canal-side and in the northern part of the site which are valuable as landscape features and for their contribution to the landscape pattern.
- Design the site to enable a green link between the canal and manse gardens (and Old Kilpatrick Bowling Parish Church north of the A814).
- Provide paths across the site to link between the canal and existing housing to the west and east.
- Include open space within the site to maintain some of the existing landscape and visual characteristics and qualities of the site.
- Ensure the layout and design of houses relates to neighbouring housing whilst prioritising the manse and the canal as the most influential landscape features.
- Ensure effects on the visual amenity of surrounding residents is minimised, including from the manse. (PLDP/640/29)

Old Kilpatrick Community Council (PLDP/661/29) request that development proposals would be accompanied by a comprehensive review of current traffic management arrangements to ensure that a) the village nature of Old Kilpatrick is maintained and b) any safety issues identified are accompanied by a plan to fix them.

Summary of responses (including reasons) by planning authority:

The Council's responses to the representations made to the allocation of this site have been grouped under the following sub-headings: Allocation of the Site, Site Capacity and Site Effectiveness; Greenbelt, Green Network, Biodiversity and Landscape Character; Character and Amenity; Traffic and Access; Infrastructure, Ground Conditions and Services; Built Heritage and Archaeology; Compliance with Other Policies; and Consultation on the Site

Allocation of The Site, Site Capacity and Site Effectiveness

The site has been identified in line with the Spatial Strategy of the Proposed Plan which is focused on delivering, key sites within our existing communities; the reuse of previously developed land; and minimising any extension of the urban area into the greenbelt. The allocation of this site also meets with the requirements from Scottish Planning Policy (SPP) (CD 03) which states that Local Development Plans should identify a range of sites which are suitable for housing and which meet the Housing Land Requirement of the Plan.

The Council has identified a wide range of housing sites of varying scales from vacant brownfield sites within settlements to greenfield sites on the edge of towns and within villages, whilst protecting the integrity, character and appearance of the Greenbelt. As brownfield sites can take a period of time to develop, there also needs to be a supply of 'shovel ready' sites which are capable of being developed in the short term to ensure that there is not an undersupply of housing land within the Plan period. The Glebe has therefore been allocated as a new greenfield release to ensure that there is a supply of 'shovel ready' land within the housing land supply to meet the housing land requirements of Local Development Plan 2. The Glebe is considered to be an effective housing site within an existing residential area and is capable of being delivered within the Plan period.

The site itself is not used for any other purpose than grazing, which the landowner has confirmed. The Council is therefore of the view that development of the site, through the application of Policies CP1, CP2 and WD1, will result in an enhancement to the greenspace in this area including enhanced public access to the Canal. It is the intention of the Council, through Policy CP 3, to bring forward a development brief for the site. The Council is therefore of the view that the site should remain allocated for residential use in the Plan and therefore no modifications should be made to the Plan.

With regard to the representations from Eileen McGarvie (PLDP/011); George Millar Greig (PLDP/020); and David Stuart Graham (PLDP/115) in relation to site capacity; the indicative capacity of the site is 15 units. The type of dwellings to be provided is not a matter for the Local Development Plan to address as it is a detailed design matter which will be addressed at a planning application stage.

In response to the Church of Scotland General Trustees' Secretary's Department (PLDP/018) request to increase the capacity of the site, the Council is also of the view that 30 units is considered to be overdevelopment of this relatively small site and would not be in keeping with the existing low density development within Mansfield Crescent and would also not meet with the Council's Open Space standards on the site. The Council's Roads Service are also not supportive of any more that 15 units on this site due to the proposed access to the site via Mansfield Crescent or from any other suitable means of access to the site. The presence of a disused oil pipe to the south of the site, adjacent to

the Forth and Clyde Canal, would also restrict the developable footprint of the site. No modification to the Plan is therefore required.

In relation to the current use and alternative proposal for the site, raised by Susan Dick (PLDP/175/29); Lesley McEwan (PLDP/718/29); R McEwan (PLDP/720/29); Graham Parton (PLDP/721/29); Linda McGregor (PLDP/738) and Mr & Mrs McGregor (PLDP/765), the landowner submitted the site for residential development at the Main Issues Report stage and that no other proposal for the use of this land has been notified to the Council before or during the preparation of this Local Development Plan. The landowner indicated in their submission that the land is currently let for grazing but they wish to dispose of the site for residential use. The details of other potential buyers or the reasons that the landowner wishes to dispose of the site is not a matter for Local Development Plan 2 to address and is not a consideration which would have any impact on the suitability of the site for housing.

In response to the representation from SNH (PLDP/640/29) seeking a review of the indicative capacity of the site, the Council is of the view that the site can, through good design and layout, achieve 15 units on site. However, this number is indicative and it would be up to the detailed design of the site at planning application stage to demonstrate that 15 units could be provided on the site. There is nothing to stop a lesser amount of houses being developed should the developer of the site wish to do that; however, as detailed above, the Council will not be supportive of any more than 15 units on the site due to the access being via Mansfield Crescent, or from any other suitable means of access to the site, and this number of units can be accommodated on the site satisfactorily. No modification to the Plan is therefore necessary.

In response to Taylor Wimpey West Scotland (PLDP/664/29) representation relating to the effectiveness of this site, the landowner has confirmed that the site is effective and can be delivered in the lifetime of the plan (SI/018). No modification to the Plan is therefore required.

<u>Greenbelt, Green Network, biodiversity and landscape character</u>

In relation to the representation from Linda Mount (PLDP/003), the site is not in the Greenbelt. The site was identified as an existing residential area within the Adopted West Dunbartonshire Local Development Plan 2010 (CD 10) and as safeguarded open space in the Local Development Plan: Proposed Plan (2016) (CD 13).

With regard to the representations from a majority of the respondents in relation to the loss of open space and the impact on the Green Network, the Council considers that development of this site for residential purposes will not have a detrimental impact on the green network and open space available within Old Kilpatrick. In relation to the impact on wildlife, the Council would point out that the Environmental Report didn't raise any issues with impacts on protected or vulnerable species on the site and, SNH have not raised any issues in relation to wildlife on the site.

The site itself is not used for any other purpose than grazing, which the landowner has confirmed. The Council is therefore of the view that development of the site, through the application of Policies CP1, CP2 and WD1, will result in an enhancement to the greenspace in this area including enhanced public access to the Canal. It is the intention of the Council, through Policy CP3, to bring forward a development brief for the site.

In response to the recommendations of SNH (PLDP/640/29), the developer requirements sought by SNH are matters that would normally be considered through the Development Management process for a planning application. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an application is considered. That being said, the Council, as detailed above, will prepare a development brief for the site, which will take on board SNH's recommendations at that stage and provide further details on the Council's requirements for the design and layout of the site. No modification to the Plan is therefore required in this regard.

Character and Amenity

In relation to the representations from a large number of the respondents with regard to the impact on character and amenity, any development proposal for the site would require to meet the policies of Local Development Plan 2. These policies and other relevant policies within the Plan seek to ensure that there are no unacceptable impacts on the amenity of existing residential areas from new developments, as well as, seeking mitigation measures where appropriate.

The site is located between two existing residential areas and through careful design and layout, development of this small site will not have an adverse impact on the existing character of the area and would require to accord with Policies CP1 and CP2 of the Plan. However, this is a matter for the development management stage to address.

It is, however, acknowledged that there may be some disruption during the construction phase of the development, but issues relating to construction, noise etc are detailed matters which are best addressed at the Development Management stage. No modification to the Plan is therefore required.

Traffic and Access

The majority of the respondents raised issues regarding traffic and access, with some of the respondents suggesting alternative access points to the site. The Council Roads Service is of the view, informed by a survey of the area, that Mansfield Crescent, or from any other suitable means of access to the site, can cope with traffic associated with a total of 15 houses. The Roads Service has not raised any issues with parking, traffic safety, road speed and a blind spots and are of the view that the site can be developed for residential development.

The Council is also of the view that the ransom strip highlighted by a majority of the respondents, which they state would prevent access to the site, is not an issue for Local Development Plan 2 to address. This is an issue for the landowner and/or developer to resolve. However, the landowner (SI-018) has indicated that the site is effective confirming that there is at least one access to the site which can be taken from an adopted road.

In response to Old Kilpatrick Community Council (PLDP/661), the Council would reiterate that the Council's Roads Service have raised no issues in relation to development of this site with regard to the points the Community Council have raised. The Council would also point that a comprehensive review of traffic management arrangements within Old Kilpatrick is outwith the remit and scope of the Local Development Plan. It should also be noted, the Community Council have not made any previous comments on these matters within the various stages of Local Development Plan 2's preparation.

No modifications to the Plan are therefore required.

Infrastructure, Ground Conditions and Services

In response to the issues of sewerage raised by Linda Mount (PLDP/003); Eileen McGarvie (PLDP/011); Gordon Boyd (PLDP/019); Lorna Carter (PLDP/024); Ann Marie Boyd (PLDP/025); Ethel Bunniss (PLDP/110); Rhona Jean Young (PLDP/118); Angela Harkness (PLDP/180) and Julie Chappelle (PLDP/643), Scottish Water have not objected to the allocation of this site or raised any issues with the capacity of sewerage within the area.

The Council is aware that the site is within an area with the potential for flooding. Therefore, the developer of the site will require to address this at the detailed design stage; however, SEPA have not objected to the development of the site on these grounds and the Council considers that the flooding issues can be addressed at the development management stage through appropriate mitigation measures if required. Scottish Water and SEPA also have not raised any issues in relation to drainage. Furthermore, the landowner: Church of Scotland General Trustees' Secretary's Department (PLDP/018) has indicated (SI-018) that there are no known deficiencies in infrastructure provision.

The developer is responsible for ensuring that there is a connection to power, water and sewerage services, but in principle the Council is satisfied that the site can be connected to these services due to existing infrastructure close to the site. It is also the responsibility of the developer to undertaken the necessary site investigations to ensure that the ground is stable to take development platforms etc associated with the residential development. The Council is, however, unaware of any ground conditions that would preclude development of the site.

In relation to the issue of the disused oil pipe that has been raised by a number of the representations to the site, this is a detailed matter which the developer of the site would require to address when designing the site layout, including any safety distances either side of it. However, the Council do not see this as impediment to developing the site.

With regard to the representation from Lorna Carter (PLDP/024) and Hugh & Jean Lyon Lester (PLDP/637) in relation to the impact of development on local facilities, the Council is of the view that it is unlikely that there will be any adverse impacts on existing services and facilities due to the relatively small scale nature of the development. The Council's Education Service; NHS Greater Glasgow and Clyde and other service providers have not objected to the development of this site. New development can also contribute to the sustaining of these local facilities within smaller settlements.

No modification to the Plan is therefore required in this regard.

Built Heritage and Archaeology

A number of the respondents have raised issues relating to the Antonine Wall World Heritage Site; roman and/or other archaeological remains; and the impact on the Forth and Clyde Canal Scheduled Monument. The Council would point out that the site is not in the same vicinity as the route of the Antonine Wall; therefore, it is highly unlikely that there will be any remains of a Roman fort etc within the site. It should be noted that Historic Environment Scotland, who have responsibility for the Antonine Wall along with the Council, has not objected to the allocation of the site or raised any issues relating to the

Antonine Wall.

In relation to potential other archaeological remains, the Council would point out that the Environmental Report (CD 20) did not uncover any indication of archaeological remains within the site. However, this is an issue for the development management stage to address.

Both Historic Environment Scotland and Scottish Canals have not objected to the allocation of the site in relation to the Canal and its Scheduled Monument status. Also Policy FCC1 of the Plan requires that development proposals alongside the Canal should enhance this green network asset and proposals which would have an impact on this canal or its setting will not be permitted. Consideration of a detailed proposal against this policy is more appropriate for the development management process.

No modification to the Plan is therefore required.

Compliance with other policies

Rhona Jean Young (PLDP/118) and Claire Hamilton (PLDP/658) both state that allocation of this site is contrary to the policies within the Plan. The Council is however of the view that development of this site is capable of meeting the requirements of the Plan. However, consideration of a detailed development proposal against the provisions of the Plan is a matter for the development management process to address.

No modification to the Plan is required.

Consultation on the Site

Eileen McGarvie (PLDP/011); Susan Dick (PLDP/175/29); Lesley McEwan (PLDP/718/29); R McEwan (PLDP/720/29); Graham Parton (PLDP/721/29); Linda McGregor (PLDP/738) and Mr & Mrs McGregor (PLDP/765) all raise comments in relation to the consultation of the site. The consultation on Local Development Plan 2 has taken place in relation to the process outlined within the Development Plan Scheme and Participation Statement (September 2018) (CD 14)

Even if a site is not contained within the Main Issues Report, the Council can still consider allocating further sites, if they are raised within representations to the Main Issues Report and include them for allocation within the Proposed Plan. The site was put forward for residential development during the consultation phase of the Main Issues Report and, subsequent to that representation being received, the Council considered that the site should be allocated for residential use as it was in accordance with the Spatial Strategy of the Plan and would help the Plan to meet its Housing Land Requirement, as required by Clydeplan (CD 06) and Scottish Planning Policy (CD 03)

Reporter's conclusions:

Allocation of the Site

1. The site forms a small part of the overall housing land supply made available by the Proposed Plan in order to meet the requirements set out in the Clydeplan Strategic Development Plan; requirements based ultimately on the Housing Need and Demand Assessment. As a small suburban greenfield allocation, it contributes to there being a

range of housing land available, as sought by Scottish Planning Policy, and complements the urban brownfield opportunities identified elsewhere in the plan area.

2. Some representations argue for alternative future uses for the site, such as for allotments or other community uses. However, subject to my findings on the concerns discussed below, I find that the allocation of the site for housing is reasonable given the identified need for this type of development, and the expressed desire of the landowner.

Site Capacity

3. In Schedule 2 of the Proposed Plan, the site is given an indicative capacity of 15 units. The plan does not include an absolute requirement that this is the number of houses that will be built, which I consider is sensible at this stage where it is the principle of the use that is being established. However, it is clear from the council's response above that the council's Roads Service considers that 15 houses is the maximum number that can be safely accessed. It is therefore likely that this number represents an upper limit to what the site can accommodate.

4. 15 houses would represent a density that I calculate to be around 20/ hectare (8/ acre), which is relatively low but appropriate for this suburban location, and in keeping with the character of neighbouring development. As well as reflecting the potential access capacity of the site, this low density would also allow space to accommodate measures to address some of the other concerns that have been raised, for instance setbacks from trees and neighbouring property, and avoiding the line of any disused pipeline. For these reasons, I do not consider it would be appropriate to increase the indicative capacity for the site beyond 15 houses.

Site Effectiveness

5. The site is subject to a number of constraints, including the access limitations referred to above, a possible disused pipeline running through the site, the proximity of the Forth and Clyde Canal ancient monument, and a possible need for access to be taken across land in a different ownership. However, it is a greenfield site, with an apparently willing seller and a marketable location. On balance, I do not consider these constraints to be in any way insurmountable. However, there still appears to be a degree of uncertainty about whether or how flood risk can be mitigated (see below), and for this reason I cannot be confident that the site will necessarily make an effective addition to the housing land supply in the plan period. I discuss the impact of this finding on the overall housing land supply at Issue 15.

Greenbelt, Green Network, Biodiversity and Landscape Character

6. The Glebe is an enclosed paddock surrounded on three sides by existing development and on the fourth by the Forth and Clyde Canal. The site forms an attractive open space though one that is not at all widely visible within Old Kilpatrick or from the wider countryside. Indeed, the main views of the site are either filtered through vegetation alongside the canal towpath, seen through a narrow gap between buildings from Erskine View, or are taken from the rear and side elevations of private properties around the periphery of the site. The land appears to be in use as grazing land, with no apparent regular public access. I therefore conclude that the land does not currently have a significant open space value within Old Kilpatrick as a whole. Nor does it have a significant landscape role, for instance in the setting of the village. I do, however,

recognise that the openness of the site will undoubtedly be valued by its immediate neighbours.

7. In the current adopted local plan, the site is not included in the green belt or shown as protected open space. Rather it is identified as falling within the existing residential area. Here new development is entertained (subject to various caveats) under the terms of Policy H5 of that plan. In the unadopted local development plan of 2016, the site is not included in the green belt, but is shown as open space, where policy GN1 of that plan broadly resists new built development.

8. It is clear that the site does not currently form part of the green belt, nor do I consider that this would be appropriate given the site's location within the village and detached from the wider green belt (which lies to the north of the Clydebank to Dumbarton railway line). Its allocation as a housing site would represent a change from the open space designation shown in the unadopted 2016 plan, but I consider this can potentially be justified by the updated assessment of housing need, and the limited value of the open space, as discussed above.

9. As an existing area of greenspace, containing some bushes and with a number of trees around its periphery, the site is likely to be of some value to local wildlife. However, it is not covered by any biodiversity designation, and I note that Scottish Natural Heritage is not opposed to the principle of development here. Overall, I am not convinced that the site has any special value for wildlife beyond what is typical for grazing land in an urban edge location.

10. I consider the principal green network feature of relevance to the allocation to be the Forth and Clyde Canal to the south of the site. This would not be interrupted by the development, and the relatively low density development envisaged would allow for a suitable setback from the canal corridor. I also note that extensive areas of protected open space and nature reserve exist to the south of the canal at this point, whereas the northern side of the canal is already largely characterised by built development.

11. The council states that the site will be subject to a development brief under the terms of Policy CP3 of the Proposed Plan. Such a brief can ensure that the provisions of Policy CP2 are adhered to, including the protection and enhancement of biodiversity habitat networks within and linking to the site. It can also address the development requirements proposed by Scottish Natural Heritage, which I consider to be matters of detail that I would not expect to see described in the plan itself.

<u>Character and Amenity</u>

12. The concerns expressed in representations regarding the effect on the character of the local area can largely be addressed in the council's development brief and at the development management stage. The low density development proposed could potentially be a good fit with the suburban character of neighbouring areas. Such a density should also allow sufficient setbacks from existing houses to avoid issues such as loss of privacy or overshadowing, including any issues affecting the residents of neighbouring sheltered housing. These matters can be secured through adherence to plan policies including Policy CP1, which requires new development to retain, reinforce and respond to established patterns of development, and to protect the amenity of existing communities.

13. The potential for some disturbance during the construction phase cannot be eliminated entirely, but I see no reason why this should be more of a problem here than on any other development site within a residential area. Conditions may, however, be imposed on any grant of planning permission to limit such disturbance, for instance by restricting hours of working. This is a matter to consider at the development management stage, and on this basis I conclude that no modification is required.

Traffic and Access

14. Significant concerns have been raised regarding the capacity of nearby roads to handle additional traffic generated by this development. It would not be sensible to include a housing allocation in a local development that was incapable of being safely and conveniently accessed.

15. The most obvious potential access points would appear to be from the Mansfield Crescent cul-de-sac to the west and/or from Church Place/Erskine View to the east. Mansfield Crescent is quite narrow and affected by on-street parking. I agree that the capacity of this road to handle significant additional traffic would appear to be limited. Erskine View is a slightly wider road with a road geometry that may be better suited to handling additional traffic. It may also be that the formation of a connection between Mansfield Crescent and Erskine View would help to resolve some of the existing problems highlighted in representations around vehicles having to reverse out of Mansfield Crescent.

16. The professional advice of the council's Roads Service, informed by a survey of the area, is that a maximum of 15 houses could be developed here. I agree that such a restriction, as reflected in the indicative capacity stated in the Proposed Plan, would serve to limit any adverse impacts of additional traffic.

17. It is not for this examination, or for the local development plan, to necessarily determine the best means of accessing the site. These matters can ultimately be determined through the development brief, and the consideration of any planning application and accompanying traffic studies. However, for the reasons set out above, I am satisfied that it would be possible to access a modest residential development via the existing road network.

18. According to several representations a narrow strip of land in a separate ownership (a "ransom strip") exists between the end of Mansfield Crescent and the proposed housing site. However, there is no indication that the owner of this land would be unwilling to sell it. I do not regard the possible existence of such a strip as being necessarily any barrier to the development of the site, though it could limit its immediate effectiveness to a degree. Rather, this is a property matter to be resolved by any potential developer of the land.

19. It seems very unlikely that the air quality impacts of traffic from a site of this small scale would be sufficient to preclude development.

Infrastructure, Ground Conditions and Services

20. The council accepts that the site is an area with the potential to flood. The site will not be at risk from coastal or watercourse flooding, and does not appear to form part of a functional flood plain, so the issue here will be with potential surface water flooding in

rainfall events. Paragraph 263 of Scottish Planning Policy states that buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5%.

21. The environmental report accompanying the plan acknowledges that the development of the site could have significant negative impacts on climate as the site has a medium probability of flooding as it is within a 1 in 200 year flood risk area. As mitigation, the report suggests that the developer will be required to investigate the flooding issues through a flood risk assessment, and that contact with SEPA at an early stage is required. The report goes on to say that it is not possible to predict what the impact after mitigation will be as SEPA's advice and the flood risk assessment mitigation requirements are unknown. Some representations mention past flood events on the site.

22. I note that SEPA has not made a representation opposing development on this site, and in its representation states that "although … for the majority of the proposed sites the viability of the site is unlikely to be impacted on by the extent of the flood plain we would reiterate the provision of site specific flood risk information is a critical aspect of the development process". Although SEPA states that it had provided advice on flood risk on site allocations at the main issues report stage, this does not appear to be the case for site H2(41), which was not included in the main issues report.

23. Policy ENV6 of the Proposed Plan states that development will not be supported where it has a significant probability of being affected by flooding.

24. Overall, I consider that a degree of doubt exists about the ability to satisfactorily mitigate flood risk on this site. I note the requirement for a flood risk assessment and for further liaison with SEPA, but there is no guarantee that these actions will be sufficient to produce a viable development. Because I consider the site to be otherwise suitable for housing development, and it may well be that the flood risk can be adequately mitigated, I am content for the allocation to be maintained. However, as discussed above, I am less certain that it can be considered effective. I also consider that the note to Schedule 2 relating to the need for a flood risk assessment should be applied to this site in order to capture my concerns on this topic. I recommend this modification below.

25. I am less concerned about foul drainage and other services. While there may be issues with existing sewerage arrangements in the vicinity, these are matters that can be addressed at the development management stage. I note that Scottish Water have raised no concerns, and in any event it would be highly unusual for sewerage or other service provision to be a significant constraint for small infill developments such as this, within an established urban area.

26. Several representations also highlight the existence of a disused oil pipe through the site. Above, the council states that this runs alongside the Forth and Clyde Canal and would reduce the developable footprint of the site, as reflected in the relatively low capacity for the site envisaged in the plan. Though site investigations will be required to confirm the existence, location and implications of this pipe, I consider this is likely to be a matter that can be adequately resolved at the development management stage. If the pipe cannot be economically removed or treated, then there would appear to be adequate space to allow for this strip to remain undeveloped while allowing development on the remainder of the site. Similarly, I consider that any other issues connected with ground conditions are unlikely to affect the in-principle suitability of the site for development, and should be able to be adequately addressed at the development management stage.

27. I agree with the council that site of this small scale would not have a significant detrimental effect on existing services or wider community facilities.

Built Heritage and Archaeology

28. The site does not fall within the Antonine Wall World Heritage Site, or the Antonine Wall Buffer Zone. There are no upstanding remains. and no objection from Historic Environment Scotland. I have no professional evidence before me indicating that any important roman remains exist on the site.

29. Preventing harm to the setting of the Forth and Clyde Canal scheduled monument will be an important factor in the design of any development. But, given the largely urban character of the northern side of the canal at this point, I do not consider that the existence of the monument presents a significant constraint to development. It may be that the writer James Hogg visited the locality and possibly this site, but even if this were the case, it would not, on its own, be a sufficient reason to preclude development.

30. Overall, I conclude that any possible historical or archaeological interest can be addressed at the development management stage, within the context of Policy BE1 of the plan.

Consultation on the Site

31. The site was not included within the main issues report that preceded the Proposed Plan. However, neighbours have been given an opportunity to comment on the housing proposal through the consultation on the Proposed Plan. I do not therefore consider that there has been any substantive disadvantage.

Reporter's recommendations:

I recommend that the proposed plan be modified by annotating site H2(41) in Schedule 2 with the superscript number "2" (relating to the accompanying note regarding flood risk assessment).

Issue 30	**Non-Allocation of Duntiglennan Fields, Clydebank**	
Development plan reference:	Policy H2 (Page 78), Schedule 2 (Pages 123 - 124) and Clydebank Proposals Map	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Taylor Wimpey West Scotland (PLDP/664/30) Martin Caban (PLDP/785)		
Provision of the development plan to which the issue relates:	This issues relates to the non-allocation of an area of land for residential purposes at Duntiglennan Fields, Clydebank, which is within the Greenbelt adjacent to the settlement boundary of Clydebank.	
Planning authority's summary of the representation(s):		

The representation should also be read in conjunction with Issue's 15, 24, 27, 28 and 29 as Taylor Wimpey's representation also covers these issues seeking to challenge the Housing Land Requirement and New Housing Sites H2(35) to H2(42) proposed within the Plan to demonstrate that Duntiglennan Fields should be allocated instead of Strauss Avenue and also to meet a perceived shortfall in the private sector housing land supply. This Issue only focusses on the representation relating to the non-allocation of Duntiglennan Fields.

Taylor Wimpey West Scotland (PLDP/664/30) state that in 2014 West Dunbartonshire Council Planning Committee modified the 2013 Proposed Plan by removing the allocated site. Taylor Wimpey objected to the modification and the subsequent LDP Examination (CD 15) Report recommended that the site be reinstated as an allocation. The Council refused to accept the Reporters Recommendations. A subsequent Direction was issued by Scottish Ministers advising that the Council could not adopt the new LDP without including the Duntiglennan site as an allocated housing site. The Local Development Plan: Proposed Plan (2016) (CD 13) therefore remains at proposed plan stage.

Taylor Wimpey questions the deliverability and/or programming of all the new sites in Schedule 2 and objects to site H2(39) at Strauss Avenue, Clydebank being included in the Schedule. The promoted site should be identified as a housing allocation to meet the requirements of the approved SDP and/or replace the site at Strauss Avenue which is neither effective nor appropriate for development taking account of its current designation and site specific constraints. The reasons for this change are laid out in the Statement attached to this representation (SI-664), in brief, the site is not effective or deliverable.

The site at Duntiglennan Fields is an effective housing land supply site and meets all the requirements of SPP 2014 (CD 03) and PAN 2/2010 (CD 04) in terms of effective housing land supply. The site has been subject to detailed assessment through the LDP 2016 Examination (CD 15) process and was found to be an effective site. Development of the site, subject to a number of site specific measures, has no environmental effect and the site can be delivered within the life of the next LDP.

The detailed case in support of the site at Duntiglennan Fields being included in the Proposed Local Development Plan 2 as a proposed housing allocation is set out in the

detail in the accompanying supporting statement and its appendices.

Martin Caban (PLDP/785) suggests that there is no requirement to release any significant greenfield sites to achieve a generous housing land supply and that Duntiglennan should not be allocated within the plan because it was rejected during the previous Proposed Plan 2016 (CD 13) and at planning application in 2017.

Modifications sought by those submitting representations:

Taylor Wimpey West Scotland (PLDP/664/30) seek the following modifications:

- Allocate Duntiglennan Fields as a proposed new housing allocation in Schedule 2 to Proposed LDP2, with a capacity of up to 100 units; and
- Amend the green belt boundary around the Duntiglennan Fields site to reflect the new allocation in Schedule 2;
- Delete Strauss Avenue for the Plan in favour of Duntiglennan Fields.

Summary of responses (including reasons) by planning authority:

In response to Martin Caban (PLDP/785), the site is not allocated in Local Development Plan 2 and the support for not including it is noted.

In response to the representation from Taylor Wimpey West Scotland (PLDP/664/30), the Council do not agree that this site is required to be allocated to meet the housing land requirement set out in Clydeplan (CD 06). Local Development Plan 2 allocates a range and choice of greenfield and brownfield land that is considered to be effective and developable within the lifespan of the Plan. This is discussed in further detail within Issue 15.

The reference to the previous examination report for the Local Development Plan: Proposed Plan (2016) (CD 15) by Taylor Wimpey should be set firmly in the context of the housing land requirement at that time, as set out in the Glasgow and Clyde Valley Strategic Development Plan 2012 (CD 53), which indicated a shortfall in the allocation of housing land within the first period of the Local Development Plan: Proposed Plan (CD 13). The Reporter's recommendation to allocate Duntiglennan Fields was to reduce the shortfall in the housing land requirement in that Plan and that it was the only alternative greenfield site suggested through the examination process.

A planning application for the site was also refused by West Dunbartonshire Council on 26 April 2017 (SI WDC08). The Council was of the view that the proposed development, as it is located in the greenbelt, is in an inappropriate location for housing development and was contrary to Clydeplan, the Adopted Local Plan (2010) (CD 10) and that there was no requirement for additional green belt land to be identified to meet the strategic housing requirement. The proposed development was also contrary to the Local Development Plan: Proposed Plan (2016); the development would not create a place; and additional traffic would contribute to localised traffic congestion in the residential streets leading to the site, which would inconvenience local residents and other road users. The full Planning Committee Report and the reasons for refusal is contained within the Council's Supporting Information (SI WDC08).

As stated within Issue 15, the Council has demonstrated that there is no shortfall in the housing land requirement for Local Development Plan 2 and there is no requirement to allocate Duntiglennen Fields within this Plan. The Council is also of the view that this site

should not be allocated for residential development for the following reasons.

Impact on the Greenbelt

The purpose of the green belt is set out in paragraph 159 of SPP (CD 03), which states that growth should be directed to the most appropriate locations and to support regeneration; protect and enhance the quality, character and landscape setting of settlements; and to protect and give access to open space within and around towns.

Clydeplan reiterates these purposes and calls for Local Development Plans to identify green belt boundaries (Paragraphs 8.14 to 8.15 on Page 75). A Green Belt Boundary Review undertaken for the Local Development Plan: Main Issues Report (2013) (CD 17) concluded that existing green belt boundaries at this location are adequate, and formed by a mix of stone wall and fencing to the rear of houses. The Review concluded that there should be no change to the green belt at this location.

Clydebank has many brownfield sites, some with a capacity for housing similar or greater that Duntiglennan Fields, and thus capable of providing a similar product of family homes. Paragraph 40 of SPP (CD 03) states that *"the re-use or re-development of brownfield land before new development takes place on greenfield sites".*

Issue 15 deals with the Council's response to the allocation of brownfield land in preference to greenfield land. The responses given within that Issue are also pertinent here. However, the Council has allocated two new greenfield sites which are within settlement boundaries to accord with SPP's requirements to provide a range and choice of housing sites and also to ensure that there are shovel ready sites available for housing development to ensure that the Housing Land Requirement of Local Development Plan 2 is met in full.

Issue 27 relates to Strauss Avenue; however as detailed within that Issue, the Council is of the view that the greenfield allocation at Strauss Avenue, which is not in the Greenbelt, is in a far more sustainable location than Duntiglennan Fields being within closer walking distance of public transport and close to a train station and other facilities.

Taking all of the above into account, the Council considers that the allocation of Duntiglennen Fields would represent an inappropriate intrusion into the Greenbelt and would be contrary to the purpose of the Greenbelt as set out in SPP (CD 03) and the strategy within Clydeplan. It would dilute the focus on the sustainable development of brownfield land and would result in sustained pressure for further development in the greenbelt, instead of looking for appropriate greenfield locations within settlement boundaries to compliment the focus on the redevelopment of brownfield sites.

Integration with the Landscape

Duntiglennan Fields is not part of a designated landscape area. However, part of the site sits immediately adjacent to the Kilpatrick Hills Local Landscape Area, with the entirety of the site in close proximity to the Kilpatrick Hills LLA.

A Landscape Assessment of the Green Belt was undertaken in 2007 in support of the West Dunbartonshire Local Plan (CD 11). This concluded that:

- the green belt boundaries at this location are well defined by virtue of garden

fencing, but could be reinforced by planting trees adjacent to the housing;
- the Duntiglennan Fields are compatible green belt uses and they meet green belt objectives;
- the south-western field (site 16 in study) is highly sensitive to development, and the north-eastern field (site 15 in study) is moderately sensitive to development. (ref: pgs 27 - 28 and map)

Scottish Natural Heritage in its response to the Local Development Plan: Proposed Plan (2015) (SI WDC21), as originally published, expressed the view that development in either field would have an adverse impact on the Kilpatrick Hills Local landscape Area and the rugged moorland hills landscape character. However, SNH did not object to development on the site, instead suggesting amendments to the Table 4 requirements in respect of the site so as to strengthen landscape protection.

A landscape report was submitted by Taylor Wimpey in support of development on the site (SI-664). This concludes that the site can be developed whilst retaining the most significant landscape features and creating a more robust green belt boundary. In response to viewing this landscape report, at the examination into the Proposed Plan (2015), SNH commented on how the landscape concept plan meets its original comments and reiterated the changes it would seek to Table 4 should the site be included by the Reporter in the Plan. SNH do state that with good design and an amendment to the western built edge of the westernmost field, it may be possible to mitigate the landscape and visual effects of the development).

From the Council's perspective, the Duntiglennan Fields lie just outside the designated Kilpatrick Hills Local Landscape Area. The Statement of Importance for the Kilpatrick Hills Local landscape Area (CD 25) states that:

'The skylines and edges of the Kilpatrick Hills play an important role in views from the Vale of Leven, Dumbarton, Clydebank and Milngavie and in the overall landscape setting of urban areas in the Glasgow conurbation, forming a natural setting and backdrop which visually contrasts with the urban development. With such an extensive visual envelope, and large viewing populations, the hill slopes and skylines have a high level of visual and landscape sensitivity' (ref: p7).

The lower slopes of the hills are recognised throughout the Statement of Importance document as playing an important role in the transition between the urban area and the rugged moorland hills (ref section 4.2, pg 5 & 6) and in many areas the boundary of the former Regional Scenic Area has been moved down the slope to include these transitional hill slopes (Section 4.3, pg 12). The Duntiglennan Fields and other areas of improved pasture have not been included within the designated area, but undoubtedly contribute towards this transition between the urban area and the higher hills, and contribute towards the ease of access into the Kilpatrick Hills from the urban area which is also recorded as significant in the Statement of Importance.

Although it is accepted that the site is unlikely to have significant adverse impacts on the landscape of the area, the layout of the site within the Planning Application did not maximise the landscape potential in this area or successfully integrate with it, therefore falling to create a sense of place which is one of the reasons the site was refused planning permission by the Council.

Therefore the Council is concerned that allocation of Duntiglennen Fields would lead to

the resubmission of the same unacceptable layout in landscape terms which did not integrate or enhance the Kilpatrick Hills Local landscape Area and, as a result, would not meet with the requirements of Policy KH1 of Local Development Plan 2.

Impact on Local Roads

The Council's Roads and Transportation Service consider the Transportation Assessment submitted in support of the allocation of the site at planning application stage was acceptable and demonstrated that the existing network is capable of accommodating projected trip generations.

However, it is noted that there is substantial local concern regarding the capacity of Farm Road to carry additional traffic and the suitability of the Farm Road/Beeches Road junction. The additional traffic resultant from the development and its impact on localised traffic congestion was one of the reasons for refusal.

No modification to the Plan is therefore required in this Plan.

Reporter's conclusions:

Landscape and Visual Impact

1. The site consists of two fields on the northern fringe of Duntocher, formerly apparently used for grazing but now unused. (Another field, further to the north, is included within the site boundary submitted by Taylor Wimpey, but no development is proposed in this area.) Both fields slope up from south to north, with the upper areas in particular being widely visible from locations across the Glasgow conurbation (albeit at some distance in many cases). The northern boundary of the northern field runs along a minor subsidiary ridgeline, with the land dipping to the north before rising again up the slopes of the Kilpatrick Hills. The existing field boundaries consist of low stone walls with occasional trees.

2. The western field sits between the Mirren Drive and Blantyre Crescent estates, and would not extend development higher up the hill than the existing houses of Mirren Drive. Although widely visible, I do not therefore expect that development here would appear overly intrusive in landscape terms, because it would not extend the urban area of Duntocher further into the Kilpatrick Hills.

3. Development of the northern field would extend this part of Duntocher further up into the Kilpatrick Hills, and so would, in my view, have a potentially greater and more detrimental landscape and visual impact. However I consider the impact could be mitigated to an extent by avoiding development on the higher northern part of the field, close to the ridgeline, and through the implementation of an appropriate landscaping strategy. Possible layouts illustrating such an approach are illustrated in the Taylor Wimpey's submissions. I note the council's acceptance above that the site is unlikely to have significant adverse impacts on the landscape of the area. I also note the reported earlier comments from Scottish Natural Heritage that with good design and an amendment to the western built edge of the westernmost field, it may be possible to mitigate the landscape and visual effects of the development. Above, the council expresses concern that a previous unacceptable layout may be resubmitted as a planning application, but I do not consider this to be a significant consideration for this examination, which is concerned only with the principle of development.

4. Both fields are currently included within the green belt. This status was reviewed and confirmed at the time of the 2007 Landscape Assessment of the Green Belt carried out by Ironside Farrar on behalf of the council. In terms of the green belt factors set out at paragraph 49 of Scottish Planning Policy, I consider that both fields have a role in protecting the landscape setting of this part of Duntocher by limiting the spread of the settlement up the lower slopes of the Kilpatrick Hills. Informal paths through both fields indicate the site also has some role as an accessible open space for local people. The green belt status of the fields up to this point has therefore been justified.

5. I do not consider the existing green belt boundary at this point, particularly around the Mirren Drive estate where it generally consists of nothing more than the rear garden boundaries of domestic properties, to be particularly strong. Development could provide an opportunity to create a stronger green belt boundary through the use of structural planting and making use of the existing field boundaries and boundary trees.

6. While these fields have value as green belt, paragraph 50 of Scottish Planning Policy allows for the review of green belt boundaries where necessary for sustainable long term development as part of the spatial strategy.

7. The site does not form part of the Kilpatrick Hills Local Landscape Area, but is located close to the southern boundary of this designation (within 100 metres at the closest point). The Statement of Importance for the hills notes that their steep southern slopes form an important landscape backdrop to much of the northern part of the Glasgow conurbation. The farmed fields of the lower slopes (within which the Duntiglennan Fields site sits) provide a visual and landscape transition between the urban area and the wilder higher hills. These qualities would be affected to a degree by any development, although this could be mitigated to an extent. That said, a clear contrast between the urban area and the Hills landscape would remain, and I do not consider that the landscape qualities experienced within the hills themselves would be severely affected by the development of Duntiglennan Fields.

Traffic and Transport

8. It is suggested that the main access to the site would be taken from Farm Road, to the east. This road has a carriageway width of less than six metres, and was affected by some on-street car parking at the time of my site visit. However, the council notes above that its Roads and Transportation Service consider the Transportation Assessment submitted in support of the allocation of the site at planning application stage was acceptable and demonstrated that the existing network is capable of accommodating projected trip generations. The developer states that the transport assessment highlighted no significant adverse issues. This is the best professional evidence available to me. The reporter at the 2015 examination of the earlier proposed local development plan, found nothing to suggest that the proposal would be unacceptable in terms of its transport impact or accessibility, and I have been made aware of no significant changes in circumstances since that time. On this basis I conclude that the site is likely to be capable of being safely accessed.

9. Because of its peripheral and elevated location, I do not consider that the site is particularly well located to encourage the use of cycling and walking for everyday trips. It would be at least a 500 metre walk uphill to the development (and often considerably more) from the shops and community facilities centred around Dumbarton Road/ Chapel Road. However I note that a bus service exists along Craigielea and Farm Roads (within

400 metres), which would serve to limit reliance on private cars to an extent.

Recreational Access

10. As noted above, it was clear from the informal paths I encountered on my site inspection that both fields were regularly used for walking, presumably including dog walking. While there do not appear to be any rights of way or core paths through the site, it is nevertheless likely to be a valued recreational resource for local people. As neglected agricultural land, I do not consider that the site can currently be classed as public open space, and indeed it was not mapped as such in the council's 2011 Open Space Assessment and Audit. It does, however, bear some similarity to the natural and semi-natural greenspace typology described in PAN 65: Planning and Open Space. The Open Space Assessment and Audit lists the Duntocher and Loch Humphrey Burn areas as already providing this type of greenspace in Duntocher, and does not identify a deficiency (an absence of provision within a 15-minute walk time) of this type of open space in Duntocher.

11. The indicative layout provided by the prospective developer indicates how features such as footpaths and a community woodland could be incorporated into the substantial areas of residual open space that would remain free of development. Additional tree planting and improved maintenance on these areas could potentially improve aspects of walkers' experience using the site. While it does seem likely that the scale of development envisaged would cause an overall diminution in the value of the land as a recreational resource, this should be understood in the context of there being no wider deficiency in natural greenspace provision in this part of Clydebank. This impact could potentially be mitigated to an extent at the development management stage, and a specific requirement relating to this matter could be included in the plan itself, as was recommended in the previous local development plan examination report.

Other Matters

12. Regarding flooding and drainage, Scottish Water and SEPA did not raise concerns in relation to previous proposals, and I not aware of any such issues that could not be adequately addressed at the development management stage. Nor am I aware that the site is of any particular nature conservation or biodiversity value. The western field is subject to a tree preservation order, but I noted on my site inspection that all the significant trees were located around the periphery of the field. It appeared possible to develop the site without damage to these trees.

13. The development of 100 houses would inevitably create additional demand on schooling and other community facilities. I have received no detailed evidence on this matter, but I note that the earlier 2015 local development plan examination report did not identify a constraint in this area.

14. Some views from private properties would undoubtedly be affected by any development, particularly from upper rear windows of properties on Mirren Drive. However, the planning system does not exist to preserve private views. The site is large enough to allow for sufficient setbacks so as to avoid unacceptable overlooking and overshadowing, and this can be secured at the development management stage.

Housing Land Supply

15. At Issue 15, I found that a significant short-term shortfall existed in the private housing land requirement for the Clydebank area. Duntiglennan Fields is the only significant opportunity that has been suggested to me to increase the housing land supply in Clydebank beyond the sites already identified in the Proposed Plan.

16. The prospective developer argues that the Duntiglennan Fields site is effective, and I agree that it may have the potential to deliver up to 100 houses in the 2019-24 period. In terms of the criteria for effectiveness given at paragraph 55 of Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits, I find as follows. The site is in the ownership or control of a party who can be expected to develop it; I am not aware of any significant physical constraints or contamination; there is no indication that public funding would be required; the site appears to be in a marketable location; no unusual infrastructure requirements are evident; and it seems likely that housing would be the preferred land use should the site be allocated. I therefore conclude that the site could contribute towards reducing the Clydebank private housing land supply shortfall.

17. Given that most of the housing allocations proposed in Clydebank are on inner urban sites, Duntiglennan Fields, being in a suburban location, would also add to the range and choice of site available.

18. I note the council's arguments above regarding the advantages of brownfield development. Paragraph 40 of Scottish Planning Policy does identify as a policy principle that the planning system should direct the right development to the right place, and within this consider the re-use or re-development of brownfield land before new development takes place on greenfield sites. The Proposed Plan successfully identifies a large number of brownfield opportunities for housing development in Clydebank, which is to be commended. However a significant short-term shortfall still exists, which the Duntiglennan Fields site could go some way towards rectifying. Even if this site were allocated, the vast majority of the Clydebank housing land supply would still be on brownfield land, in line with the aspirations of the council and of Scottish Planning Policy.

Planning History

19. Duntiglennan Fields was considered as a potential housing site at the time of the 2015 local development plan examination report. That report acknowledged the landscape sensitivity of the site, but concluded that it should be included as a housing allocation in order to meet the identified housing land requirement.

20. In the context of this current examination, there has been a major change in circumstance since the time of the 2015 report in the form of the amended housing land requirements of the new 2017 Clydeplan Strategic Development Plan. However, as explained at Issue 15, a shortfall in the short term private housing land requirement for the Clydebank area is still evident. In terms of the strategic requirements pertaining at the Duntiglennan Fields site, the situation is therefore largely unchanged.

21. I note that site was subject to public consultation and a level of environmental assessment at the time of the earlier Proposed Local Development Plan in 2013, and community views were taken into account at the time of the 2015 report. These included concerns about loss of green belt, landscape character, impact on roads/accessibility, water supply/ drainage/flooding, education and other service capacity, nature

conservation and the environment, the green network, and residential amenity.

22. However, at least seven years have now passed since that consultation and assessment was carried out. While some evidence relating to environmental matters has been submitted as part of the current examination, I am conscious that this may not amount to the same breadth and depth of information that would have been covered in a strategic environmental assessment. I am also wary about recommending the introduction of a site into the plan that has not been subject to public consultation through the current local development plan process (for instance at the main issues report stage). Local people might well have concerns or issues relating to the development of this site that I am unaware of; new people will have moved into the local area in the intervening period.

23. Paragraph 118 of Circular 6/2013: Development Planning states that without adequate environmental information together with evidence arising from public engagement, reporters will be unable to recommend modifications to the plan on particular sites. It appears to me that this set of circumstances currently applies in the case of the Duntiglennan Fields site.

Conclusion

24. Development of the Duntiglennan Fields site would have some negative effects, most notably in terms of landscape impact, recreational access, and sustainable transport. However, these may be capable of some mitigation through limiting the development footprint, strategic landscaping, and making new provision for public footpaths. While some residual impacts would remain, these could well be outweighed by the benefit of minimising the significant shortfall identified in the short-term housing land supply in the Clydebank area.

25. A strong case therefore exists for the allocation of the Duntiglennan Fields site in the plan. However, I am also conscious that I have not been supplied with comprehensive environmental information about the site, and the local community has not had any recent opportunity to express its views on the prospect of housing development here. Given Scottish Ministers' policy in these circumstances, as expressed at Paragraph 118 of Circular 6/2013, I have therefore concluded that Duntiglennan Fields should not be included as a housing site in the local development plan at the current time.

Reporter's recommendations:

No modifications.

Issue 31	**Non-Allocation of Young's Farm, Dumbarton**	
Development plan reference:	Delivering our Places section, Policy GB1 and the Dumbarton Proposals Maps.	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Jeremy Watson (PLDP/002/31) (Support)
Silverton and Overtoun Community Council (PLDP/182/31) (Support)
Dumbarton Football Club Ltd (PLDP/783/31)

Provision of the development plan to which the issue relates:	This Issue relates to the non-inclusion of Young's Farm within the Delivering Places section of LDP2 and the revision of the Greenbelt to allow relocation of the Football Stadium to this site.

Planning authority's summary of the representation(s):

Jeremy Watson (PLDP/002/31) supports the Council's approach of not identifying Young's Farm as a location for a stadium for Dumbarton FC nor as a housing opportunity.

Silverton and Overtoun Community Council (PLDP/182/31) welcome the removal of Young's Farm from consideration for development for the re-location of Dumbarton Football Club and associated housing development (Main Issue 6 in the Main Issues Report (CD 17)) as a result of the refusal of planning permission for this site.

Dumbarton Football Club Ltd (PLDP/783/31) believes that the Council's Green Belt Policy: Policy GB1 does not extend to new stadium and refer to the previous section and background in the Our Changing Place's section within the Local Development Plan: Proposed Plan (2016) (CD 13), which related to a stadium and community facility development at Young's Farm, Dumbarton.

The Club is now in a position where it wants to re-start the process associated with bringing forward its proposals for a new stadium, potentially working with new partners, and continues to want to focus its efforts at the Young's Farm site.

The Club's preference would be for the site, or part of the site, to be removed from Green Belt and formally allocated for the development of a new replacement community stadium and appropriate complementary sports and recreation uses. Otherwise the site would remain in Green Belt and the policy requirement to demonstrate very special circumstances would continue to prevail.

The Club wish the Council to include a policy/proposal within Local Development Plan 2 which reflects the Our Changing Places section in the previous Local Development Plan: Proposed Plan (2016) (CD 13).

Modifications sought by those submitting representations:

Dumbarton Football Club Ltd (PLDP/783/31) request that a new section on Young's Farm, Dumbarton is inserted into the Plan as follows:

Young's Farm, Dumbarton (Dumbarton FC)

Dumbarton Football Club was founded in 1872 and is one of the oldest football clubs in Scotland. Since 2000 the Club has played next to Dumbarton Rock on Dumbarton's waterfront. Their stadium comprises one stand which incorporates the club's offices, dressing rooms and associated facilities along with hospitality, including two conference rooms. It has capacity for just over 2,000 spectators. The existing stadium is clearly inadequate and too small to meet the needs of the Club going forward.

The Club's vision is to be successful at the highest level of football in Scotland at which it can be both financially viable and sustainable. It also wishes to play a wider role in the community, contributing to health, social wellbeing and the economy. To achieve this, the Club considers it is necessary to relocate to a new site as there are restrictions associated with its current stadium in relation to increasing crowd capacity, maximising non-matchday income and integration with training facilities. A new community 'sports hub' would allow Dumbarton FC to build football and non-football revenues and contribute to the availability, accessibility and quality of sporting facilities in the area.

Having assessed the possibilities afforded by a number of sites in and around Dumbarton – including sites at Dumbuck and Esso Bowling which featured in the Main Issues Report – the Club's preferred location for a new stadium is at Young's Farm, north of the Dennystown area of Dumbarton. This greenfield site is bounded on the eastern side by the River Leven, to the west by the railway and to the north by the A82.

The Council is supportive of Dumbarton FC relocating to this site. Technical considerations needing to be addressed include how the site can be accessed by road and sustainable means of travel, its impact on the trunk and local road network, and avoiding flood risk. Environmental considerations include the impact on the River Leven, which is a Local Nature Conservation Site and the migratory route for Atlantic salmon and brook lamprey to and from the Endrick Water Special Area of Conservation, a Natura 2000 site designated as a habitat for these fish species. Any development at Young's Farm must not have an adversely affect the integrity of the Endrick Water Special Area of Conservation.

Another environmental consideration is landscape and visual impact - a new football stadium and associated development would be a significant change to the urban form of Dumbarton. Plans for the site should be based on minimising the intensity of built development. A preferred approach would be to integrate as many of the necessary facilities as possible within the stadium building. Development should be carefully integrated into an enhanced landscape setting.

The Club has indicated that enabling development will be required to support the financing of the stadium and increase the Club's non-football revenue base. The preference for containing built development in the stadium applies to the enabling development as well. Appropriate enabling development is to be defined in future but could include some or all of the following uses: limited retail; health and well-being; hotel; events/conferencing facilities; sports related uses such as a gym and sports pitches, although the noise and light pollution impact of the latter would require careful assessment. Retail development would not be supported unless small in scale or ancillary to the operation of the football club. It would be a requirement that the football stadium is developed and operating prior to any enabling development operating.

A masterplan should be developed prior to the submission of any planning application, showing all required development and taking account of the above considerations.

Dumbarton Football Club Ltd also seek that the Proposals Map is amended to reflect the Map contained within their representation.

Summary of responses (including reasons) by planning authority:

The comments of Jeremy Watson (PLDP/002/31); and Silverton and Overtoun Community Council (PLDP/182/31) are noted.

In response to the representation from Dumbarton Football Club Ltd (PLDP/783/31), the Council does not agree that a section on Young's Farm is required to be inserted into Local Development Plan 2.

The Local Development Plan: Proposed Plan (2016) (CD 13) included a section on Young's Farm within the Plan as the Council was supportive of the Football Club undertaking further investigations into the suitability of the site for the development of a community sports hub, including associated infrastructure and appropriate enabling development, which did not include residential development. The Proposed Plan (2016) did not change the designation of the site from greenbelt to a specific use. The Football Club had stated, at the time the Proposed Plan (2016) was in preparation, that residential development did not form part of the proposals to fund the relocation of the Football Stadium to Young's Farm.

The Football Club subsequently submitted a Planning Application for a Mixed use development incorporating a football stadium and associated uses (including restaurant, hospitality and function suites), residential development, commercial and tourism development, floodlit sports pitches, access, parking, and landscaping on land at Young's Farm, Renton Road, Dumbarton by DFC Community Stadium Company Ltd. This planning application was not in conformity with the uses specified within the Proposed Plan (2016) and included a significant amount of enabling residential development required to fund the new Stadium and associated infrastructure.

The Planning Application was refused by the Council on 28 March 2018. The Council was of the view that residential development would not be appropriate at this location as it would undermine the objectives of the Greenbelt and would set a precedent for the release of further housing land within the Greenbelt. The full Planning Committee Report and the reasons for refusal is contained within the Council's Supporting Information (SI WDC22).

As a result of the decision on the Planning Application, Local Development Plan 2 did not contain a section on Young's Farm and therefore it remains in the Greenbelt. Any future application within the Greenbelt would need to accord with the provisions of Policy GB1 of the Plan.

The Council continues to be supportive of the aims of Dumbarton Football Club and of its ambitions to play at the highest level of Scottish Football. However, the Council has taken its decision on the previous application and is of the view that the Football Club would need to demonstrate how the new stadium can be provided without the need for residential development, and how it will be funded. For the information of the Reporter, a new application for the site had been submitted at the time of writing this Schedule 4.

However, no information has been provided by the Football Club within their representation to Local Development Plan 2 that indicates a change in direction from the original position and that residential development at Young's Farm will categorically not be required to fund the relocation of the Football Stadium. The Council therefore does not agree with Dumbarton Football Club that Local Development Plan 2 requires to be modified for the reasons set out above. No modification to the Plan is therefore required.

Reporter's conclusions:

1. The Young's Farm site is an extensive area of farmland, woodland and marshland mainly located between Dumbarton (to the south), the Dumbarton to Balloch railway line (to the west), the A82 trunk road (to the north) and the River Leven (to the east).

2. The land is currently green belt, and development would represent a significant infilling of the landscape gap that exists between Dumbarton and Renton (the southern extension of the Balloch/ Alexandria urban area) on the western side of the River Leven. Development at the Vale of Leven Industrial Estate and Lomondgate has allowed some coalescence between Dumbarton and the Vale of Leven settlements to occur to the east of the River Leven, but here to the west of the river a significant landscape gap still exists. This serves to preserve the separate identities of these settlements. Indeed, in southward views from the A82 west of the River Leven, and from stretches of the A812 between Dumbarton and Renton (and doubtless also from the Dumbarton to Renton railway line), one is currently largely unaware of the built-up area of Dumbarton.

3. I therefore consider that this land has a significant green belt function, and that development here would be damaging to the landscape setting and individual identities of Dumbarton and Renton. I also note that a significant flooding constraint exists in the eastern part of the site. In normal circumstances it would, therefore, be unlikely that the Young's Farm site would be found to be suitable for urban development. A new football stadium at this green belt location would not appear to be compatible with any of the criteria set out in Policy GB1 of the Proposed Plan.

4. The case for a new football stadium clearly involves some unusual factors, including relating to the size of site required, access arrangements and community benefit. These factors could potentially justify the use of sites that would not normally be considered suitable for development. Therefore, in the absence of any specific provision in the plan, any future proposal would have to be considered on its own merits as an exception to green belt policy.

5. Dumbarton Football Club is an important and historic institution of the town, whose needs the planning system should seek to accommodate if possible. I have no reason to doubt the challenges the club states that it is experiencing operating from its existing stadium at Castle Road in the town centre. Nor do I doubt that the Young's Farm site may be physically capable of being developed for a football stadium and ancillary uses. As stated in my further information request to the parties, I am sympathetic to the principle of the plan saying more about what appears to be an important planning issue for the town. However, it would not be helpful to include unrealistic proposals.

6. The earlier proposed local development plan of 2016 included a section relating to Young's Farm and supported the possibility of this site being investigated for a new stadium for Dumbarton Football Club. This position was upheld in the examination report pertaining to that plan. Since then a planning application for a stadium and associated

enabling development (including 200 houses) has been considered and refused by the council. In its response to a further information request, the council has explained its view that this application (which was accompanied by technical supporting information) completed the process of investigation envisaged by the 2016 plan. I agree that the planning application and its outcome does represent a significant change of circumstances that could potentially justify a change in policy in the Proposed Plan.

7. It is clear that one of the main difficulties the council has with the relocation proposal is the potential inclusion of an element of housing as enabling development. In its response to the further information request, the football club sets out the financial background to its desire to relocate and the desirability to it of there being an element of residential enabling development as part of the relocation package. However, the club states it is continuing to investigate options around cost reduction and forward funding that would minimise reliance on enabling development. The club's representation does not seek the inclusion of any explicit reference to residential development in the plan.

8. Regarding the suggested housing use, at Issue 15 I do not identify any shortfall in the private housing land supply for the Dumbarton/Vale of Leven housing market area. Releasing land at Young's Farm for residential development could, therefore, either fail in its purpose of attracting developer interest or divert development pressure from other, better-located sites in the area, including brownfield sites.

9. The Young's Farm site is physically separated from existing residential neighbourhoods of Dumbarton, and from the shops and other services that exist in the town. While there is a riverside cycle/footpath, walking distances of over one kilometre to local services would be required. I therefore consider that development at the Young's Farm site would be likely to be highly dependent on private car journeys. As noted above, any urban development on this site would be likely to be damaging in landscape terms, particularly due to the erosion of the green belt gap between Dumbarton and Renton. All these factors were considered in detail at the time of the unsuccessful planning application. For these reasons, I am unwilling to recommend the inclusion of explicit support for housing development at Young's Farm in the plan.

10. According to paragraph 6 of Circular 6/2013: Development Planning, development plans should be realistic and "indicate where development should happen and where it should not, providing confidence to investors and communities alike". To this end, there should be a reasonable degree of certainty that the proposals made in plans will come to fruition. It can be unhelpful to include merely aspirational schemes, which could raise unrealistic expectations or cause unnecessary concerns.

11. In this case, there still appears to be a high level of uncertainty as to whether the Young's Farm stadium proposal is financially viable in the absence of residential enabling development. As things stand, it is unlikely that the council would support a scheme incorporating a residential element, as shown by its recent refusal of such a planning application. It would be open to me to recommend including explicit support for enabling housing development at Young's Farm in the text of the plan, though the football club is not asking me to do this. However, for the reasons given above, I am unwilling to include such support. I therefore conclude that the designation of the Young's Farm site in the plan for use as a football stadium would be unwise due to the likelihood, based on the material available to this examination, that this use is currently an unrealistic aspiration.

12. I would hope the council and the football club will continue to work together

productively to identify how the development needs of the club can best be accommodated going forward. This would be a useful topic to explore further in the next review of the plan.

13. Matters regarding the football club's existing stadium site are addressed at Issue 6.

Reporter's recommendations:

No modifications.

Issue 32	**Affordable Housing Sites - Clydebank**	
Development plan reference:	Policy H2 (Page 78) and Schedule 3 - Opportunities for Social Rented Housing (Page 126)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
C Stimpson (PLDP/008) Hardie Polymers Limited (PLDP/014) P J Travel Ltd (PLDP/023) SportScotland (PLDP/026/32) Joseph Baird (PLDP/108) Susan Dick (PLDP/175/32) SNH (PLDP/640/32) Clydebelt (PLDP/673/32) Bernadette McAteer (PLDP/717) Lesley McEwan (PLDP/718/32) G Dick (PLDP/719/32) R McEwan (PLDP/720/32) G Parton (PLDP/721/32)		
Provision of the development plan to which the issue relates:	This issue relates to the affordable housing opportunity sites within Clydebank that are included within Schedule 3 and Policy H2: Housing Sites	
Planning authority's summary of the representation(s):		

H2(50) St Andrews High School

SportScotland (PLDP/026/32) state that the former school grounds contain a blaze pitch, and if appropriate compensation has not been made in relation to pitches at the new school then consideration will need to be given to compensation requirements.

H2(51) 354, Dumbarton Road

Clydebelt (PLDP/673/32) support for designation of this site. They state it is a WWII bomb site and query why it has taken so long to redevelop.

H2(52) Auld Street

Susan Dick (PLDP/175/32); Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32) and G Parton (PLDP/721/32) object to the designation of the site for residential development and state that the Plan requires transport assessments or further details of access to provided for this site. The surrounding streets are congested evident at certain times of day and further housing will only make this problem worse. The respondents also state that the position of the site next to a wildlife corridor makes it unsuitable for development and the loss of trees on the site is noted. It is also asserted that planning decision for the application on this site was based on incorrect information regarding the number and condition of trees that would be felled. The respondents also express concern regarding the lack of green network and biodiversity enhancements

associated with the development of the site and with the height of new buildings and amenity impact on existing residents.

H2(54) Caledonia Street

P J Travel Ltd (PLDP/023) is seeking clarification that his boundary fence is correctly located, as the red line boundary of the proposed housing site appears to extend onto his property.

Susan Dick (PLDP/175/32); Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32) and G Parton (PLDP/721/32) object to the designation of the site for residential development and state that the Plan requires transport assessments or further details of access to provided for this site. The surrounding streets are congested with evident at certain times of day and further housing will only make this problem worse. The respondents also state that the position of the site next to a wildlife corridor makes it unsuitable for development and the loss of trees on the site is noted. The respondents also state that green network and biodiversity enhancements should be required of any development and express concern regarding the height of new buildings and the cumulative impacts of nearby development sites on the amenity of existing residents.

H2(56) Auld Street Phase 2

Hardie Polymers Limited (PLDP/014) are seeking reassurance that any development on this site will seek to maintain a similar level of tree cover. They state that the foliage here provides important CO^2 reduction and a relaxing environment for local residents and employees in their offices at the Beardmore Business Centre, which directly faces the site.

Susan Dick (PLDP/175/32); Lesley McEwan (PLDP/718/2); G Dick (PLDP/719/32); R McEwan (PLDP/720/32); G Parton (PLDP/721/32) object to the designation of the site for residential development and state that the Plan requires transport assessments or further details of access to provided for this site. The surrounding streets are congested with evident at certain times of day and further housing will only make this problem worse. The respondents also state that the position of the site next to a wildlife corridor makes it unsuitable for development and the loss of trees on the site is noted. The respondents also state that green network and biodiversity enhancements should be required of any development and express concern regarding the height of new buildings and the cumulative impacts of nearby development sites on the amenity of existing residents.

H2(63) Faifley Bowling Club

C Stimpson (PLDP/008) objects to the proposal due to the impact that it will have on the outlook from Abbeylands Road. Miss Stimpson suggests that the site should remain as safeguarded open space and should be included within the public park. Also suggests that there will be an impact on amenity and wildlife. Miss Stimpson also suggests that the Pavilion could be repurposed as a nursery making use of the bowling green as a play area.

SportScotland (PLDP/026/32) acknowledge the club has closed and the site is no longer in active use as a bowling club. However as the land was last used as an outdoor sports facility, SportScotland, in their role as statutory consultee, would require details relating to the club closure and the capacity of nearby facilities to ensure ongoing provision is meeting any needs locally at the time of a planning application submission.

Joseph Baird (PLDP/108) states that while he understands the need for social housing in this area, he is concerned about the impact of any new housing on the privacy of his house. He would have no concerns however, if the required greenspace, gardens/ allotments were to be located close to his property. He also draws attention to the wildlife on the site, particularly towards the burn, which is also a haven for deer, woodpecker, sparrow hawk, water rail and numerous other birds and animals.

SNH (PLDP/640/32) welcome the Council's proposal for this site to include '…an area *of green infrastructure, which could potentially be used for a range of community uses, such as, but not limited to, allotments or community gardens'*. They consider that the site is also likely to have capacity for housing and for this to fit with the existing landscape pattern they recommend the southern area of the site is left as green space. They also recommend the Council sets developer requirements covering inclusion of path links, protection of the burn crossing and mature trees on site, minimising ground modification and enhancing the green network.

Clydebelt (PLDP/673/32) state that the area is already congested with traffic/parked cars and is already densely populated without additional housing. They suggest the site could be used for an alternative sports use with a MUGA, which could be combined with a community garden/allotments. Car parking could be provided by opening up the lane and a neglected and overgrown play park on south west and extending this with a footpath from Abbeylands Road on to the footpath network on the Faifley Knowes. Provision of a car park may even revive the bowling club as a viable concern. The existing Clubroom could also be used on occasions as a Knowes Local Nature Reserve rangers/information point. Alternatively, the site should be considered as part of the Knowes Local Nature Reserve.

Bernadette McAteer (PLDP/717) objects to the proposed residential use of the site, as Abbeylands Road is already severely congested with traffic, which would be made worse by the development. Ms McAteer is also of the view that the street does not have the room to accommodate an access point into the site and that the burn, in the southern portion of the site, could cause flooding or dampness issues for future properties. The site is also close to the former tennis courts designated for biodiversity, which is home to foxes and deer. The respondent proposes that the site is instead retained for community uses, such as allotments or community gardens.

Modifications sought by those submitting representations:

<u>H2(50) St Andrews High School</u>

SportScotland (PLDP/026/32) are seeking potential provision of alternative sports facilitates in any redevelopment of the site, to replace the existing blaes pitch.

<u>H2(51) 354, Dumbarton Road</u>

Clydebelt (PLDP/673/32) Support.

<u>H2(52) Auld Street</u>

Susan Dick (PLDP/175/32); Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32); and G Parton (PLDP/721/32) are seeking the removal of the allocation of the site for residential use.

H2(54) Caledonia Street

P J Travel Ltd (PLDP/023) is seeking a modification to the boundary of the site to clarify that his boundary fence is correctly located.

Susan Dick (PLDP/175/32); Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32); and G Parton (PLDP/721/32) are seeking the removal of the allocation of the site for residential use.

H2(56) Auld Street Phase 2

Hardie Polymers Limited (PLDP/014) are seeking a modification to require that any development of the site will retain a similar level of tree cover to that at present.

Susan Dick (PLDP/175/32); Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32); and G Parton (PLDP/721/32) are seeking the removal of the allocation of the site for residential use.

H2(63) Faifley Bowling Club

SportScotland (PLDP/026/32) are seeking to be consulted on any planning application for the site and will require details relating to the closure of the bowling club and of alternative local provision, at that time.

Joseph Baird (PLDP/108) is seeking a modification to require any housing development to be sited away from his property on Craigs Avenue, with green/community infrastructure instead placed next to his property to avoid any loss of privacy.

SNH (PLDP/640/32) are seeking a modification to include developer requirements for the site covering the following:

- Incorporation of path links across the site, including between Abbeylands Road and the path from Craigs Avenue.
- Design of the site to relate to and protect the burn crossing to the south.
- Protection of existing mature trees on the site.
- Design of the access to the proposed houses from the public road to minimise ground modification and encroachment into the site.
- Protection of the landscape qualities of the existing green open space and enhancement of the green network to the south of the site.
- Ensuring development works eradicate and prevent spread of invasive plant species on site.

C Stimpson (PLDP/008); Clydebelt (PLDP/673/32) and Bernadette McAteer (PLDP/717) are seeking the removal of the allocation of the site for residential use.

Summary of responses (including reasons) by planning authority:

H2(50) St Andrews High School

In response to the representation by SportScotland (PLDP/026/32), that the former school closed in 2009 to amalgamate into a new school campus at St Peter the Apostle High

School. Provision of appropriate new and enhanced pitches was made at that time for the new school. Planning consent for the redevelopment of site H2 (50) for affordable housing has now been granted, and the Council considers that this issue has been addressed. No modification to the plan is therefore required.

H2(51) 354, Dumbarton Road

The Council welcomes the support of Clydebelt (PLDP/673/32) for the designation of this site. Development of brownfield sites can take a while to develop from allocation within the development plan and this is down to a range of factors which are outwith the scope of the Plan and the control of the Council. In relation to the reference to a bomb on the site, the Council would point out that detailed site investigation would uncover any issues with the site, such as unrecorded ordinance, but this is a matter for the developer of the site to arrange and then mitigate against.

H2(52) Auld Street

In response to the representation by Susan Dick (PLDP/175/32), Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32); and G Parton (PLDP/721/32) the Council would point out that this site has received planning consent (SI WDC 23) for residential development, and that the development is now occupied. All relevant matters of design, layout, access and roads impacts were considered as part of the planning application process. No modification to the Plan is therefore required.

H2(54) Caledonia Street

With regard to the representation from P J Travel Ltd (PLDP/023), the Council notes his concerns regarding the position of his boundary fence relative to the site boundary shown in the Plan. This is a long established residential opportunity site, included within the established housing land supply and successive Development Plans. While the site boundary originally included the representor's site (the bus garage), this western portion of the site was removed at the Local Development Plan 2: Main Issues Report (CD 17) stage to reflect the operational status of the bus garage, as opposed to the vacant eastern portion. While the site boundary was redrawn at that time to reflect the operational usage of the site, this may not precisely reflect the mixture of land ownership on the site, which is not in itself a planning matter. Nonetheless, the change to the site boundary was intended to support the continued commercial use of the bus garage, and the Council does not consider that any minor discrepancy in the site boundary is prejudicial to the ongoing operation of the bus garage.

Any residential development of the site would require planning consent, and the precise site boundary and land ownership would be established through the Development Management process at that stage. As such, it is considered that no modification to the Plan is required in this regard.

In response to the representation by Susan Dick (PLDP/175/32), Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32); and G Parton (PLDP/721/32), the Council considers that all relevant issues of design, layout, access and roads impacts are matters for the Development Management process to address when a planning application for the site is being considered. No modification to the Plan is therefore required.

H2(56) Auld Street Phase 2

With regard to the representation by Hardie Polymers Limited (PLDP/014), the Council acknowledges that while the existing tree cover on the site may provide visual amenity to nearby uses, the detailed design of any residential development of the site, included details of any tree retention and planting, would be a matter for the Development Management process when a planning application is being considered. The Council would point out that the trees on this site are not protected by a Tree Preservation Order, and are not part of a wildlife site. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an application is considered. These policies confirm the value of green infrastructure, including trees, to creating well designed, sustainable places.

In response to the representation by Susan Dick (PLDP/175/32), Lesley McEwan (PLDP/718/32); G Dick (PLDP/719/32); R McEwan (PLDP/720/32) and G Parton (PLDP/721/32), the Council considers that all relevant issues of design, layout, access and roads impacts are matters for the Development Management process to address when a planning application is being considered. No modification to the Plan is therefore required.

H2(63) Faifley Bowling Club

The Council welcomes the comments of SportScotland (PLDP/026/32) and confirms that they would be statutory consultees on any planning application for proposed development of the site.

In response to C Stimpson (PLDP/008), the Council would point out that the right to a view or the impact on the outlook of a view are not material planning considerations. No modification to the Plan is therefore required.

With regard to the representation by Joseph Baird (PLDP/108), the Council would note that the detailed design and layout of the site is a matter for the Development Management process to address when a planning application is being considered. The placement of green infrastructure, open space and community facilities/gardens would be considered at that stage, along with the amenity and privacy of neighbouring properties. No modification to the Plan is therefore required.

The Council welcomes the representation from SNH (PLDP/640/32) but would point out that the developer requirements set out by the respondent are matters that would normally be considered through the Development Management process for a planning application. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an application is considered. No modification to the Plan is therefore required in this regard.

Although the Council welcomes the suggested range of alternative uses for the site suggested by C Stimpson (PLDP/008); Clydebelt (PLDP/673/32) and Bernadette McAteer (PLDP/717), none of these uses have been formally proposed to the Council, or have any known backing from other organisations. Whereas there has been clear interest expressed from housing associations in developing the site for housing and the site has been identified for social rented housing within the Council's Strategic Housing Investment Plan (SHIP) 2019 – 2024 (CD 31) to help address the identified need and demand for social rented housing within Faifley.

Nonetheless, Local Development Plan 2, within Schedule 3, does require that any development of the site retains an area for green infrastructure, potentially including, but not limited to, community gardens and allotments, in compensation for the loss of the bowling green facilities. The concerns regarding local congestion and parking, and proximity to a burn are noted; however, these are matters for the Development Management process to address when a planning application is being considered. Notwithstanding the above, it is considered that the size of the site would allow for these issues to be addressed and it should be noted that the Council's Roads Service have not objected to the allocation of the site for residential uses.

Overall, the Council considers that the site is suitable and effective as a residential site, and that no modification to the Plan is therefore required.

Reporter's conclusions:

H2(50) St Andrews High School

1. The development of this site was underway at the time of my site inspection. The council states above that issues of compensation for the loss of the former pitch on this site were addressed at the time of the grant of planning permission for the new development. On this basis I conclude that no change to the plan is required.

H2(51) 354, Dumbarton Road

2. The representation relating to this site does not seek any change to the plan.

H2(52) Auld Street

3. This site was fully developed and occupied at the time of my site visit. The matters raised in the representations are therefore no longer relevant, and as a consequence no change to the plan is required.

H2(54) Caledonia Street

4. At my site inspection I observed that a sturdy modern metal fence separates the vacant land on Caledonia Street, and the rear yard of the PJ Travel garage to the west. However, the northern part of the western boundary of Site H2(54) as shown on the proposals map does not appear to follow the fence line, but to take a more westerly course through the PJ Travel yard.

5. The rear yard of the garage is clearly in active use for the parking of vehicles, and is not obviously available for redevelopment. The intention of PJ Travel to continue to use this land for its own purposes is apparent from its representation. It appears from the council's response above that its intention is also for the housing allocation to be restricted to the vacant land to the east of the existing fence. In my view, the obvious redevelopment opportunity in this location is the vacant land to the east of the fence, and not any part of the active yard to the west of the fence.

6. I can understand why the inclusion of part of the yard within housing allocation H2(54) would be of concern to PJ Travel. I also consider that the proposals map should accurately illustrate the real extent of the development opportunity in this area in order not to mislead users of the plan as to where development is likely to occur. I therefore

recommend below that the boundary line is redrawn to follow the line of the existing fence. This line is accurately depicted on the site map submitted by the council for this examination.

7. In the event that the land ownership boundary does not in fact follow the line of the fence, nothing in the plan would prevent a planning application being made for a larger area.

8. Regarding issues raised in other representations, the Caledonia Street site is separated from other naturalised areas by development, and so does not form part of any green corridor. While some scrub has colonised the land, the site includes areas of hardstanding and has clearly been developed in the past. In its current state, I find the land to be unsightly, and I consider that the plant life that has colonised it in recent years is likely to be of little value. Overall, I conclude that redevelopment for housing would improve the amenity of the area and represent a beneficial use for the site.

9. Caledonia Street and other roads in the locality are reasonably wide and of a good standard. I consider it very unlikely that road capacity would prove to be a major constraint to the development of this small infill site within the established urban area. Any necessary improvements can be secured at the development management stage.

H2(56) Auld Street Phase 2

10. This brownfield site contains a large steel structure, apparently the remains of a refuse transfer station, and is extensively overgrown with trees and scrub. In particular, the trees along the Auld Street frontage are now semi-mature and contribute positively to the amenity of the street and neighbouring homes and businesses. I note the council's argument that the trees are not covered by a tree preservation order, but that fact does not lessen their intrinsic value.

11. It would certainly be beneficial to retain these trees after the redevelopment of the site, and I consider that the site is large enough for this to be possible. Plan policies including CP1, CP2 and ENV4 provide the tools to ensure that this happens, and I would expect the council to apply these policies properly in due course. On this basis, I conclude that the retention of at least some of the existing trees is not incompatible with the proposed development.

12. The site adjoins to the north the route of a dismantled railway, which now forms a naturalised green corridor extending away to the west. The route of the railway (and indeed additional land to the south) is designated on the proposals map as protected open space. The development of site H2(56) would not impinge on this or disrupt the wider green corridor.

13. I consider that, in its semi-naturalised state, site H2(54) is likely to be of some value for wildlife. However, it is not covered by any biodiversity designation, and I have no evidence of it having any special worth. As a brownfield site within the established urban area, and within the context of the need for more affordable housing in the area, I conclude overall that the redevelopment of the site is justified in this case.

14. Auld Street and other roads in the locality are reasonably wide and of a good standard. I consider it very unlikely that road capacity would prove to be a major constraint to the development of this small infill site within the established urban area.

Any necessary improvements can be secured at the development management stage.

H2(63) Faifley Bowling Club

15. The site constitutes two disused former bowling greens and, in the eastern part of the site, an area of trees to the rear of 120 to 130 Abbeylands Road.

16. Schedule 3 of the Proposed Plan gives an indicative site capacity of 15 houses, which I calculate to represent a capacity of only around 13/ hectare (5.5/ acre). This is a very low density that would allow for space to be made available to address many of the concerns raised in representations. This could include, for instance, maintaining open views across the site from Abbeylands Road, retaining adequate separation distances to existing homes so as to ensure privacy, retaining areas of greatest value for wildlife (perhaps in the southern and eastern parts of the site) as open space/ woodland, and providing new green infrastructure such as a play area or allotments. Some of these measures are already provided for in the Proposed Plan, in the note to Schedule 3, which requires the inclusion of green infrastructure, and mentions the possibility of allotments or community gardens.

17. Regarding loss of views, individual householders do not have a right to have their view protected. That said, the openness and greenspace value of this land will be appreciated more generally by the community living in Abbeylands Road, and development would be likely to degrade this value to a degree, even if sensitively designed.

18. The site is not designated for its biodiversity interest, and I doubt the area formerly used as bowling greens is of great value for wildlife (though in its current disused condition it may be visited more frequently than previously by birds and animals from neighbouring land). Of more value will be the woodland and mature trees along the southern boundary and in the eastern part of the site. As mentioned above, the low proposed density of development could potentially allow for these features to be retained, though some additional disturbance could still occur.

19. Regarding parking, I see no reason why all the necessary provision cannot be made within the site itself. Abbeylands Road is only suitable for parking on one side, so the creation of a new access need not materially affect the availability of on-street parking in the area. Development would generate additional traffic, but the number of trips created by the 15 houses envisaged would be relatively small. I doubt that the impact on the local road network would therefore be noticeable.

20. As mentioned above, the alternative suggestions for the use of the site made in representations could potentially be incorporated on part of the land as part of the redevelopment proposals. However, I note that the area is already quite well provided with accessible open space, most notably with public footpaths through the Knowes Woodlands to the south of Abbeylands Road (which could potentially be accessed through site H2(63) as suggested by Scottish Natural Heritage), and at Faifley Park nearby to the south-east. I therefore do not identify any over-riding need to retain the former bowling club site as open space.

21. The Proposed Plan seeks to establish the principle of affordable housing development on this land. But the detail of the development, including the delivery of the potential benefits described above, will fall to be agreed through the development

management process. At that stage, the council can apply the generic policies of the plan, including Policies CP1 (Creating Places), CP2 (Green Infrastructure) and GI1 (Outdoor Sports Facilities) to secure a high quality development and the benefits described above. The inclusion of detailed developer requirements as sought by Scottish Natural Heritage (though sensible in themselves) would be inconsistent with the style of the rest of the plan and would be more appropriate for a development brief.

22. Development would contribute towards meeting an identified need for additional affordable housing. I have identified some negative impacts, most notably the visual impact of the loss of the open space. However, these are not severe and can largely be mitigated through the delivery of a low-density development and the application of the generic policies of the plan at the development management stage. On this basis, I conclude that no change to the plan is required.

23. The representation from Sportscotland does not appear to seek any change to the plan but relates to information requirements at the development management stage. As such, no modification is required.

Reporter's recommendations:

I recommend that the proposed plan be modified by redrawing the northern part of the western boundary of Site H2(54) to follow the existing fence line, as shown in black on the site map submitted by the council for this examination http://www.dpea.scotland.gov.uk/Document.aspx?id=607333

Issue 33	**Affordable Housing Sites - Dumbarton**	
Development plan reference:	Policy H2 (Page 78) and Schedule 3 - Opportunities for Social Rented Housing (Page 126)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Margaret King (PLDP/158)
SNH (PLDP/640/33)
Woodland Trust (PLDP/646/33)

Provision of the development plan to which the issue relates:	This issue relates to the affordable housing opportunity sites within Dumbarton that are included within Schedule 3 and Policy H2: Housing Sites.

Planning authority's summary of the representation(s):

Site H2(45) Former Aitkenbar Primary School, Dumbarton

Margaret King (PLDP/158) is objecting to her property being shown within the site boundary. Her property (the former primary school janitor's house) was purchased from the Council in 2002 and should be excluded from the rest of the proposed housing site.

H2(62) Littlemill Distillery, Bowling

SNH (PLDP/640/33) consider that this site is likely to have capacity for housing and this may fit with the existing landscape pattern, but recommend that the level of capacity will depend on the concentration and design of the properties. To relate to the landscape character and reduce visual effects, SNH recommend the Council sets developer requirements relating to tree retention and planting, layout and design of the units and the repair or reinstatement of the stone wall along the edge of the A814.

Woodland Trust (PLDP/646/33) state that they have identified woodland present on the Native Woodland Survey for Scotland surrounding this site. The Trust would like to see this site allocated appropriately with minimal impact on the surrounding native woodland. Should a planning application came forward here, the planning authority should ensure that trees are retained on site and if appropriate, replacement native tree planting should be requested.

Modifications sought by those submitting representations:

Site H2(45) Former Aitkenbar Primary School, Dumbarton

Margaret King (PLDP/158) is seeking that the site boundaries are redrawn to exclude her property from the proposed housing site area.

H2(62) Littlemill Distillery, Bowling

SNH (PLDP/640/33) are seeking a modification to include developer requirements for the

site, covering the following:

- Retention and reinforcement of the existing trees along the western and northern boundaries. In addition, new trees along the eastern and southern boundaries may improve integration of the new housing within the landscape pattern and reduce visual effects from nearby properties.
- The layout of the units should relate to the linear shape and orientation of the site in parallel to the A814 and cycle path whilst their scale, massing and materials should relate to other properties within the surrounding landscape.
- Repair or reinstatement of the stone wall along the edge of the A814 and protection of the existing watercourse.

Woodland Trust PLDP/646/33 are seeking that the site is allocated appropriately, with a requirement on any development to protect surrounding native woodland.

Summary of responses (including reasons) by planning authority:

Site H2(45) Former Aitkenbar Primary School, Dumbarton

In response Margaret King (PLDP/158) the Council would acknowledge that the site boundaries shown in the Plan have included the former janitor's house in error. As this is now a privately owned property it should not form part of the development area. Whilst the site boundaries shown are considered to be indicative of the residential opportunity site rather than necessarily confirming the actual area of physical development, the Council would have would have no objection to the proposed modification to site boundary being made, as requested by Margaret King (PLDP/158), should the Reporter wish to amend the site boundary.

H2(62) Littlemill Distillery, Bowling

The Council welcomes the representation from SNH (PLDP/640/33) but would point out that the developer requirements set out by the respondent are matters that would normally be considered through the Development Management process for a planning application. However, it is considered that Policies CP1 and CP2 of the Plan will help to address the concerns expressed by the respondent when an application is considered. No modification to the Plan is therefore required in this regard.

With regard to the representation from the Woodland Trust (PLDP/646/33), the Council welcomes the comments regarding the native woodland surrounding the site but would point out that issues of tree retention and impact on the surrounding area are matters that would normally be considered through the Development Management process for a planning application. The Council would, however, point out that no native or ancient woodland has been identified within the proposed site. No modification to the Plan is therefore required in this regard.

Reporter's conclusions:

Site H2(45) Former Aitkenbar Primary School, Dumbarton

1. The development of this site was underway at the time of my site inspection, and the responder's home was still apparently occupied as a residential dwelling and did not appear to form a part of the development site. Above, the council acknowledges that this

house was included within the development opportunity site in error. I agree that it would be misleading to include this property within the allocation. For this reason, I conclude that the site boundary should be amended to exclude this house and its curtilage, and I make the required modification below.

H2(62) Littlemill Distillery, Bowling

2. This area of brownfield land lies within the established built-up area of Bowling and would appear to be suitable for redevelopment for housing. No representations oppose the principle of the allocation.

3. Some woodland is present to the rear and along the western edge of the land, but the bulk of the site is free of trees (apart from some small saplings) and available for development. Any redevelopment proposals would have to address the requirements of Policy ENV4 which seeks to protect valuable woodland. I therefore consider that the principle of the development is compatible with the preservation of trees and woodland.

4. The Proposed Plan seeks to establish the principle of affordable housing development on this land. However, the detail of the development will fall to be agreed through the development management process. At that stage, the council can apply the generic policies of the plan, including Policies CP1 (Creating Places) and CP2 (Green Infrastructure) to secure a quality development. The inclusion of detailed developer requirements as sought by Scottish Natural Heritage (though sensible in themselves) would be inconsistent with the style of the rest of the plan and would be more appropriate for a development brief. I therefore conclude that no modification is required.

Reporter's recommendations:

I recommend that the proposed plan be modified by excluding the house on Whiteford Crescent, and its curtilage, shown in yellow on the site plan submitted by the council to the examination http://www.dpea.scotland.gov.uk/Document.aspx?id=607336 from housing opportunity H2(45) Former Aitkenbar Primary School, Dumbarton.

Issue 34	**Affordable Housing Sites - Vale of Leven**	
Development plan reference:	Policy H2 (Page 78) and Schedule 3 - Opportunities for Social Rented Housing (Page 126)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
SportScotland (PLDP/026/34) Vale of Leven Trust (PLDP/677/34)		
Provision of the development plan to which the issue relates:	This issue relates to an affordable housing opportunity site within the Vale of Leven that is included within Schedule 3 and Policy H2: Housing Sites.	
Planning authority's summary of the representation(s):		

H2(44) & H2(4) Haldane Primary

SportScotland (PLDP/026/34) state that as this site contains a grass pitch, Sportscotland would likely be a statutory consultee under the Development Management (2013) Regulations (CD 52), for any application for development that would impact on the pitch, and consideration will need to be given to compensation requirements.

H2(48) Golfhill Drive

Vale of Leven Trust (PLDP/677/34) state that there are very severe issues of over-parking in this area.

Modifications sought by those submitting representations:

H2(44) & H2(4) Haldane Primary

SportScotland (PLDP/026/34) seek to be consulted on any planning application for the site. Any proposals affecting the synthetic pitch will require compensation measures.

H2(48) Golfhill Drive

Vale of Leven Trust (PLDP/677/34) do not seek a specific modification.

Summary of responses (including reasons) by planning authority:

H2(44) & H2(4) Haldane Primary

The Council welcomes the comments of SportScotland (PLDP/026/34) and confirms that they would be statutory consultees on any planning application for proposed development of the site.

H2(48) Golfhill Drive

In response to the representation by the Vale of Leven Trust (PLDP/677/34) the Council would point out that issues of parking provision, and any impacts on local roads, are a matter for the Development Management process at a planning application stage. The site itself is relatively small with an indicative capacity of 7 units; therefore the Council is of the view that any potential parking impacts would be limited and capable of being addressed within a planning application. It should be noted that the Council's Roads Service have not objected to the allocation of this site. No modifications to the Plan are therefore required in this regard.

Reporter's conclusions:

H2(44) & H2(4) Haldane Primary

1. Construction work on the site was underway at the time of my site inspection, and I assume that issues of compensation for the loss of the former pitch on this site were addressed at the time of the grant of planning permission for the new development. I also note that Sportscotland does not oppose the principle of this allocation. On this basis I conclude that no change to the plan is required.

H2(48) Golfhill Drive

2. I do not agree with the council that practical considerations such as parking provision can necessarily be put off fully to the development management stage. I still need to satisfy myself that the site is capable of being developed for the proposed use.

3. At my site inspection I did observe that the streets around this proposal site were subject to a significant amount of on-street parking. Schedule 3 of the Proposed Plan states an indicative capacity of seven for this small plot, which would represent a relatively high density of development for this suburban location. I consider that it would still be possible to provide the necessary parking on-site, thus limiting the impact on on-street parking, though this would be likely to involve an intensity of development that might be out-of-keeping with the character of the area. I am therefore sceptical as to whether as many as seven homes could, in reality, be successfully delivered here. In any event, some on-street spaces would be lost if a vehicular access were required to the site.

4. However, I am willing to accept that the overall effect of the proposed development on the wider on-street parking resource in the locality would be small, and, on this basis, I am prepared to conclude that no modification is required.

Reporter's recommendations:

No modifications.

Issue 35	**Re-allocation of Land**	
Development plan reference:	Vale of Leven and Dumbarton Proposals Maps; Policy H2 and H3 (Pages 78 - 79); and Schedule 2 and 3 (Pages 123 – 126)	**Reporter:** Stephen Hall
Body or person(s) submitting a representation raising the issue (including reference number):		
Ballagan Developments (PLDP/010) Assetcrest Developments (PLDP/663) William Thomson and Son (PLDP/787) West Dunbartonshire Council (PLDP/789)		
Provision of the development plan to which the issue relates:	This issue relates to representations seeking the change of various sites from Greenbelt or Safeguarded Open Space to residential; nursing or care home; business and industrial; and a cemetery extension. The sites are contained within Dumbarton and the Vale of Leven.	
Planning authority's summary of the representation(s):		

Ballagan Developments (PLDP/010) requests that an area of land at Overton Road, Alexandria (as detailed on the map included within the representation (SI-010)) is changed from safeguarded open space to a residential site and included within Policy H2 and Schedule 2 or Policy H3 and Schedule 3 of the Plan. Ballagan Developments quotes that the potential new sites document stated that *'the site does not appear to be generally used or valued by the general public as open space. There would be limited environmental impact if this sloping site was developed'.* Ballagan Developments believe that developing this site would be good for employment and for helping the regeneration of the local area.

Assetcrest Developments (PLDP/663) requests that an area of land at Lesser Boll of Meal Park, Alexandria is changed from safeguarded open space to a small residential development. The respondent states that the information contained within their supporting document (SI-663) demonstrates that site is an effective housing site and should be allocated as such within Local Development Plan 2.

Assetcrest Developments (PLDP/663) request that an area of land at Lesser Boll of Meal Park, Alexandria is changed from safeguarded open space to a nursing/care home site as the site has been approved for this type of use in previous planning permissions.

William Thomson and Son (PLDP/787) seeks an area of land located within the Greenbelt adjacent to Sheephill Quarry to be re-allocated as business and industrial site. The respondent states that the proposed allocation was raised at the Call for Sites and the Main Issues Report (MIR) (SI-787) stage and that the Council's response to the MIR stated that consideration may be given to the proposed allocation at Sheephill if the Council's Business and Industrial study indicated that new business and industrial land was required. The Business and Industrial study, according to the respondent, did not consider this proposed area of land and, as a result, the Proposed Plan has been finalised without any reasonable consideration being given to the representation for the inclusion of the Sheephill land allocation.

West Dunbartonshire Council (PLDP/789) seek the reallocation of an area of land within

the Greenbelt, adjacent to the Vale of Leven Cemetery, for use as an expansion to the Cemetery.

Modifications sought by those submitting representations:

Ballagan Developments (PLDP/010) seeks the re-allocation of an area of land at Overton Road, Alexandria as a housing opportunity under either Policy H2 and Schedule 2 or Policy H3 and Schedule 3 of the Plan.

Assetcrest Developments (PLDP/663) seeks the re-allocation of an area of land at Lesser Boll of Meal Park, Alexandria for a small residential housing development within an indicative capacity of 6 - 8 units.

Assetcrest Developments (PLDP/663) seeks the re-allocation of an area of land at Lesser Boll of Meal Park, Alexandria for a nursing/care home.

William Thomson and Son (PLDP/787) seek the reallocation of an area of land within the Greenbelt, adjacent to Sheephill Quarry, for business and industrial uses.

West Dunbartonshire Council (PLDP/789) seek the reallocation of an area of land within the Greenbelt, adjacent to the Vale of Leven Cemetery, for use as an expansion to the Cemetery.

Summary of responses (including reasons) by planning authority:

In response to the representation from Ballagan Developments (PLDP/010), the site was considered for allocation as a residential site within the Main Issues Report (CD 17) as an alternative option. However, the Council did not consider this as a preferred site for residential development as the area of open space acts as an important buffer zone between residential areas and the main A82. The elevated nature of the site, relative to the existing houses, would make it difficult to be developed for housing and may result in amenity issues for existing properties.

Furthermore, the Council's Roads service are not supportive of residential development of this site as Overton Road is rather steep at this location and the embankment slopes up at a considerable gradient from the road. Sightlines to the west are also an issue, especially given the steep gradient of the road. As a result, there may be significant technical challenges in developing the site in relation to gradient and drainage.

The Council is therefore of the view that the site should remain as safeguarded open space within the Plan.

With regard to the representation from Assetcrest Developments (PLDP/663), the Council does not agree that this site is suitable for a small scale housing development. Lesser Boll of Meal is part of a larger area of open space with mature and semi-mature trees which has continued to regenerate naturally, adding to its local nature conservation value over time.

The site is understood to previously have been a gravel quarry, but it is now difficult to distinguish that use from the surrounding woodland. Its value as part of a Local Nature Conservation Site (part of Fishers Wood and Boathouse Wood) was reviewed and confirmed in the West Dunbartonshire Local Plan Review of LNCS December 2008 (CD

32), particularly in relation to its mature trees and the connectivity of the area to surrounding habitats. As a result, the Council therefore disputes the respondents assertion that this is brownfield land. The Reporter also did not agree that the site was brownfield when considering the use of this site for a nursing/care home. The Reporter stated in the Examination Report of the Local Development Plan: Proposed Plan (2016) (CD 15) that:

"the site does not have the appearance of a brownfield site, has some local amenity value, and some (albeit fairly limited) nature conservation value.

The Council's Roads Service has advised that the site is only suitable for a small development as Heather Avenue narrows at this location and is also used to access National Cycle Route (NCN7) at this point. Heather Avenue would therefore require to be upgraded with passing places and suitable traffic calming in order for its current use to be maintained.

The Council also does not agree with the respondent that the site is an effective housing site. One of the physical constraints of the site is that it is within an area at risk of flooding. Although, the respondent has provided a 'high level' flood risk assessment, this statement has not been discussed with SEPA nor has SEPA commented upon its technical correctness. The assessment itself is qualified as it would require much more detailed assessment before the site could be considered suitable for development. Therefore, the Council disputes that the site has been proven to be free from constraints and suitable for development, which is one of the key tests of effectiveness of a site set out in PAN 2/2010: Affordable Housing and Housing Land Audits (CD 04).

The respondent also makes a comparison with a site allocated within Local Development Plan 2 at Main Street, Jamestown (Site ref H2(40)), which is itself subject to a separate Issue. However, in this case, the respondent's assertion that the two sites are similar is flawed. The open space value of the Lesser Boll of Meal site is of a much higher quality and density than the site at Main Street, Jamestown, which is not an LNCS. The Council would therefore advise the Reporter to disregard this comparison and to not consider this point of representation.

The Council, in conclusion, is strongly of the view that this site should not be allocated for residential development for the reasons set out above.

Assetcrest Developments (PLDP/663) has made a similar argument to have the site re-designated for a nursing/care home as the site had previous planning consents for that use. This request was also previously considered by the Reporter during the Examination of the Local Development Plan: Proposed Plan (2016) (CD 15) and the application was withdrawn. The Council would contend that nothing has materially changed from the evidence given within Councils response to Issue 21 (Pages 189 – 190) of the Examination Report. The Reporter concluded, in relation to that particular representation, that

*"In overall terms, given the expiry of the planning permission, the reconsideration of this matter at the stage of the main issues report, and taking into account the further information relating to the development of the site which has been requested on behalf of the council, I find that circumstances have materially changed since the adoption of the existing local plan. I also find that the site does not have the appearance of a brownfie*ld *site, has some local amenity value, and some (albeit fairly limited) nature conservation value. In addition, there is some doubt about the effectiveness of the proposed*

development.

I therefore conclude (in the context of my assessment above of the merits or otherwise of developing the site) that there is sufficient justification not to continue the designation of this site as a public services opportunity.

The Council's Roads Service has advised that the site is only suitable for a small development as Heather Avenue narrows at this location and is also used to access National Cycle Route (NCN7) at this point. Heather Avenue would therefore require to be upgraded with passing places and suitable traffic calming in order for its current use to be maintained.

The respondent has also used the same technical information as included within their representation seeking residential development on the site. Therefore, the Council's response to Assetcrest Developments (PLDP/663) above, should also be viewed as response to the technical aspects of this representation, namely flooding.

In conclusion, the Council is strongly of the view that this site should remain as safeguarded open space, as there is no requirement to allocate the land for a nursing/care home as the previous consents were never enacted and there is no demand for that use within the area at this current time. Should there be a demand for nursing/care homes in the future, Policy H3: Homes for Particular Needs allows the development of nursing/care homes on sites not allocated for that use, subject to the proposal according with other relevant policies in the Plan. No modification to the Plan is therefore considered necessary in this regard.

In response to the representation from William Thomson and Son (PLDP/787), the Council would point out that the Council's Business and Industrial Review (2018) (CD 22) indicates that there is 11 years supply of marketable land within West Dunbartonshire with a further 18 years supply of non-marketable land, which with investment, may be able to replenish the marketable supply.

Whilst, the Council acknowledges the respondents view that this land is required to be allocated for business and industrial uses for their business needs, the Council would contend, taking into account the proven take up rate of 2.76 hectares per annum as detailed in the review, that there is sufficient land available within the Plan period to accommodate their business and industrial uses without developing in the greenbelt as the respondent proposes. Therefore, the Council is of the view that there is no impending need for the Council to allocate any new business and industrial land within the time period for Local Development Plan 2. No modification to the Plan is therefore required in this regard.

West Dunbartonshire Council (PLDP/789) seeks the safeguarding of land (as detailed on the map attached to their representation) adjacent to the Vale of Leven Cemetery to provide land for a new cemetery. The existing Cemetery is close to its capacity and needs to be extended to meet future local requirements.

Support for the proposal was given within the Local Development Plan: Proposed Plan through Policy BC5 and Schedule 6: Opportunities for Community Facilities. This policy and schedule was removed within Local Development Plan 2, mainly due to the fact that the proposals outlined in the Schedule had been developed; were no longer being pursued; or consent had lapsed. In relation to the Cemetery, at the time of writing Local

Development Plan 2, the landowner was not willing to sell the land for the intended purpose and the Council has decided to look for alternative locations within the Vale of Leven. However, during the publication of Local Development Plan 2: Proposed Plan, the Council's Greenspace Service has advised that it is currently concluding missives and has an agreement in principle with the landowner for the sale of the land and that the Council's Greenspace service is committed to delivering this new cemetery within the lifespan of Local Development Plan 2.

As detailed in Issue 36, the Council has suggested that an amendment to the Plan is made to include a Policy on Community Facilities, which includes, amongst other things, new cemeteries or extensions to existing cemeteries. Due to the provisions of this new policy, subject to the Reporter agreeing with it, extensions and new cemetery proposals would be able to come forward as a planning application, without the need for a specific allocation in the Plan. These proposals would then be assessed against the relevant policies of the Plan in terms of their acceptability.

Therefore, the Council is view that no modification to the Plan and the Vale of Level Proposals Map is required to specifically allocate this proposed cemetery extension.

Reporter's conclusions:

Overton Road, Alexandria

1. This narrow piece of grazing land rises steeply up from the western edge of Alexandria to the A82 trunk road. The site is visually prominent across the Vale of Leven to the east, and as such I consider it has a valuable role in providing the landscape setting of Alexandria. As viewed from the eastern side of the Vale, development here would be read as the town extending up the hillside out of the valley floor. As such I do not consider development here would represent a good landscape fit.

2. Residential development would bring the settlement edge at this point alongside the A82, which here is a busy dual carriageway generating significant noise. I note that housing exists close to the A82 elsewhere along this edge of Alexandria, and I have no evidence to indicate that any noise impacts (at least within buildings) could not be mitigated. However I consider that noise intrusion would be unavoidable within the gardens of any new housing unless a significant bund or other noise barrier were constructed. It is not good practice to promote land for development in need of such major mitigation works, unless a clear need has been established.

3. A vehicular access could be formed from Overton Road to the north, but the elongated nature of the site would require a lengthy access road to service relatively few houses. The steepness of the slope would be a challenge for housebuilding, and would be likely to require significant excavation and earthmoving to create suitable development platforms. While development might be physically possible, I do not therefore consider that the site lends itself well in practical terms to the construction of houses.

4. For these reasons I do not believe this to be a site well-suited for residential development. At Issue 15 I did not identify that an outstanding requirement for additional housing land existed in the Vale of Leven housing market area. I therefore conclude that this land should remain designated as open space in the plan.

Lesser Boll of Meal Park, Alexandria

5. The land is apparently the site of a former quarry, as evidenced in part by the bowl-like feature contained within the site. However, it has now extensively naturalised, with woodland around the periphery and young trees becoming established in the more open central areas.

6. The site has had planning permission in the past for a nursing home, but this has now lapsed. It was also allocated for this use in the adopted local plan (2010). These facts are relevant considerations, indicating that this use was found to be acceptable in the past, but they are not binding on future decision makers, particularly if there have been material changes in circumstance over time. More recently, the 2015 examination report concluded that there was sufficient justification not to continue the designation of this site as a public services opportunity (i.e. the report supported the site being designated as open space).

7. The site will have continued to naturalise over the 22 years that have passed since the granting of the original consent. The council points to the 2008 review of its local nature conservation sites, which recommended maintaining this land as part of the Fishers Wood and Boat House Wood local nature conservation site. I have read this review, and the respondent's habitat and protected species survey and tree survey. It appears that while the land may not yet be of great intrinsic importance for wildlife within itself, it is valuable as part of a connected corridor of woodland and semi-natural greenspace extending alongside the River Leven and beyond the boundary of the plan area to the north. I also consider the value of the site for wildlife has particular potential to increase as the process of natural succession proceeds and given that it adjoins areas of mature woodland.

8. I find the site to be well-integrated with the more mature woodland to the north and east, and together with those areas to form a valuable green corridor alongside the River Leven at this point. The development of this site would disrupt the connected nature of this natural corridor to a significant degree. I therefore consider that the current undeveloped and naturalising character of the site is of value to the nature conservation and greenspace resource of this part of Alexandria.

9. The site is bordered to the south and south-east by public footpaths, which will allow the public to appreciate this greenspace, although I did not note evidence of any other direct recreational use of the land.

10. The definition of brownfield land in Scottish Planning Policy is as land that has previously been developed. The working of a quarry is development, and thus I agree that at least part of the site meets the broad definition of brownfield land. However I also agree with the finding of the 2015 examination report that the site does not now have the appearance of a brownfield site.

11. Paragraph 40 of Scottish Planning Policy calls for the redevelopment of brownfield land to be considered ahead of greenfield sites. In this case, I doubt that the development of this site would allow for any other greenfield housing sites to remain undeveloped. The respondent mentions the proposed housing allocation at Main Street, Jamestown (site H2(40)), but I do not consider these sites to be in direct competition with each other in the way that, for instance, alternative suggested urban expansion sites might be. Rather, it is a case of two separate unrelated sites within the built-up area, with

varying impacts and degrees of acceptability.

12. More generally I find that the fact that the site meets the technical definition of brownfield land does not, in itself, justify its development. I have concluded above that the current undeveloped nature of the site is of value, and any development proposals must still be acceptable across the range of planning considerations.

13. In terms of the suggested housing use, the respondent suggests only six to eight residential units could be built on the land, and so it would contribute in only a very small way to the overall housing land supply. In any event, at Issue 15 I did not identify that an outstanding requirement for additional housing land existed in the Vale of Leven housing market area.

14. In terms of the suggested nursing/ care home use, the Proposed Plan acknowledges that the demand for care home and nursing home places will continue to increase, and responds to this need by allocating three sites (at Auchentoshan, Queens Quay and Hardgate) for this use. I have no evidence that these allocations are insufficient.

15. The council states above that there is no current demand for a nursing home in the Alexandria area, but overall I find the evidence before me regarding the need for further nursing home provision in this area to be limited. That said, two of the nursing homes proposed in the plan require building on existing green belt land, and all are located in the Clydebank part of the plan area. Because the Lesser Boll of Meal site is located in the western part of the plan area, and within the established urban area, it could therefore have some advantages as a potential alternative to one of the currently proposed sites.

16. There may now be better information available regarding flooding than existed at the time of the 2015 examination. The respondent has prepared a flood risk statement, which is described as a high level evaluation involving a qualitative assessment rather than hydrological modelling. On the basis of this report, I would not rule out that it may be possible to mitigate the flood risk on this site, but more detailed work would be required to confirm if this was the case.

17. Vehicular access would be from Heather Avenue, which is a narrow single track cul-de-sac. I note from the respondent's transport statement that traffic generation from the proposed uses would be low. Above, the council accepts that a small development could be accessed subject to upgrades to Heather Avenue. I agree that some improvement would probably be required to Heather Avenue to allow for development on the site, but that access would not appear to be a major constraint to a modest development.

18. In conclusion, I acknowledge that development of this site might, subject to further studies, be feasible in terms of access and flooding. The site could represent an opportunity to provide a nursing home in the western part of the plan area on a site within the existing urban envelope. However I consider the most powerful factor in this case to be the important contribution the site makes to the wider green corridor in this area, and for this reason I conclude that the proposed designation as open space and a local nature reserve should be upheld.

<u>Sheephill Quarry</u>

19. The proposal is for a strip of land alongside the A82 and south of Milton Quarry to be allocated for business/ industry. It is suggested that the land would be used for a

concrete block plant associated with (and utilising materials produced by) the quarry.

20. Above, the council does not robustly address the argument that there is a specific need to use this location because of the adjacency to the quarry that would supply some of the materials. I accept that the argument that there could be advantages to locating such a use on this site, such as minimising the need to transport aggregate to a more distant site via the public road. I am not clear as to how close the relationship between the quarry and the proposed block plant would be, but it is also often beneficial in economic development terms to allow existing businesses to expand onto neighbouring land where there is an operational justification for this to happen, and environmental and other impacts fall within acceptable limits.

21. It is the case that the Industrial and Business Land review carried out by Ryden on behalf of the council in 2018 (core document 22) demonstrated an eleven year supply of marketable industrial and business land on a range of sites in West Dunbartonshire. It would no doubt be feasible to construct a concrete block plant on a number of those sites. However, such an approach could itself create negative impacts, such as the generation of additional traffic.

22. However the advantages of developing this site need to be set against the potential harm. This is a very prominent sloping site sitting above and alongside the A82 trunk road: a key transport corridor for local people and visitors to the Loch Lomond and the Trossachs National Park and the West Highlands. The site is currently partially treed and offers an attractive view to eastbound and westbound travellers at this point. Development here would be likely to reduce the visual attractiveness of this important route. The site is also green belt land and located in the undeveloped gap between Bowling and Milton (and more widely between Clydebank and Dumbarton). Development would undermine the openness of this gap and the separate identities of these settlements.

23. In conclusion, while acknowledging the locational advantages to the operator of developing this land, I consider that the site's existing visual and landscape importance as undeveloped semi-natural greenspace is the most significant factor in this case, and that therefore the land should not be designated for industrial/ business development.

Expansion to Vale of Leven Cemetery

24. The need for an extension to the Vale of Leven Cemetery appears to be well established, and was referred to in the 2016 draft of the Proposed Plan (though no site was identified at that time). The site for the extension proposed by the West Dunbartonshire Greenspace Service occupies the gap between the existing cemetery and the A82 and the urban area of Alexandria beyond. It would therefore minimise the intrusion of this somewhat manicured use into the open countryside. The land is, however, relatively visible from the A82 and some locations across the Vale of Leven. It is also separated from the existing cemetery by a minor road. Nevertheless I am prepared to accept that it is likely to be suitable for the suggested use.

25. Above, the council states that the owner of this land has agreed to sell it to the council. However, I have no confirmation from the landowner that this is the case, and I am conscious that this proposal has not been the subject of consultation with the landowner or the wider public (for instance through the main issues report). I am therefore wary of introducing this as a new proposal at this late stage in the local

development plan process.

26. At Issue 36 I decline to introduce a new policy relating to new community facilities into the plan. Nevertheless, should a planning application for a cemetery extension on this land be forthcoming, I consider it could be assessed against the existing policies of the plan, including Policy GB1, which allows for infrastructure with a specific locational need to be located outwith the urban area.

27. For these reasons I conclude that this land should not be allocated for the purposes of a cemetery extension in the plan.

Reporter's recommendations:

No modifications.

Issue 36	**New Policy - Community Facilities**	
Development plan reference:	Delivering Homes (Pages 76 - 79)	**Reporter:** Stephen Hall

Body or person(s) submitting a representation raising the issue (including reference number):

Theatres Trust (PLDP/641)

Provision of the development plan to which the issue relates:	This issue relates to the non-inclusion of a Policy protecting Community Facilities within the Plan.

Planning authority's summary of the representation(s):

Theatres Trust (PLDP/641) The Trust supports the presumption against the loss of community facilities. However, the policy relates only to residential areas and is therefore too narrow in focus. Community facilities which serve residential communities and that are valued by local people may sit outside of residential areas, or have a more central town centre location serving a wider catchment. This would include cultural facilities such as theatres, cinemas and pubs.

The guidance notes for 'Network of Centres' (page 84) references cultural and community facilities together in that context. Such facilities contribute towards the social and cultural wellbeing of local people and help reduce isolation, providing opportunities for participation and for people to come together. The promotion and protection of such facilities contributes towards Outcome 1 of Scottish Planning Policy (2014) (CD 03).

Modifications sought by those submitting representations:

Theatres Trust (PLDP/641) seeks that the plan introduces a new policy which provides robust protection for all valued cultural and community facilities from unnecessary loss across West Dunbartonshire, not specifically within residential areas.

Summary of responses (including reasons) by planning authority:

The Local Development Plan: Proposed Plan (2016) (CD 13) contained Policy BC5, which related to Community Facilities and included within Schedule 6 a list of Opportunities for Community Facilities. This policy and schedule was removed within Local Development Plan 2, as the proposals outlined in the Schedule had been developed or consent had lapsed. The Council considered that other parts of the Plan, specifically Policy H4: Residential Amenity; the Network of Centres Retail Strategy and Table 4: Network of Centres would give community facilities continued protection without the need for a specific policy.

However, after taking on board the representation from the Theatres Trust and the request by the Council for the allocation of land for an extension to the Vale of Leven Cemetery, which is discussed in Issue 35, the need for a bespoke policy on Community Facilities is considered to have merit and would ensure that the Plan further accords with SPP

(CD 03). However, the Council does not agree that public houses and cinemas should be viewed as community facilities as these are more to do with entertainment and should be subject to the Policies within the Supporting Town Centres section of the Plan.

The Council considers that an amendment to the Delivering Homes Section of the Plan to include a new policy on Community Facilities and associated supporting text may be necessary. Should the Reporter wish to insert a new policy, the Council would have no objection this and would suggest that the Policy is inserted after Policy H4: Residential Amenity on Page 79 of the Plan with the proposed supporting text:

"Community Facilities

In addition to housing, there are a range of other facilities that contribute to a community being attractive and successful, for example, schools, local shops, health facilities, leisure centres, cultural facilities, community halls, quality open spaces, and outdoor sports facilities.

Many schools, community facilities and other public service buildings are located within or adjacent to residential areas. As public services continue to modernise, new uses may be sought for some of these sites. In some instances another public service use may be sought, and this would be supported. However, there may be no requirement for the site to remain in community use and in such an instance alternative uses in keeping with the surrounding area will be supported.

It is also important to recognise that the Council has to ensure that other uses, not necessarily consider as community facilities, are identified and safeguarded for future use, for example, new cemeteries and extensions to existing cemeteries.

Policy H5 - Community Facilities

Proposals which respond to the changing needs and demands for all community, educational, sporting, leisure, cultural and other facilities serving local communities throughout West Dunbartonshire will be supported. The development of new facilities associated with these uses should be appropriately located and be in accordance with the relevant policies of this Plan. The Council also support the upgrading, expansion and improvement of existing facilities to meet local needs."

Reporter's conclusions:

1. I have some sympathy with the idea of including a policy in the plan for the protection of existing cultural and community facilities. Proposals for such changes of use, or for the redevelopment of such buildings, may emerge over the plan period, and in those circumstances it would be useful for the plan to contain policy criteria for the assessment of applications. However, there is no requirement for the inclusion of such a policy approach in Scottish Planning Policy, and I am not aware that particular pressures exist for the loss of such uses in West Dunbartonshire.

2. I note that proposed Policy H4 resists new housing development where existing adjacent uses could have an unacceptable impact on residential amenity. This policy therefore provides some protection to existing music venues and similar uses. Proposed Policy SC4 also protects pubs and hotels within local centres that serve local communities. The Proposed Plan does therefore already contain some limited coverage

of this topic.

3. There is a balance to be drawn between the protection of land and buildings currently in cultural and community use, and factors including economic viability and the benefits of redevelopment for alternative uses such as housing. However, I do not have evidence before me, for instance on the local demand for such uses or on pressures for their loss, to myself draft a policy that I can be confident makes this balance appropriately.

4. I consider that the new policy suggested by the council above is too vague and open-ended to provide useful policy direction, and fails to give any spatial guidance as to where new community facilities should be located or what criteria would be applied when considering applications. By addressing proposals for new facilities, it also goes beyond the terms of the representation from the Theatres Trust, which is about protecting existing facilities. The introduction of such a policy would therefore go beyond the scope of this examination which is limited to issues raised in representations.

5. I have therefore decided, on balance, not to recommend the inclusion of a new policy on the protection of cultural and community facilities, for the reasons stated above. This is, however, a matter that I believe the council could usefully consider ahead of the next review of the plan.

Reporter's recommendations:

No modifications.